

GROUP AREAS - GENERAL

1988

JULY - ~~AUGUST~~ SEPT,

OR

P.O. Box 6141, Johannesburg 2000

Tudor Mansions, 78 Troy Street Johannesburg 2001

Address:

JOINT UNION EDUCATION PROJECT

Address:

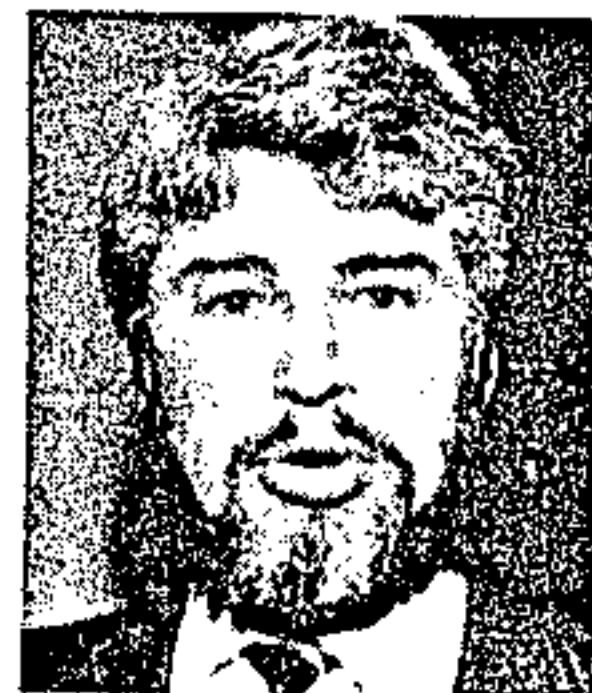
P.O. Box 61954, Marshalltown 2107

INTER UNION PROJECT

ILRIG	Bolivian: the unfinished struggle	1985	30 cents
ILRIG	Solidarity of labour: the story of International workers organisations	1984	30 cents
ILRIG	May Day		20 cents

From attrition to repeal

SM 1/7/88 (80)



John Kane-Berman is executive director of the SA Institute of Race Relations.

Not only government, but also its critics could usefully study recent publications on the Group Areas Act by the Institute of Race Relations that explode pro-apartheid myths and cast doubt on favourite anti-apartheid strategies.

The erosion of the Act has now gone far enough for it probably to be irreversible.

While government and anti-apartheid organisations fret over threatened rightwing exploitation of negative white reaction to group areas contraventions, institute research shows that one of the major factors allowing the government to turn a blind eye to group areas encroachments has been the absence of significant white complaint in suburbs where erosion has gone furthest.

The National Front (most of whose members seemed to be British immigrants) tried but failed to mobilise significant white support in Hillbrow in 1979. Last year, resistance to the desegregation of Mayfair was organised not by a Mayfair resident but by someone from a neighbouring suburb, Allen McCabe, who complained that his supporters were apathetic about sniffing out black offenders.

By eroding the Groups Areas Act on the ground, rank-and-file blacks stole a march not only on government but also on political organisations that scorn piecemeal change and do not regard campaigning against the Act as a priority.

Black action in quiet defiance of the Act has been reinforced by public interest law

firms that threatened to contest every eviction in court; by landlords and estate agents who were willing to take in black tenants because there were not enough whites to fill up their buildings; by businessmen who lobbied for the opening of CBDs and bought houses for black employees in white areas; and by ordinary whites who acted as nominees for black owners and tenants.

A recent institute study entitled *The Greying of Johannesburg* shows how this quiet black erosion of the Act has met not white intransigence, but white adaptability. *Greying* notes that desegregation has generally encountered tolerance in white lower income suburbs, where Group Areas violations have mainly taken place. Where racial prejudice did exist it was undermined by racial contact.

Moreover, contact in the workplace has made residential desegregation more acceptable to whites — to the extent that black colleagues sometimes got them to act as nominees. This is not to argue that white fears of the consequences of desegregation do not run deep or that campaigns against desegregation will not continue to attract white support.

But the fact that the Act's supporters have adapted to its erosion in practice suggests that they might quickly come to accept the consequences of its repeal. Government has no choice but to change the law to take account of reality.

However, the amendments to the Group Areas Act now in the pipeline risk making things worse, not better. If only some areas are opened and tighter controls are enforced elsewhere, all blacks moving into white areas will be channelled to these few open areas, which may indeed deteriorate, leading to a flight of whites and the growth of black ghettos in the inner cities. One result may be more adverse white reaction than so far.

The new teeth the government wants to

give the Groups Areas Act in non-open areas is unlikely to succeed in keeping them white. If the government could build a million houses as quickly as it can change a law to impose a heavier fine, it may be able to keep certain areas white. But it cannot make much of a dent in the housing backlog, partly because the Group Areas Act itself is a powerful brake on the proclamation of additional land for housing.

What should the government do? The logical solution is to repeal the Group Areas Act — lock, stock and barrel.

Other recent institute research refutes the view that this would disturb order, or cause property prices to drop.

Our forthcoming study of desegregation in Harare, Windhoek, and Mafikeng — called *Sharing the Cities* — suggests that wider residential desegregation in SA will not be the traumatic event that so many people think.

It is argued that wholesale repeal will be grist to the mill of the Conservative Party. Obviously. But consider the government's choice: a once-off loss of seats but not power to the Right, or being perpetually held to ransom by the Right as it turns the proclamation of every single open area into a political issue.

There is more to lose to the Right as gradual change is forced upon the government than if it takes the Group Areas Act out of white politics simply by repealing it.

Another reason for wholesale repeal is to lay the foundation of rational urban development and, in so doing, create — in the country's interest — a situation which a CP government would not be able to reverse.

Apart from all of that, we cannot afford another botched, half-baked counter-productive reform which satisfies nobody — not the black Left, not the Labour Party, not the white Right and not even everybody in P W Botha's own caucus.

'Brutal' new Group Areas Bill tabled

HARSH new measures to toughen up the Group Areas Act, including drastic increases in penalties, were released by the government this morning.

The Group Areas Amendment Bill "will strengthen the hands of other law enforcement officers, forestall infringements and obviate the development of intolerable situations", said Minister of Constitutional Develop-

ment Planning Chris Heunis.

The Progressive Federal Party MP for Greenpoint, Tian van der Merwe — who said the provisions of the Bill were "so harsh and so brutal" that they could disrupt stability — estimates that between 100 000 and 200 000 people could be thrown onto the streets when the new measure becomes law, probably in September.

Weekly Mail Reporter

Another Bill, the Free Settlement Areas Bill, does make provision for open areas, but only after an exhaustive research into "the necessity or desirability" of an area being opened to all races has been investigated by a yet-to-be-established Free Settlement Board. However, the government's clear aim is to demonstrate to white

voters that it will not allow the racial segregation of residential areas to take place.

The Group Areas Act is believed by Nationalist MPs to be a highly sensitive issue among white voters who they believe are opposed to the creeping racial integration in suburbs such as Hillbrow.

Many Nationalist MPs believe the NP would lose power to the Conser-

vative Party if the Group Areas Act was scrapped.

With the right-wing threat and the municipal elections on October 26, the government is determined to show white voters it is not softening its stance on the Group Areas Act, as the CP has alleged.

The three Bills are expected to provoke a bitter fight in parliament

● TO PAGE 3

Row likely over Group Areas Bill

● FROM PAGE 1

Essentially, the amendments close legal loopholes in relation to evictions and enforcing the provisions of law, penalties are increased and provision is made for Group Areas inspectors.

The fines for property owners who allow the occupation of property are to go up from R400 to R10 000 and maximum imprisonment from two to five years. Penalties for people who illegally occupy property will go up from R200 to R4 000 and the maximum jail sentence from one year to two years.

Heunis said the ambit of the law was increased to include all illegal occupation and eviction orders will be mandatory on conviction.

Provision was also made for administrative enquiries when land or premises are illegally occupied "so that illegal occupants may be ordered to vacate the land or premises".

1-7/78
w/Week

Govt's Group Areas crackdown

CME Tink
1/7/88

80

By ANTHONY JOHNSON
Political Correspondent

THE threat of forced eviction will loom large for more than 250 000 people later this year when a new version of the Group Areas Act becomes law.

The Group Areas Amendment Bill, to be tabled in Parliament today, makes provision for a 25-fold increase in fines, compulsory eviction, the blacklisting and confiscation of property, and drastically beefed-up policing measures to track down violators of the government's new super-strict racial zoning law.

The government has already signalled its intention to bypass opposition objections to the tough new bill by ramming it through the President's Council before it takes on the Conservative Party in the local elections in October.

The PFP predicts that the new provisions are "so harsh and so brutal" that, if applied strictly, "will threaten the very stability and peace of the cities" and "create the kind of anger and desperation that so often result in riots and unrest".

The increased penalties for owners renting illegally include fines of up to R10 000 and imprisonment up to five years.

The bill is one of three Group Areas bills unveiled yesterday by the Minister of Constitutional Development and Planning, Mr Chris Heunis.

Woodstock and Hillbrow may be 'special cases' — Page 3

The second is the Free Settlement Areas Bill which makes provision for the establishment of areas free of racial zoning under certain circumstances.

The third is the Local Government Affairs in Free Settlement Areas Bill to make provision for political participation in local government in open areas.

Mr Heunis said the investigations to be conducted by the Free Settlement Board, a committee of predominantly government-appointed "experts", into the proclamation of open areas would take "months rather than years".

Mr Heunis said he could not predict if the first open areas would be proclaimed before the end of this year but said that no limit had been set by the government on the eventual number of open areas.

He could also not say whether open areas had to fall within certain sizes, but his deputy, Mr Roelf Meyer, said it was unlikely that a block of flats, for example, would be allowed to become an open area.

Provisions for education have not been spelt out in the new draft legislation but Mr Heunis hinted that subsidized private schools could be established in racially mixed areas.

The Conservative Party dismissed the proclamation of "open areas" as a "foolish exercise" and said it would ensure that the government stuck to its promise to give the amended act teeth.

The PFP and Labour Party condemned the new provisions.

To page 3

From page 1

Group Areas *CME Tink 1/7/88 (80)*

PFP spokesman Mr Tian van der Merwe said: "The Group Areas Amendment Bill creates provisions which are so harsh and brutal, that if they are applied strictly will threaten the very stability and peace of the cities."

The Labour Party called on the government to repeal "this immoral, ungodly, and iniquitous act that has been the cause of so much hurt, pain, suffering and death."

LP spokesman, Mr Peter Hendrickse, said the party had stated repeatedly that "that which is evil cannot be amended and must be repealed".

Group Areas Crackdown

News 1/7/88 80

HARSH new legislation to enforce the Group Areas Act — while opening some areas to all races — has been tabled in Parliament.

Penalties for contravening the Act are "drastically increased"; properties illegally occupied may be sold by the State, inspectors are appointed to police the Act and the State no longer has to provide alternative accommodation for people evicted under the Act.

Penalties are increased from R400 to R10 000 and from two years to five years for property owners who allow transgressions and from R200 to R4 000 and from one to two years in prison for illegal occupation of property.

The legislation circumvents the Supreme Court ruling that alternative accommodation must be found before group areas transgressors can be evicted.

At the same time, legislation has been introduced to open some areas to all races and to set up management committees to give

residents of mixed areas a vote in municipal affairs.

The Minister of Constitutional Development and Planning, Mr Chris Heunis, announced the new legislation yesterday.

He denied that the measure was harsh, saying it was designed to implement the Group Areas Act properly. It would protect the right of people to their own community life and to land tenure.

He said the Government's new group areas policy — announced in October last year by President Botha — was being implemented with three Bills.

The Group Areas Amendment Bill alters the Group Areas Act to give it more teeth, the Free Settlement Areas Bill provides the machinery for opening some areas to all and the Local Government Affairs in Free Settlement Areas Bill makes provision for local authority representation for the open areas.

Penalties for transgressors would be "drastically increased", Mr Heunis said, and eviction orders would be mandatory on conviction. Inspectors would be appointed to

By PETER FABRICIUS, Political Staff

check on illegal possession and occupation of property in group areas.

Blacks would also be brought into the group areas system. Existing development areas for blacks would become black group areas.

To prevent speculation when areas were identified for certain groups, the Bill would determine a basic value of a property at the time it was advertised that it might be re-proclaimed.

Mr Heunis also said the Free Settlement of Areas Bill would make provision for those people who wanted to live in open areas.

The State President would have the power to proclaim these areas on the advice of a Free Settlement Areas Board and would have the power to amend or repeal the proclamation of a free settlement area.

All industrial land would be opened to all races and present delays in the proclamation of free trading areas would be overcome by giving local authorities the power to declare

the areas open once the State President had given his approval.

The legislation makes it clear that the proclamation of free settlement areas will be carefully controlled and will ultimately be an "own affair". The decisions as to which areas should be opened will rest with the Ministers Councils of the white, Indian and coloured people.

A Free Settlement Board of experts will be appointed. The State President will appoint the chairman and the different provincial administrators, Ministers Councils and the Minister of Constitutional Development will appoint one member each.

The Ministers Councils are also given a veto right on any decision to establish a free settlement area in their group areas. They are also given the power to decide which areas should become free trading areas and who should receive exemption permits in their areas.

These provisions are certain to meet strong resistance from at least the Labour Party, which has declared that it will not "administer its own oppression".

The Free Settlement Board will investigate and advise on which areas should be opened. A local authority or township developer could request an investigation into opening an area.

The franchise arrangements for the free settlement areas have been based on the principle that they should "impair the right of communities to self-determination" or impair "existing franchise arrangements at central government level".

To effect this, residents of free settlement areas will not necessarily be given a vote in the local authority of the area. Instead, they will vote for management committees which will be exactly the same as the existing committees for coloured and Indian areas — except that all races will be have the vote.

However, voters will have the choice of remaining on their existing voters' roll. The management committees for free settlement areas and the local authority will get equal representation on joint committees which will have the final say on matters directly concerning the areas.

3 Group Areas Bills

Star 1/7/88

Areas

Bills

80

attacked

Political Staff

The package of three Group Areas Bills published yesterday by the Government has been heavily attacked by opposition parties today.

The legislation has been described as "horrific" and an "assault on the principle of individual property rights and free enterprise".

The Labour Party has rejected the new Group Areas legislation and called once again for a complete repeal of the Group Areas Act.

The Progressive Federal Party slammed provisions in the legislation for the confiscation of property where owners allowed illegal occupation, and hit out at the stiff penalties proposed. It claimed that the provisions of the amending Bill were so harsh that, if applied, would provoke rioting.

The Conservative Party has condemned the provision for opening some areas to all races.

Details of the new Bills were disclosed yesterday by Constitutional Development and Planning Minister Mr Chris Heunis. The legislation provides for a harsh clampdown on group areas infringements while also opening the way for some areas to become non-racial.

Penalties for contravening the Act would be drastically increased, properties illegally occupied could be sold by the State, inspectors would be appointed to police the Act and the State would no longer have to provide alternative accommodation for people evicted.

The proposed maximum fines would go up from R400 to R10 000, with the jail penalties going up from two years' imprisonment to five years' for property owners who allowed illegal occupation. The maximum penalties for illegal occupation of property would go up from R200 to R4 000 and from one to two years' imprisonment.

Penalties "horrific"

The PFP spokesman on group areas, Mr Tiaan van der Merwe, said ministerial powers to confiscate the property of people who allowed illegal occupation was a "fundamental infringement of people's rights to do what they liked with their property".

"The penalties are horrific and compare with the penalties for serious offences such as child molestation.

"If this Act is strictly applied and people are kicked out onto the street it could cause riots. Quite frankly it is a disgrace."

In a statement issued today the LP said it had repeatedly stated that "that which is evil cannot be amended and must be repealed".

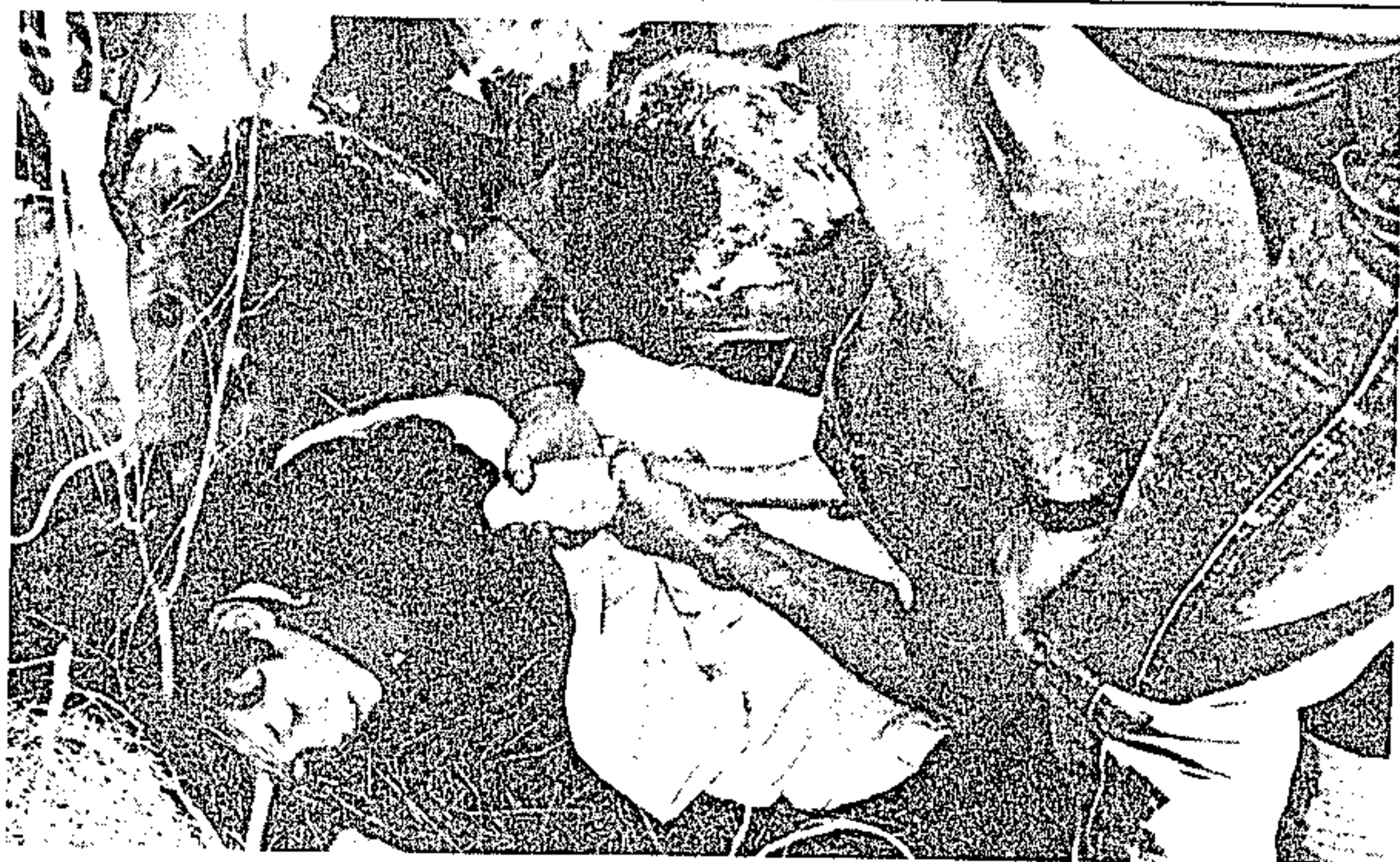
"We once again call upon the Nationalist Government to repeal this immoral, ungodly and iniquitous Act that has been and still is the cause of so much pain, suffering and death."

The LP said its national executive committee had in April reiterated the party's "total opposition to local option".

Mr Moolman Mentz, the Conservative Party spokesman on the Group Areas Act today expressed doubt that the Government would put into practice the harsh new legislation to give teeth to the Act.

New trio of Bills slammed by opposition left and right

ARCS 1/7/88 80



IN SAFE HANDS: Guy Meaker, 10, of Plumstead is examined by rescuers after a fall on the Constantiaberg. Pictures: JOHAN SCHRÖNEN



AIR LIFT: Rescuers lift the injured boy into an SAAF Alouette helicopter.

Schoolboy airlifted after mountain fall

Staff Reporter

A 10-year-old Plumstead boy on a birthday outing up Constantiaberg had to be airlifted to safety by helicopter after falling five metres near a waterfall.

Guy Meaker, of 25 Smith Street, was lifted off the mountain by a SAAF Alouette heli-

copter and taken to Tygerberg Hospital, where he was treated for shock, concussion and light injuries.

His brother, James, said Guy and 20 classmates were on a birthday outing up Constantiaberg yesterday. While Guy was climbing next to a waterfall, a

rock broke loose and he tumbled about five metres before a tree trunk broke his fall.

Mr H Mentz, who was supervising the outing, alerted forest rangers, who called Metro Emergency Rescue Service.

It was decided to airlift Guy to safety as a precautionary measure.

By PETER FABRICIUS
Political Staff

THE Government's new trio of Bills dealing with group areas has been condemned by the left and right.

The Conservative Party has condemned the provision for opening some areas to all races; the Progressive Federal Party has predicted that, if applied, the Group Areas Amendment Bills are so harsh they will provoke rioting; the Labour Party has dismissed the whole package and repeated its demand for a total scrapping of the Group Areas Act; and the Independent Party referred to the Government's "absolute obsession with skin colour".

Mr Moolman Mentz, Conservative Party spokesman on group areas, today expressed doubt that the Government would put into practise the harsh new legislation to give teeth to the Group Areas Act.

Bigger fines

He was reacting to the Group Areas Amendment Act, which "drastically" increases fines for landlords who rent to people of the "wrong colour" and makes eviction of offenders mandatory on conviction.

Mr Mentz said that for years the Government had had strong measures in the Group Areas Act but had done little with them.

The Progressive Federal Party's spokesman on group areas, Mr Tian van der Merwe, said the provisions which gave the Minister concerned the power to confiscate the property of people who allowed illegal occupation under the Group Areas Act were an "absolutely fundamental infringement of people's right to do what they liked with their property".

Unprecedented

He said the provision was "unprecedented", especially when it was considered that it was done not out of dire necessity but merely as a penalty against people who offered their property to others out of sheer necessity.

"Not only has the Government made it compulsory for a magistrate to kick someone out if found guilty of transgressing the Act but the Minister is given the right to order the sheriff to kick someone out as if he is executing an order of court.

"From a legal and moral

point of view this is completely reprehensible and the Act should be rejected in the strongest terms.

"The penalties are horrific and compare with the penalties for serious offences such as child molestation.

"Even with the Bill to open up some areas the sum total of these Bills is essentially anti-reform.

"If this Act is strictly applied and people are kicked out into the street it could cause riots.

"We will fight the Bills tooth and nail. Quite frankly, they are a disgrace."

The Labour Party has rejected the legislation and called again for a complete repeal of the Group Areas Act.

In a statement issued today, the LP said it had repeatedly stated that "that which is evil cannot be amended and must be repealed".

"We once again call on the Nationalist Government to repeal this immoral, ungodly and iniquitous Act that has been and still is the cause of so much hurt, pain, suffering and death.

"This (legislation) is definitely not a step in the right direction but will merely serve to exacerbate an intolerable situation on the one hand and the realisation of white fears on the other hand."

Dr Denis Worrall's Independent Party has "utterly rejected" the new legislation.

"A prerequisite"

It said in a statement today that the measures envisaged in the application of the Group Areas Act "allow for an even greater witchhunt against those who seek a perfectly natural freedom of association".

"The Government indicates once again its absolute obsession with skin colour as a norm.

"The IP restates its implacable opposition to all legislation based on skin colour.

"The irony of the situation is that the Government is now forced to enact legislation to grant so-called free settlement areas.

"This contradiction in terms has no hope of removing the stigma and distortion in our national life caused by group areas."

© Group Areas crackdown, page 11.

Govt hints at 'special cases' in group areas

ARC Fin's 1/7/88
80
Political Correspondent

THE government has hinted that racially-mixed areas like Woodstock and Hillbrow may be treated as "special cases" in terms of the tough new group areas provisions to be tabled in Parliament today.

The Deputy Minister of Constitutional Development and Planning, Mr Roelf Meyer, said in an interview yesterday: "I think we will have to consider them in a particular way."

However, he declined to give an assurance that these areas would escape group areas evictions.

Mr Meyer said that before taking action the government would have to consider the particular circumstances of Woodstock and Hillbrow and what the future held for these areas.

He indicated that the government's major concern over Hillbrow involved the "upgrading" of the area and an improvement of "living conditions".

Government spokesmen declined yesterday to say which areas may be declared open in terms of new legislation.

Group Areas Act is given stronger teeth

Star 1/7/88

80

Harsh new legislation to enforce the Group Areas Act — while opening some areas to all races — has been tabled in Parliament.

Penalties for contravening the Act are drastically increased, properties illegally occupied may be sold by the State, inspectors are appointed to police the Act and the State no longer has to provide alternative accommodation for people evicted under the Act.

Fines are increased from R400 to R10 000 and from two years' to five years' imprisonment for property owners who allow transgressions, and from R200 to R4 000 and from one to two years' imprisonment for illegal occupation of property.

The legislation circumvents the Supreme Court ruling that alternative accommodation must be found before Group Areas Act transgressors can be evicted.

At the same time legislation has been introduced to open some areas to all races and to set up management committees to give mixed residents of these areas a vote in municipal affairs.

The Minister of Constitutional Development and Planning, Mr Chris Heunis, introducing the new legislation yesterday, denied that the measure was harsh and said it was designed to implement the Group Areas Act properly.

It would protect the rights of people to their own community life and to land tenure.

He said the Government's new group areas policy announced in October last year by President Botha was being implemented with three new Bills. The Group Areas Amendment Bill altered the Group Areas Act to give it more teeth, the Free Settlement Areas Bill provided the machinery for opening some areas to all and the Local Government Affairs in Free Settlement Areas Bill made provision for local authority representation for the open areas.

Penalties for transgressors would be drastically increased, Mr Heunis said, and eviction orders would be mandatory on conviction.

Inspectors would be appointed to check on illegal possession and occupation of property in group areas.

Blacks would also be brought into the group areas system. Existing development areas for blacks would become black group areas.

To prevent speculation when areas were identified for certain groups, the Bill would determine a basic value of a property at the time it was advertised that it might be re-proclaimed.

Mr Heunis also said the Free Settlement of Areas Bill would provide for those people who wanted to live in open areas.

The State President would have the power to proclaim these areas on the advice of a Free Settlement Areas Board and would have the power to amend or repeal the proclamation of a free settlement area.

All industrial land would be opened to all races and present delays in the proclamation of free trading areas would be overcome by giving local authorities the power to declare the areas open once the State President had given his approval.

The legislation makes it clear that the proclamation of Free Settlement Areas will be carefully controlled and will ultimately be an "own affair". The decisions as to which areas should be opened will rest with the Ministers' Councils of the whites, Indians and coloured people.

A Free Settlement Board of experts will be appointed to investigate and advise on which areas should be opened.

The Ministers' Councils will be given a veto right on any decision to create a free settlement area in their group areas. They can also decide which areas should become free trading areas.

2/7/88 w/Argus
(50)

200 000 face eviction if Bills passed

DURBAN. — Nearly 200 000 blacks now living in white areas face eviction and life on the street if the Government's new group areas Bills become law.

Critics have slated the trilogy of harsh measures as a giant step backwards to the dark days of mass forced removals.

Introduced as a sop to the rightwing, the mandatory evictions and huge penalties of the Bill are expected to cause untold and unnecessary suffering, racial bitterness and violence, according to the critics.

Diplomatic sources predict that the new measures would also cause further alienation of the international community.

David Gordon, chairman of Lawyers for Human Rights, described the Bill as "a disastrous piece of legislation which can only bring discredit to the country".

"It seems to be inspired by political expediency and fear, rather than as a reflection of the will of the people."

Backlog critical

Urban Foundation chairman Mr Jan Steyn has estimated that 3.5-million black people live in informal urban and peri-urban settlements in South Africa.

The backlog of formal housing in city areas alone is as high as 800 000, and South Africa's Indian and coloured communities also face critical shortages.

Meanwhile, tens of thousands of white units stand vacant.

The Group Areas Act is at present administered fairly passively by the police, but the drastic new Amendment Bill published this week threatens to turn South Africa into a nation of witch-hunters.

Special inspectors can be appointed whose task will be to ferret out offenders, said the Minister of Constitutional Development, Mr Chris Heunis.

And members of the public will be encouraged to snoop around the neighbourhood to ensure that all is white.

"Provoke riots"

The Progressive Federal Party's spokesman on Group Areas, Mr Tian van der Merwe, has deplored this as being foreign to normal legal practise. He believes the Bill is so harsh that it will provoke riots in the city centres if fully implemented.

Mr van der Merwe has estimated that 200 000 black people are living "illegally" in white areas throughout the country.

Nothing — not even the Bill's R10 000 fines, forced evictions or property confiscation — would stop the inevitable movement of black people into white areas, he said. — Weekend Argus Correspondent and Political Staff.

100ms

Witch-hunt spectre

Star 217185

80

PETER FABRICIUS

CAPE TOWN — The Group Areas Amendment Bill published this week threatens to turn South Africa into a nation of witch-hunters.

The victims will be blacks living in "white" areas.

The hunters will be special group areas inspectors, assisted by ordinary citizens — probably members of the Conservative Party, for the most part.

At present the Group Areas Act is administered fairly passively through investigations by the police.

But the Group Areas Amendment Bill provides for the appointment of special inspectors, said Mr Chris Heunis, Minister of Constitutional Development. Their special task will be to ferret out offenders.

Members of the public will be encouraged to snoop around the neighbourhood to ensure all is white.

They will be able to give information under oath directly to a magistrate, who will then conduct an inquiry and order the eviction of the transgressor.

The magistrate has discretion only to delay the eviction order by 30 days.

And there has been a "drastic" increase of penalties for landlords who illegally rent out premises. (It was Mr Heunis himself who described the penalties as drastic, which they are — the maximum fine jumps from R400 to R10 000 and the maximum jail sentence

Blacks are target of new Bill

from two to five years.)

Progressive Federal Party spokesman on Group Areas, Mr Tian van der Merwe, believes the Bill is so harsh it will provoke "riots in the city centres" if it is fully implemented.

He has estimated that there are hundreds of thousands of blacks living in white group areas.

"The momentum has built up over the years — encouraged by the Government's inactivity.

"There is tremendous sensitivity in the National Party itself over this Bill. It is tremendously divided.

"I believe that the momentum cannot be stopped. In the end, the Government will lose the battle against Group Areas Act transgressions.

"There is no moral consistency in its policy. On the one hand, it is opening some areas to all races, while on the other it is treating transgressions in other areas as heinous crimes.

"They simply won't be able to throw tens of thousands of people on to the streets."

CP ready to negotiate borders of 'white state'

THE Conservative Party has conceded that South African blacks are permanently urbanised, according to CP leader Dr Andries Treurnicht and Mr Koos van der Merwe, MP for Overvaal.

In the July issue of the magazine *Inside South Africa*, Dr Treurnicht also conceded the CP "might have to negotiate" with blacks about the final borders of a white South African state, a statement by the magazine said.

The main question facing South Africa was the political accommodation of the blacks outside the national states, said Dr Treurnicht.

Consciousness

"This isn't a simple question because you still encounter ethnic differences in towns.

"There is still a cultural and ethnic consciousness even in Soweto.

"I say it's only fair that people should have a vote.

"There's no reason why, if I can be elected to parliament by people living 1500 km away, why people in Soweto can't vote for a parliament in Ulundi.



FAIR VOTE: Dr Treurnicht speaks out

"I think I've got a case to put if I say in the long run we may have to negotiate as to the final borders."

Mr van der Merwe, who is also CP spokesman on the Group Areas Act, said he was a realist and had to acknowledge black people could not be removed from towns.

"I realise that I can't 'remove' a million people, but at least we can confine their numbers," he said.

He also said he would not object if Professor Jakes Gerwel, Rector of the University of the Western Cape, lived next door to him.

"But I want a say in who lives next door to me.

"I would not object to Professor Gerwel, but that's an over-simplification.

"If I concede to open residential areas, the next moment blacks will swamp white areas."

He said mixed areas would continue to exist — against the will of the CP — and they "might have to cut Hillbrow out of our white state".

He said the CP still felt strongly about some aspects of Verwoerdian apartheid, such as separate beaches and other amenities that formed part of community life, but there was never strong feeling in the CP about "petty apartheid" such as separate lifts.

'Funny way'

Mr van der Merwe said he did not believe Afrikaners had "pure" white blood, because "there is no 'pure' nation on earth".

"An Afrikaner is somebody like myself, a white Afrikaans-speaking South African," he said.

"We have this funny way, the Afrikaner. We want to be separate.

"I like to play my own concertina and have my own funny braaivleis in my own back yard.

"Leave us alone, man."
— Sapa.

● See Page 11

Shop thy neighbour! The new Areas Act snoopers

SNOOPERS will be given carte blanche to become urban police under the Government's draconian new Group Areas legislation. Human rights groups fear the police will launch a systematic drive to smoke out illegal tenants are now set to materialise. Long-standing fears that rightwing groups will launch a Group Areas violators faced drastically harsher penalties this week for living in whites-only areas from a trilogy of Bills tabled in Parliament.

By HAMISH McINDOE and NORMAN WEST

The measures are sure to create fierce opposition from parties in the Houses of Representatives and Delegates. Mr Miley Richards, deputy leader of the Labour Party, said this week his party would not "soil our hands with evil".

Harsh

Mr John Kane-Berman, Director of the SA Institute of Race Relations (SAIRR), said: "In the past, neither the Government nor the police have been enthusiastic about Group Areas evictions. The police have only acted on complaints and they've not received a lot of these over recent years. 'So why was it necessary to introduce harsh new penalties?' Last year 1 343 complaints were made to the police, resulting in three convictions. Most complaints were made anonymously. Observers say the Government's old Group Areas policy had significantly cooled any large-scale protest against illegal tenants from white residents. But the new Group Areas deal is expected to trigger a barrage of public complaints, with the prospect of the new law being rigidly applied. Mr Richards foresaw the Government appointing 'squads of spies' to report illegal tenants to the authorities and rightwing groups, such as the AWB, forming 'legal posses' to hunt down transgressors living outside the Free Settlement Areas.

Blow

The Government, however, has strongly rejected suggestions that it would launch a witch-hunt to remove illegal residents. But the Conservative Party has reportedly vowed to root out Group Areas violators. Actstop, which helps Group Areas victims, admitted the new deal on Group Areas contained in the amended Bill would be a blow to illegal tenants. Actstop chairman Mr Cassim Safojee said: "The amendments will have a devastating effect on thousands of people, who now face eviction. It will also encourage racists to report illegal tenants to the police in the safe knowledge that it could now lead to a prosecution."

Government 'scoring points'

Compulsory court evictions seen as a 'step backwards'

80

Star 4/1/88

By Jo-Anne Collinge

If the Government goes ahead with its proposal to amend the Group Areas Act so that it will be compulsory for magistrates to order the eviction of transgressors, it will be turning the clock back to 1950 when apartheid was first legislated.

The original Group Areas Act, passed just two years after the Nationalist Government came to power, provided that the court "shall" order a convicted person to vacate the premises occupied illegally.

In the 1966 Act the word "shall" was changed to "may". And it was precisely this tiny change that allowed Mr Justice R Goldstone to hand down a landmark judgment in 1982 preventing the ejection of group areas transgressor Mrs Gladys Govender, a resident of the then "white" Johannesburg suburb of Mayfair.

Highlighting this change of wording in the relevant section of the Act, Mr Justice Goldstone observed: "There would be no clearer indication that the legislature wished to substitute for an obligatory direction to the court convicting a person, a discretionary jurisdiction to make such an order."

By the judge's reasoning, the decision of the drafters of the Group Areas Amendment Bill to

revert to the original "shall", must be seen as a deliberate move to stifle the court's discretionary role.

Mr Justice Goldstone insisted that eviction was certainly not automatic and it should not be construed as part of the punishment of Group Areas Act offenders. The recent proposal to make conviction and eviction inseparable once again means that homelessness will become fixed in the public mind as a punishment meted out by the courts of justice.

Mrs Govender appealed only against her eviction — not against conviction for breaking the Act — and she argued that she should not be put out of her home because there was no possibility of her finding alternative accommodation within an Indian group area.

BRAKE PUT ON PROSECUTIONS

When she won her case she effectively put the brakes on group areas prosecutions. From the State's point of view convictions and fines were meaningless victories if they could not be coupled with orders to clear black people out of white areas.

Ever since the Govender judgment in 1982, Government spokesmen have threatened to close the loophole in the law. For years nothing was done and the number of "illegals" in Johannesburg grew steadily.

The question in many people's minds is: Why has the Government chosen to act now, when for years it was prepared to ignore the fact of mass transgressions of the Act?

According to Mr Cassim Saloojee, chairman of Actstop which spearheaded the defence of group areas illegals, the answer is to be found in the political imperatives of the Nationalist Party.

"The Govender judgment came shortly before the introduction of the tricameral parliamentary system. The Government was hoping to win the support of coloured and Indian people for the tricameral system and so it was politically expedient to refrain from clamping down on the group areas front," he said.

But with the rise of the white right-wing opposition — and its particularly strong challenge in the 1987 election for the House of Assembly — it became necessary for the Nationalists to "score points against right-wing political parties, to signal to whites that they were still committed to residential segregation".

Some things have changed since the Govender ruling. For one thing, the number of group areas illegals has increased dramatically, perhaps touching on 80 000 now. Also, with the repeal of the pass laws, black people predominate whereas most illegals of the early years were coloured or Indian.

But something that has not changed is the shortage of housing in townships designated for various black groups.

Govt proposals are seen as regressive

(80)

Stav 4/7/55

By Helen Grange

Proposals contained in the three Group Areas Bills tabled in Parliament last month have been met with mixed reaction from both Assocom and the Johannesburg CBD Association.

While the two organisations welcomed parts of the draft legislation pertaining to free settlement, the measures aimed at combating "illegal occupation" were seen to be regressive.

'CLUMSY MOVE'

"Taken on their own, the two Bills relating to free settlement might represent a cautious though clumsy move towards liberalisation of unjust and unworkable policies.

"However, the propos-

als in the Group Areas Amendment Bill for increased fines, confiscation and summary eviction of people, including those who have nowhere to go, must be condemned," Mr Nigel Mandy, chairman of the CBD association said.

Assocom welcomed certain positive elements in the draft legislation as a step forward in removing discriminatory legislative and administrative measures.

"However, while Assocom is appreciative of the simplified procedures intended to expedite the establishment of free trading areas, we are disappointed that unfettered rights of ownership and occupation by all race groups will not be granted in respect of all land, building and premises

zoned for trading, commercial and professional purposes as recommended by the President's Council," an Assocom statement said.

Assocom also had "grave reservations regarding measures aimed at combatting illegal occupation" which allowed for eviction of people in the absence of alternative accommodation and for the confiscation and sale of property concerned.

Mr Mandy said that since calls for the total abolition of the Group Areas Act were not likely to be heeded in the present political climate, an evolutionary process was more likely to meet with success.

SHORTAGES

Johannesburg's central business district and high-density suburbs on its periphery were irretrievably multiracial because of continuing critical shortages of accommodation within group areas for coloureds, Indians and blacks, commuting difficulties and upwardly mobile standards of living.

"With a legally resident population, laws against nuisance and misbehaviour could be applied objectively, while at the same time those people could develop home pride and self-administered social controls," he said.

● See Page 11.

THE ECONOMY

The barriers fall in Noupoot (but is black trade coming running?)

Twenty two areas across the country, including conservative strongholds from Volksrust to Noupoot, have bowed to the market and allowed open trade. But are black traders actually flocking? BRUCE ALLEN reports

WHEN the local authorities in Noupoot start considering their town an open trading area, perhaps there is hope for us all.

Noupoot, along with 22 other towns across the country, may soon join more than 66 trade areas which are already open to all races.

The central business districts (CBDs) of Johannesburg and Durban were formally opened to all races for trading in February 1986. Since then the number of towns which have woken up to economic reality has grown to include conservative havens like Vanderbijlpark, Potchefstroom, Vredenburg and Volksrust.

The question is: to what extent has black business responded to the new opportunities?

Some argue the influx of black business has been minimal. High rentals and remaining political considerations have been cited as reasons.

Nigel Mandy, chairman of the Johannesburg Central Business District Association, argues the number of black entrepreneurs operating in Johannesburg's CBD is higher than most realise.

Mandy points out the term "open trading" does not only apply to shopkeepers but to the whole spectrum of business, including industrial, professional, educational and religious operations.

He says it was never expected that large numbers of black shopkeepers would move into the city. While changes in legislation have allowed Indian businessmen to come out from behind their nominees, blacks (Africans) lack the experience and capital to establish businesses in the CBD.

Where smaller service businesses are concerned, Mandy says black business people are moving to the city in large numbers. In the case of professional companies, there is a trend to establish multiracial partnerships.

Mandy says it is common to find a white professional, who has the contacts and capital needed, establishing a business and then appointing a black partner in the venture.

On the other side, Gabriel Mokgoko, public relations manager for the National African Federated Chamber of Commerce (Nafcoc), reports hesitancy on the part of blacks contemplating a move to the CBD. He says higher rentals are part of the problem.

Mandy counters that higher rentals are justified by the better situation

which the CBD offers. Generally, rentals are more expensive where turnover is expected to be higher.

On the political side, Mokgoko says blacks still question to what extent their freedom of movement is permissible in the CBD — during and after working hours.

Mokgoko points out since the rights of blacks are not entrenched and laws still exist which distort the free enterprise system, many think twice before relocating from their township premises.

Another important factor, says Mokgoko, is the question of consumer boycotts and stayaways. The businessman operating from a township will not feel the impact of these actions to the same extent as his CBD counterpart.

According to Landmark Real Estate, appropriate amenities are also a problem.

This company has a number of private black colleges looking for space in the Johannesburg CBD. According to Landmark, in many cases building owners are not providing facilities which meet college and statutory requirements.

Another problem is resistance from fellow tenants. While a capital investment on the part of landlords will solve the amenity problem (and justify higher rentals), the question of tenants who object to black neighbours is more difficult to resolve.

In spite of the problems, the bottom line is that the opportunity of running a business in the most convenient and central locations is now open to all.

The general consensus appears to be that it is a matter of time before larger numbers of black-owned businesses take advantage of this opportunity.

Most important, in Mandy's words, is the fact that "confirmation of these freedoms must lead to better use of existing facilities, greater productivity and economic viability, and an improvement in relationships".

20
20

Lawyers to fight new Group Areas Bills

By Claire Robertson
Pretoria Bureau

Lawyers for Human Rights is to set up a series of "crisis committees" countrywide to deal with any action "which the State may take in trying to enforce the Group Areas Amendment Bill should it become law".

This was announced by the National Director of the organisation, Mr Brian Currin, in Pretoria yesterday.

Mr Currin predicted that if the Group Areas Amendment and the Free Settlement Areas Bills become law "township violence could shift to the centres of some of our largest cities" as "people literally fight for their homes".

If passed, the two Bills would constitute "racism and the defilement of human rights as far-reaching as the emergency regulations".

FIGHT EVERY CASE

The Group Areas legislation gave the Minister of Constitutional Development and Planning, Mr Chris Heunis, executive power similar to that given the Minister of Law and Order, Mr Adrian Vlok, under security legislation, Mr Currin said.

The Free Settlement Area Bill was based on a "group rights philosophy which, according to all respected constitutional lawyers will destroy any possibility of a credible Bill of Rights for South Africa".

Lawyers for Human Rights would attempt to prevent the Bills from becoming law, Mr Currin said.

The organisation would provide free legal representation in every case relating to the Bills which was referred to it and planned to fight every case as "extensively as we are able".

5/7/88 B/Day
Areas plan 'can harm economy'

BIFSA executive director Lou Davis appealed to government last night not to rigorously impose group areas through proposed amendments to the existing Act, as this was likely to have "a detrimental affect on the industry and the economy of the country."

Davis cautioned against diligent or excessive "policing" of areas which are

not demarcated as open, claiming that the resulting effect on the country as a whole would be enormous if "suddenly a great number of people from other population groups are turfed out of their homes".

"The housing problems won't vanish overnight." — Sapa.

● See Page 3





BUSINESS DAY, Tuesday, July 5 1988

Legal aid plan to fight group areas

GERALD REILLY and ELSABÉ WESSELS

GROUP areas crisis committees providing free legal representation were being set up throughout SA to counteract proposed state action in the group areas amendment Bills, Lawyers for Human Rights (LHR) national director Brian Currin said yesterday.

Stepped up action to resist the implementation of the three Bills was also announced by Actstop spokesman Cassim Coovadia and PFP MP Peter Soal.

Soal said the PFP's Group Areas Problem Unit would intensify its action to deal with the Bills.

Coovadia envisaged orchestrated resistance to the Bills and said Actstop would work closely with the LHR and Legal Resources Centres.

The Free Settlement Areas Bill (FSAB), the Local Authorities Affairs in Free Settlement Areas Bill and the Group Areas Amendment Bill, stipulating government's proposed changes to the Group Areas Act, were announced by Constitutional Development and Planning Minister Chris Heunis last week.

Expanding on the LHR programme, Currin said the crisis committees would set up machinery to deal with any action the state might take in trying to enforce the Bills if they became law.

The Bills constituted racism and the defilement of basic human rights as far reaching as the emergency regulations, Currin said.

The FSAB was based on a "group rights philosophy" that would destroy any possibility of a credible Bill of Rights for SA, he said.

SPW 5/7/75 (30)
Do you know?

The Group Areas Act of 1950 has resulted in the removal of 126 000 families, 98 percent of them coloured or Indian. In addition, massed forced removals of Africans have taken place under section 5 of the Black Administration Act (since repealed), the Black Urban Areas Act and the Development Land and Trust Act.

These removals have been extremely costly not only in monetary terms but because of the bitterness caused. John Kane-Berman, director of the South African Institute of Race Relations, estimates that between 1960 and 1975, R261 million was spent by the State on coloured and Indian housing. However, 75 percent of this money was used to rehouse families removed by Group Areas instead of building houses for the homeless.

Mr Kane-Berman points out that while the Act imposes apartheid, it also curtails the supply of even segregated land for black housing, resulting in a further distortion of development. — Women for Peace.

'Parliament pre-empted'

Bureau's Group Areas adverts ^{ster 5/7/88} take a roasting 80

By Esmaré van der Merwe
Political Reporter

Opposition parties have strongly reacted to Bureau of Information advertisements in the Sunday press publicising group areas legislation which still has to be passed in Parliament.

Under the headlines "Live and let live" and "Good neighbourliness", the advertisements pointed out certain aspects of the Free Settlement Areas Bill, the Local Authorities in Free Settlement Areas Bill and the Group Areas Amendment Bill.

Taxpayers' money

The advertisements were followed up in yesterday's daily press by National Party advertisements spelling out NP policy on racially separated residential areas and open or free settlement areas.

Both the Progressive Federal Party, the National Democratic Movement and the Conservative Party had slammed the use of taxpayers' money for the advertisements.

Mr Douglas Gibson, PFP leader in the Transvaal, said it was "totally unacceptable to use public money to influence the vote in Parliament".

"It is one thing to publicise the law of the land. But it is another to spend millions on advertisements basically promoting Government policy before Parliament has even debated that bill."

Dr Pieter Mulder, CP spokesman on information, said the advertisements

showed "Government arrogance" since the legislation could be amended.

He said the Government had an unfair advantage above other political parties since Dr Stoffel van der Merwe was the responsible minister for both the information and SABC portfolios.

"Other political parties do not have the advantage of using those propaganda machinery."

If the Government continued with such advertisements until the municipal elections in October, the elections "will become a total farce".

NDM leader Mr Wynand Malan said the Bureau of Information advertisements showed a "total disregard for the role of Parliament".

"The Government said the bureau had a duty to inform the public on national policy — a principle with which we agree," Mr Malan said.

Already policy

"But in this case a draft legislation on the Group Areas Act was published only after Parliament recessed and has not yet been served before the standing committee."

The adverts left the impression the Bills were already national policy.

"This arrogance indicates that the Government is determined to use the President's Council to get this legislation through and exposes the sham of the government's democratic rhetoric," Mr Malan added.

He said all reasonable citizens would reject "this arrogance as they increasingly reject the government".

5/7/88 B/Davey

Areas plan 'can harm economy'

BIFSA executive director Lou Davis appealed to government last night not to rigorously impose group areas through proposed amendments to the existing Act, as this was likely to have "a detrimental affect on the industry and the economy of the country."

Davis cautioned against diligent or excessive "policing" of areas which are

not demarcated as open, claiming that the resulting effect on the country as a whole would be enormous if "suddenly a great number of people from other population groups are turfed out of their homes".

"The housing problems won't vanish overnight." - Sapa.

● See Page 3



B/Davey 5/7/88

Nais defende
group areas

areas Press campaign

(80) ARGUS 6/7/88

The Argus Correspondent
JOHANNESBURG. — The Government has reacted to criticism of a Bureau of Information advertising campaign publicising group areas legislation still to be passed by Parliament.

Mr Roelf Meyer, Deputy Minister of Constitutional Development and Planning, told a National Party meeting in Mayfair yesterday that full-page advertisements in the weekend Press were aimed at clarifying the Government's intentions on racially separate and open residential areas.

PERSPECTIVE

"The Government just wants to provide a full perspective of its viewpoints regarding an own community life, own resi-

dential areas and open areas which are now incorporated in legislation before Parliament," he said in reply to a question from Mr Fred Rundle, Conservative Party leader in Johannesburg.

"Therefore we had to buy space in the media to provide the information."

He emphasised that the Group Areas Amendment Bill, the Free Areas Settlement Bill and the Local Authorities in Free Areas Settlement Bill had not yet been passed.

Dr Stoffel van der Merwe, Minister of Information, would soon react publicly to criticism from the CP, the PFP and the National Democratic Movement, a spokesman for the ministry said yesterday.



Midweek Politics

By ANTHONY
JOHNSON

Group Areas ads in particularly poor taste

Chic Times 6/7/80 80

THE Government has reached new levels of cynicism with its latest Press advertising drive to promote draft legislation that will allow for a crackdown on Group Areas Act offenders.

The advertisements, under the curious headlines 'Live and let live' and 'Good neighbourliness', must seem in particularly poor taste to the 250 000 people — 60 000 of these in Cape Town — who stand to be thrown into the street when the Group Areas Amendment Bill becomes law in September.

But what makes the process so mind-boggling in its arrogance is that the National Party has the cheek to use money collected from taxpayers of all races to pay for a very expensive advertising campaign meant to win acceptance for the racist proposals of a single political party.

It would be interesting to hold a referendum to see what percentage of taxpayers actually support the proposed 25-times increase in fines, compulsory eviction, blacklisting and confiscation of property and strict new policing measures contained in the draft legislation — let alone the Group Areas Act itself.

To make matters worse, the highly contentious proposals being publicised by the Bureau of Information have not even been considered by Parliament. This betrays the government's contempt for Parliament — the very institution it demands its critics must use to bring about change in society.

The government, it would appear, has already made up its mind to force through the tougher Group Areas provisions in their present form — otherwise it would have held off on its ad campaign to promote the measures until Parliament, through a process of negotiation and consensus, had finally settled on the shape

the new law was to take.

Indeed, top Nationalist sources have already indicated privately that the government intends to ram the tough new measures through the President's Council, in this way effectively by-passing the opposition of the majority of MPs in the tri-cameral Parliament to the Bill.

But the current controversy in parliamentary circles about the proposals is likely to pale into insignificance once the Bill becomes law because when this happens the Government will have given the green light to racists and bigots to stir up hatred, bitterness and intolerance on a grand scale.

When penalties for offences under the Group Areas Act are increased to levels comparable with those prescribed for child abuse by the Immorality Act, the message coming through to many will be that racial mixing is not only abnormal but positively perverse.

Racially obsessed neighbourhood spies will be given free rein under the new system to flush out residents who don't match the colour coding for a particular area.

The Conservative Party has already signalled its intention to actively participate in the policing process and to ensure that the tough new racial zoning measures are strictly applied. In the process, many of the old Group Areas wounds of emotional and physical trauma will be reopened except this time hordes of privately organized racial zealots will have been given a licence — indeed, an incentive — by the Government to fan the flames of racism.

Under these circumstances, it will be interesting to see who is still prepared to participate in the Government's pet project, the National Council.

Challenge to govts GA bill 80

Own Correspondent

DURBAN. — The Durban Central Residents' Association (DCRA) is to challenge the validity of the Group Areas Amendment Bill on the grounds that it contravenes the emergency regulations.

And in a simultaneous attempt to fight the government's impending clampdown on group areas offenders, Lawyers for Human Rights has offered free help to people evicted under the Group Areas Act.

Mr Sayed Iqbal Mohamed, DCRA chairman, said that in view of the fact that mixed areas were "generally harmonious and had lower crime levels than racially exclusive ones", it was necessary to have the courts declare the bill invalid or in contravention of the regulations.

This was because it would actually stir up racism by giving racist, right-wing organizations "ammunition" and incentives to police the so-called "grey" areas.

Instead of addressing the country's critical black housing problem, the government was going to evict more people.

Builders critical of Group Areas Bills

SAV 6/17/88

By Frank Jeans

(80)

The building industry has urged the Government not to aggravate the controversial Group Areas Act still further.

A statement by Building Industry Federation (Bifsa) executive director Mr Lou Davis today adds strong business pressure to the political outcry that has followed the Government's publication of three new Bills, which include provision for a crackdown on owners and tenants breaching Group Areas decrees.

The Government has so far indicated its intention to push the package of Bills through Parliament regardless of expected opposition from the House of Delegates and House of Representatives. Included in the proposals is also provision for opening some areas to all races.

Mr Davis said in his statement today: "South Africa's chronic housing problem will not vanish overnight and over-zealous policing of Group Areas will seriously compound the existing situation.

"I appeal to the Government not to impose continued Group Areas rigorously, through proposed amendments to the Act, as this is likely to have a detrimental effect on the industry and the economy of the country."

While South Africa was on the road to reform, Mr Davis pointed out that Group Areas was a "cornerstone of that reform" and that any relaxation of legislation in this regard had to be welcomed.

BENEFICIAL

"With this in mind," he said, "the declaration of proposed open areas will be beneficial not only for the building industry but for all people of this country."

The shortage of land for development remained the greatest single obstacle in the provision of suitable housing for all South Africans, particularly in the coloured, Indian and black sectors.

And by declaring certain areas open to all population groups, the Bifsa director had no doubt this would have the dual effect of boosting the value of properties as the demand for homes in these areas would inevitably be higher.

Cautioning against excessive policing of areas which are not demarcated as open, he said at the same time that the resulting effect on the country as a whole would be enormous if "suddenly a great number of people from other population groups are turfed out of their homes".

Group Areas: The noose tightens

7-13/78 South (80)

JOHANNESBURG. — Harsh legislation to enforce the Group Areas Act — while opening certain areas to all races — was tabled in parliament last month, focusing new world attention on this pillar of apartheid.

The three bills tabled provide for penalties under the Act to be increased drastically, properties "illegally" occupied by blacks to be confiscated and sold by the State, and the appointment of inspectors to police the Act.

The State is also no longer required to provide alternative accommodation for people evicted under the Act.

Fines for property owners contravening the Act could be

The tightening up of the Group Areas has been condemned in several quarters. Many fear it will usher in a new reign of terror. The AFRICAN NEWS ORGANISATION reports

increased 25-fold from R400 to R10 000, and imprisonment from two to five years. Fines for "illegal" occupants could be increased from R200 to R4 000 and imprisonment from one to two years.

The new legislation circumvents the Supreme Court ruling of 1982 (State vs Govender) that alternative accommodation must be found before blacks living in "white" areas can be evicted.

Although the Government denied

the new bills were harsh, opposition groups interpreted them as an effort to tighten control over who lives where.

Actstop spokesman Mohamed Dango said: "Clearly Pretoria is afraid of the right-wing racists and is bent on placating them."

The Group Areas Act, introduced in 1950 to keep races residentially apart, has been undermined in several major cities over the past years.

Blacks — mainly Indians and "coloureds" — first began moving to Johannesburg's "white" inner city in the mid-1970s due to a housing shortage in their "own" areas.

This shortage was ironically exacerbated by the relocation of these people from "white" areas to segregated townships under the Group Areas Act.

Black residents in "white" areas were prepared for harassment and inconvenience in "mixed" areas

because the alternative was homelessness.

There were other advantages, like being close to work and amenities.

The Government has been committed to residential segregation since early days. In the 1950s and 1960s it spent millions on the removal of blacks from city areas to segregated townships.

When blacks began to return to white areas, the Government was either unable or unwilling to stop them. Initially it ignored the process, obviously in an effort not to incur the wrath of the international community.

Then it tried to contain it, but stopped short of a concerted effort to reimpose segregation

Bill 'makes inroads into SA's judicial liberties'

8 ter 71710v

~~80~~
~~80~~
80

The newly tabled Slums Bill is deceptively similar to the existing Slums Act, but its implementation will help local authorities speed up the removal of "nuisances", legal experts say.

The Bill empowers local authorities to investigate and take steps against slums. Property owners who ignore instructions from a local authority can be fined R4 000 (or one year in jail or both).

Legal experts say the Bill also makes fundamental inroads into judicial liberties, enabling a local authority to act "virtually as a court" and to "grab and sell" a property, whereas at present it must follow legal procedure.

The Slums Bill, like the Group Areas Amendment Bill and the Prevention of Illegal Squatting Amendment Bill, is another means of controlling the influx of blacks into urban areas, says Actstop, the organisation which campaigns against evictions.

Reign of terror

Actstop fears that once these Bills become law, they will herald a reign of terror against the hundreds of thousands of people living in slums or "illegal" housing in the Pretoria-Vereeniging-Witwatersrand area.

The legal experts say that in terms of the existing slums law, a medical officer of health (MOH) can remove a "nuisance" following a ruling from a slums court under a magistrate.

"This Bill achieves all the same objectives, but without due process," said a Johannesburg attorney.

In terms of the Bill, the official empowered to investigate a "nuisance" no longer has to be an MOH, but could be "any designated official".

Another important feature of the Bill was the definition of "a nuisance", the attorney said.

In terms of the new Bill, a "nuisance" could be anything a local authority considered to be a nuisance, there was no longer a schedule of objective criteria.

Although this would be limited to health and structural safety, it was not subject to the scrutiny of a

BY CLARE HARPER

The Slums Bill was designed as "another means of controlling the influx of blacks into urban areas", according to Actstop, which campaigns against evictions.

court and represented the "opinion" of the local authority.

The Bill also excluded the necessity of obtaining a court order to seize a property.

Another lawyer asked why a local authority should be in a better position than a building society to sell a property and recover costs.

If a homeowner failed to pay his mortgage, a building society had to serve a summons and obtain an order of attachment before the deputy sheriff could give notice of sale, the lawyer said.

If a property owner failed to remove a "nuisance" and the local authority acted to clear it, the property could be seized without a court order.

The wording of the Bill meant that local authorities would be required to take action against a nuisance if they received a request from the Minister.

An Actstop spokesman, Mr Cas Coovadia, said overcrowding in places like Hillbrow was prevalent because there was no available accommodation.

Reducing the flow

Now that the Government had done away with influx control, it was creating another way of drastically reducing the flow of people to urban areas.

● The Group Areas Amendment Bill will make provision for the automatic eviction of any illegal occupant on conviction under the Act without the need of a court order.

● The Illegal Squatting Amendment Bill will give the Government wide-ranging powers to deal with illegal squatters countrywide. Other features of this Bill are the increase of penalties for landowners who permit squatting to a fine of R10 000 or 10 years' imprisonment or both.

Areas Bills shot down

SOUTH African businessmen have warned that the three Group Areas Bills published by the Government might lead to increased violence and bloodshed in the country.

The bills have been described as "horrendous" and an indication that the Government was not prepared to address the real issue which affect race relations in South Africa.

The executive director of the National African Federated Chamber of Commerce, Mr E S Molebatsi, yesterday said: "One would have hoped that the continued resistance by the various black communities to manoeuvre around this piece of horrendous legislation would by this time have proved futile."

A spokesman for Association of Chamber of Commerce said the proposals would impede rather than hasten the elimination of the remaining racial barriers in South Africa.

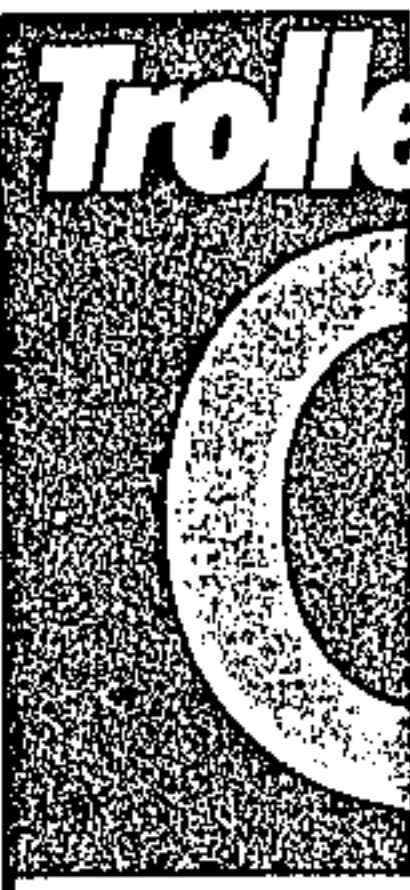
Details of the Bills — the Group Areas Amendment Bill, the Free Settlement Areas Bill and Local Government Affairs in Free Settlement Areas Bill, were disclosed by the Minister of Constitutional Development and Planning, Mr Chris Heunis.

The legislation provides for harsh clamp-down on group areas infringements while also opening the way for some areas to become non-racial.

Penalties for contravening the Act would be drastically increased, properties illegally occupied could be sold by the State, inspectors would be appointed to police the Act and the State would no longer have to provide alternative accommodation for people evicted.

The proposed maximum fines would go up from R400 to R10 000, with the jail penalties going up from two years' imprisonment to five years for property owners allowing illegal occupation. The maximum penalties for illegal occupation of property would go up from R200 to R400 and from one to two years' imprisonment.

Assocom spokesman said it has "grave reservations" regarding the measures aimed at combating "illegal occupation" and more particularly those providing for eviction from premises in the absence of alternative accommodation and for confiscation and sale of properties concerned.



Dawn skin lotion 200 ml



Prices available at

though the grounds given by

Group Areas fight brewing

DURBAN — A major Group Areas fight is brewing in Durban between a right-wing organisation threatening to act against 9 000 people living in the wrong suburbs and 150 lawyers who have promised to defend them free.

The Group Areas Amendment Bill provides for property owners who allow the wrong population group to occupy a home to be fined R10 000 or jailed for five years. The tenants face R4 000 fines or two years in jail.

Durban's chapter of the Blanke Bevydingsbeweging has welcomed these tough new steps. It said it had plans to act against offenders and to see that the Act was enforced.

But a spokesman for the Durban Central Residents Association (DCRA) said the tenants were determined to stay in their homes as — Sapa.

60/3/2007 7/7/88

707X

Rightist groups to 'enforce' apartheid

CAPE TIMES 7/7/81
80

By CHRIS BATEMAN

RIGHT-WING Afrikaans organizations yesterday said that if the Group Areas Amendment Bill was passed they would carefully monitor enforcement and actively point out transgressors if it "became necessary".

The bill provides for property owners who allow the wrong population group to occupy a home to be fined R10 000 or be jailed for five years. Tenants face fines of R4 000 or two years in jail.

Inspectors will enforce the law and offenders will be evicted even if they do not have alternative accommodation. The state will buy illegally occupied property.

The leader of the Afrikaner Weerstandsbeweging, Mr Eugene Terre'blanche, said his organization "expected" the law to be strictly enforced.

Conservative Party spokesman Mr Moolman Mentz said the CP would "actively point out transgressors and those reported to us".

'Ensure offenders are removed'

Mrs Anna Boshoff, executive vice-chairman of the Afrikaner Volkswag, said she did not see reporting transgressors as falling outside the organization's founding principles.

A spokesman for the Cape Western Region of the PFP said his executive would form a crisis committee to oppose the bill.

Sapa reports that a fight is brewing in Durban between a right-wing organization threatening to act against 9 000 group areas transgressors and 150 lawyers who have promised to defend them free.

Durban's chapter of the Blanke Bevrydingsbeweging (BBB) has welcomed the tough Group Areas Amendment Bill and said it would enforce the act. "If the proper powers do not take the necessary steps themselves to enforce the laws, we will ensure that the offenders are removed," a BBB member said yesterday.

Stoffel pleased with ⁽⁸⁰⁾ reaction to adverts ^{st-v} ^{8/7/88}

By Esmaré van der Merwe
Political Reporter

Bureau for Information adverts publicising group areas legislation still to be passed by Parliament were aimed at informing the public of the "attitude of the Government of the day on questions such as this", Dr Stoffel van der Merwe has explained.

Reaction by opposition parties to the adverts in Sunday newspapers "indicate we have succeeded in stimulating the national debate on this important matter", the Information Minister said.

NATIONAL DEBATE

Opposition parties this week criticised the use of taxpayers' money for advertising legislation that has not been passed by Parliament.

Dr van der Merwe said the bureau believed the draft legislation was of key importance to the national debate on South Africa's constitutional future.

It was difficult to see how the public "can make up their minds on the legislation if they do not have access to such information".

Mr Peter Soal, PFP spokesman on information, reiterated his criticism of the Government's "legislation by advertisement".

Apart from bypassing Parliament, the adverts were misleading and not entirely truthful. They omitted the fact that "a crowd of snoopers will report to the Government on people who live out of their particular eggbox" if the legislation were passed.

Mr Soal said political parties opposed to the legislation were helpless in preventing the legislation — the Group Areas Amendment Bill, the Free Settlement Areas Bill and the Local Authorities in Free Settlement Areas Bill — from being introduced.

"The Government will simply push it through by means of the President's Council," he said.

GROUP AREAS ACT

Worse than ever

Constitutional Development and Planning Minister Chris Heunis looked distinctly uneasy while announcing impending changes to the Group Areas Act (GAA) at a press conference in Cape Town last week. He had his reasons. For the man who has become known as "Mr Reform," piloting the Draconian tightening-up of residential apartheid through parliament next month is not an enviable task.

The simultaneous introduction of the Free Settlement Areas Bill, providing for racially "open" residential areas, falls far short of countering the massive political damage likely to be done both locally and internationally by the reinforcing of one of apartheid's central pillars.

The Group Areas Amendment Bill (GAAB) goes completely against the grain of government's reform initiative. In effect, it means thousands of black families are likely to be forced out of their homes in "white" areas later this year under threat of massively increased fines and jail sentences for them or the owners of the properties they occupy. Provision is also made for the widening and streamlining of existing powers to confiscate and dispose of property owned or occupied in contravention of the Act.

The legal loophole — which until now has effectively stopped group areas evictions, unless alternative suitable accommodation is available — is to be closed.

Apart from overwhelmingly negative reaction within the country and the likely radicalisation of thousands of largely apolitical middle-class black, coloured and Indian people currently living in white areas (in many cases to escape the trauma of the townships), foreign diplomats are predicting that the changes will be grist to the mill for pro-sanctions lobbies overseas. The clampdown is likely to be used as evidence that government is not sincere about moving away from apartheid.

The measures will also put further strain on the tricameral parliament. There is little doubt that the Bill will be rejected by both the House of Representatives and the House of Delegates — so P W Botha will be forced to ask the Nat-dominated President's Council to bulldoze it into law.

There are two main reasons why government is going ahead with the tightening of the Act:

- The white rightwing backlash against blacks living in white areas is becoming politically intolerable for the National Party, particularly with the October municipal elections less than four months away; and
- The ongoing disintegration of the (racial) "group" structure of society brought about

by residential integration threatens the "Grand Plan" whereby all race groups are tucked into neat social and political compartments.

The new measures make provision for what will, in effect, be grand inquisitions conducted by magistrates on the basis of information handed in by people who spy on their neighbours, or by State-appointed inspectors.

The alleged offenders will be summoned to the inquiry. If the magistrate is satisfied that a person is contravening the GAA, he is compelled to issue an "order for ejection." The order can, at the magistrate's discretion, be postponed for up to 30 days, but will be final. Even if an appeal is lodged, the order will remain in force in the meantime.

The inquiry will not preclude the criminal prosecution of alleged offenders. And the acquittal of a person of an offence under the GAA will also not preclude an inquiry. The summary ejection of "illegal" occupants of properties — if they ignore three months' written notice to move out — is provided for.

For various offences under the GAA the proposed new penalties will range from a fine of R4 000 or two years in jail (currently R200 or a year) to R10 000 or five years (currently R400 or two years).

Heunis says the amendments are needed to protect the "rights" people have acquired in terms of the GAA. In spite of closing the Act's loopholes, the massive increase in penalties for offenders, and government's apparent determination to launch a high-profile GAA crackdown for the benefit of conservative whites, Heunis says the Act will not be applied "harshly." Providing alternative accommodation will, however, not be government's problem, he says.

Heunis says he has no idea how many blacks are living illegally in white areas, but estimates put the figure as high as 250 000.

The permit system under which blacks are allowed to own and/or occupy property in white areas will continue, and will be assigned to the "own affairs" ministers of local government and housing. Unless they have permits, couples in racially "mixed" marriages will still have to live in the group area of the partner who is not white.

The declaration of racially "open" trading areas will be speeded up and all industrial land will be open to ownership and occupation by anyone as long as it is used solely for industrial purposes.

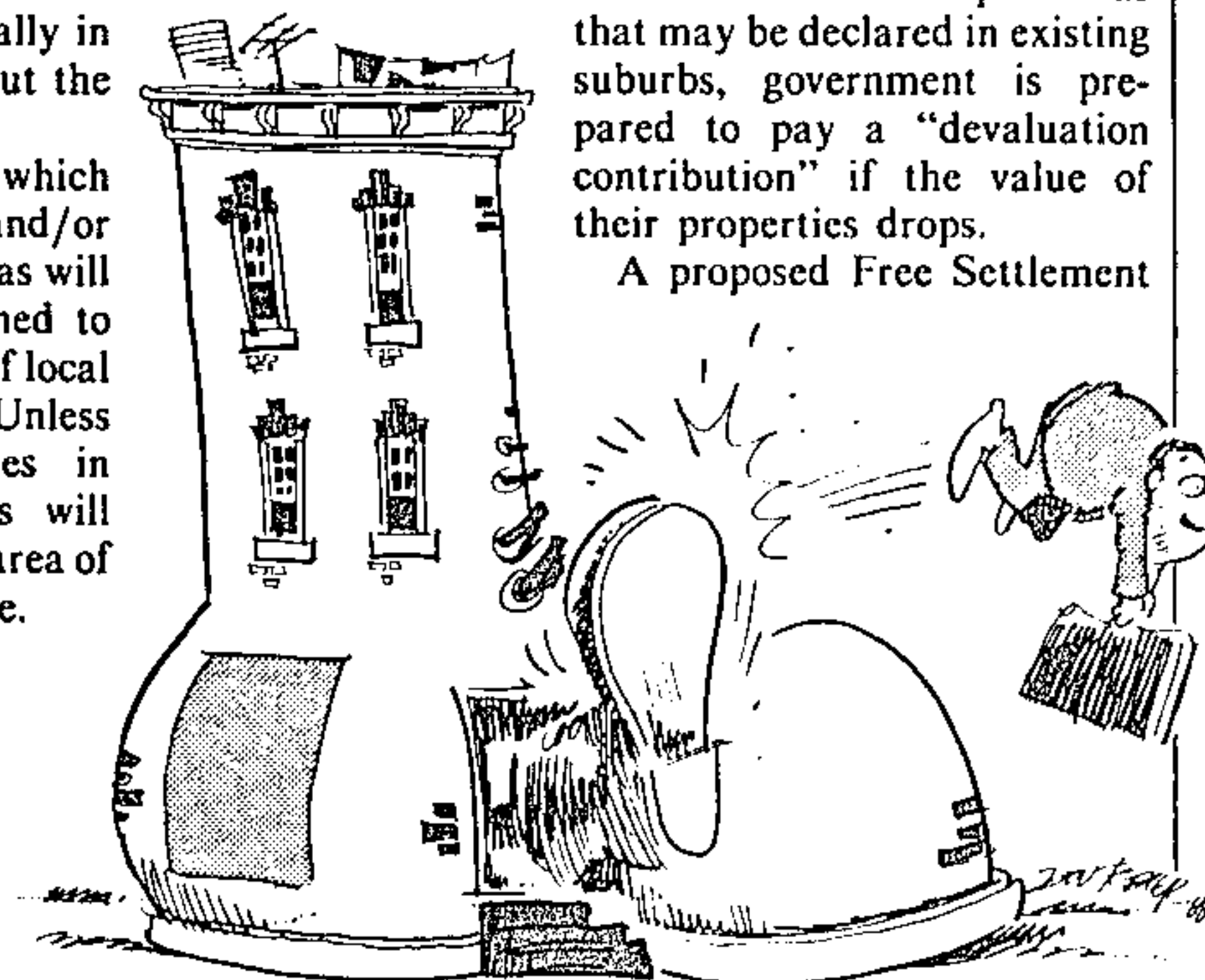
The GAAB also makes provision for the pegging of property prices in areas earmarked for future sub-economic development by the State. This is to prevent the undue escalation of prices between the time that the State gives notice of its intention to acquire an area and the actual purchase of the land. The "basic value" of property in a particular area will be determined on the date it is advertised that the State is investigating it for the purpose of proclaiming it a group area. If it is later required for township development, it will be purchased at the "basic value."

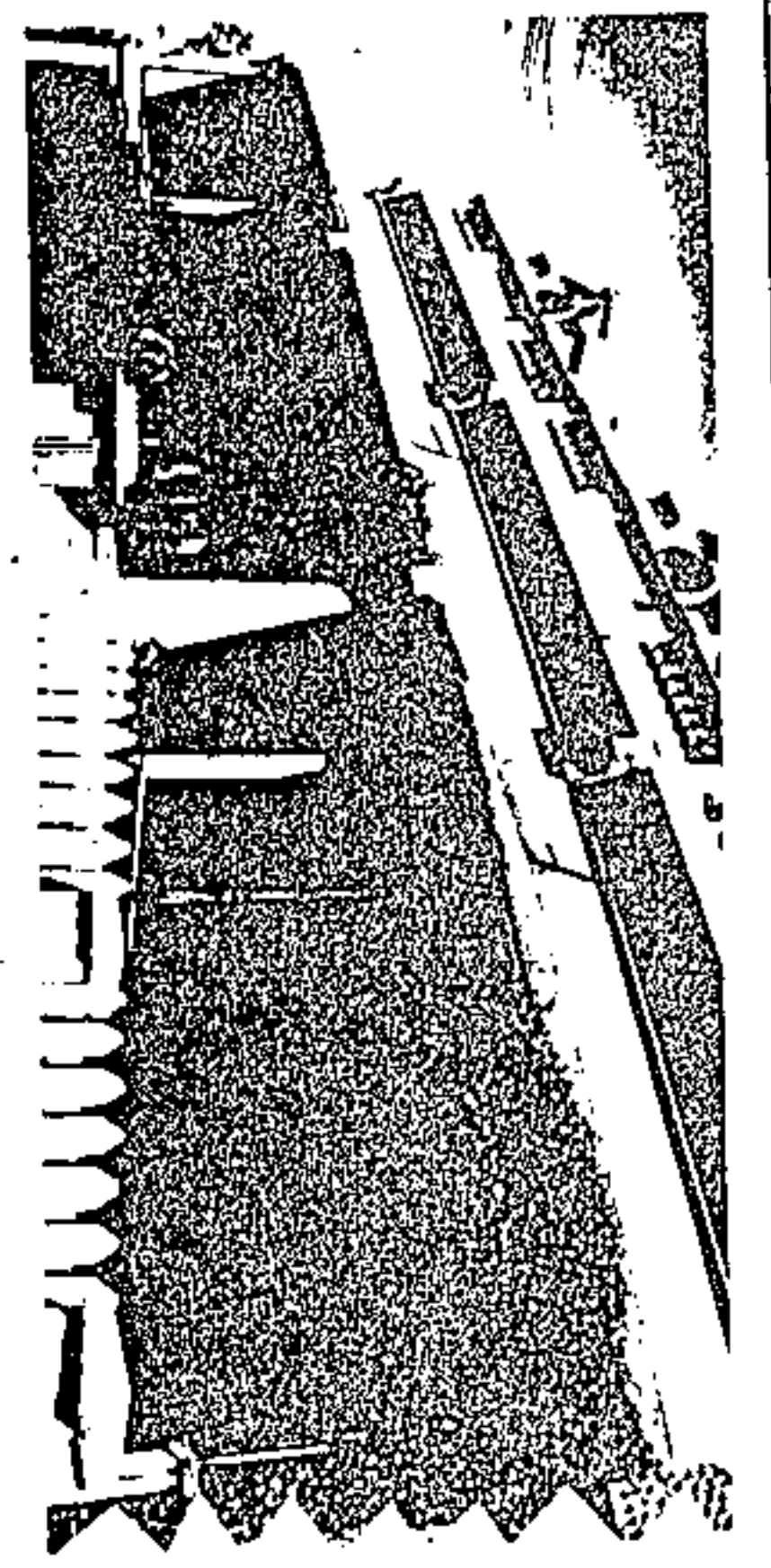
The planned "free settlement areas" are no compensation for blacks turfed out of "white" suburbs. Apart from the delays in proclaiming "open" areas due to an incredibly exhaustive inquiry procedure laid down in the Bill, it seems likely that the vast majority of existing white areas will remain closed to blacks because government — out of political necessity — will pay more attention to the views (even though they may be minority ones) of white groups with vested political, social and economic interests than to the demands of the wider SA society.

In effect, white privilege will be entrenched. The best residential areas currently set aside for whites in terms of the GAA will remain for whites only — unless they decide to share them with blacks. Government has already indicated its prejudice by tacitly accepting that property values will drop in open areas rather than increase due to the release of pent-up demand for better housing in middle- and upper-income groups in the black community — as predicted by many experts with better knowledge of the property market.

To sweeten the pill for whites who may wish to move out of open areas that may be declared in existing suburbs, government is prepared to pay a "devaluation contribution" if the value of their properties drops.

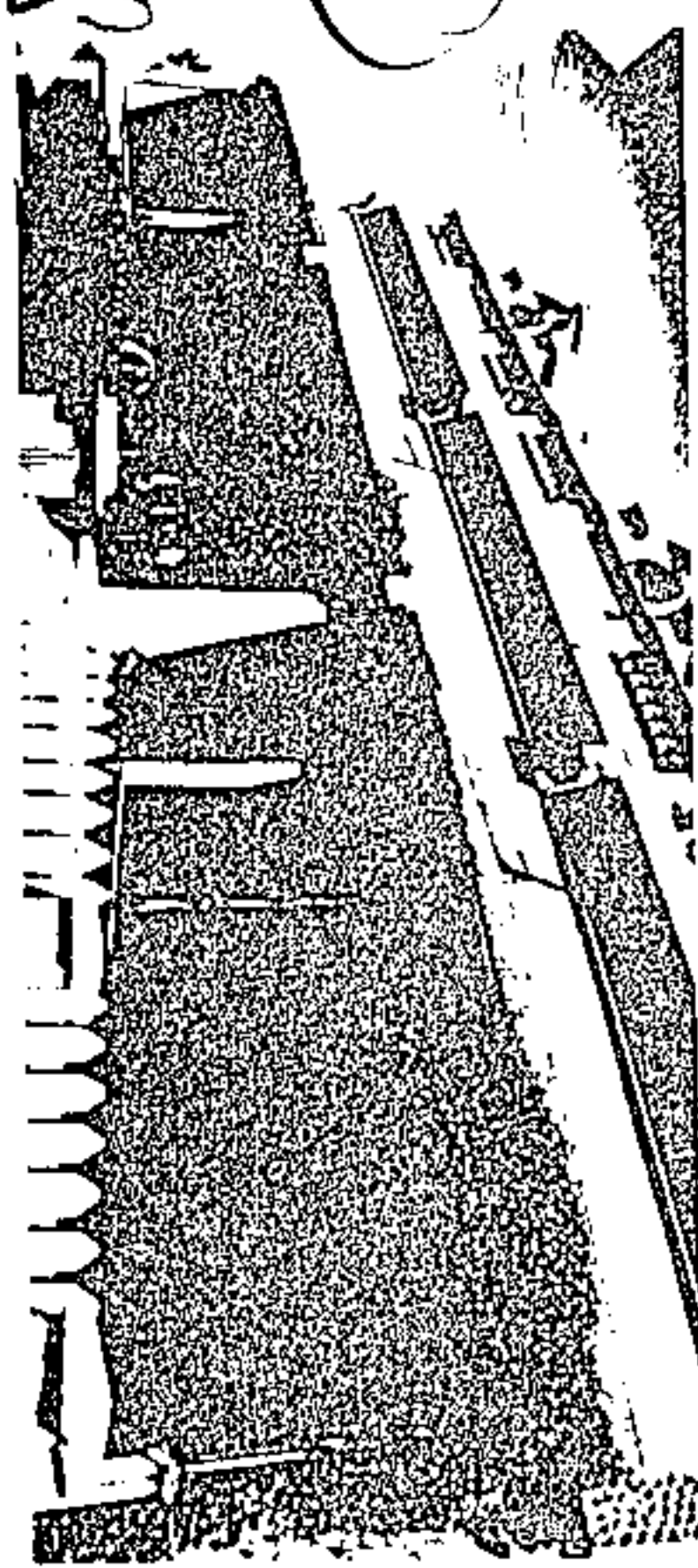
A proposed Free Settlement





GROUP AREAS

ofc News 9/1/80



Selling the Unsaleable

by FRANS ESTERHUYSE, Political Staff

THE Bureau for Information's attempts to sell government policy have seldom misfired as severely as the latest "live and let live" advertising campaign praising the virtues of tough new Group Areas legislation not yet passed by Parliament.

What the bureau offers as "good neighbourliness", a "safeguard" of existing rights and a promise of new rights for South Africans has been roundly condemned by critics at the receiving end as "disastrous", "reprehensible", "cynical" and "nauseating".

And what the bureau claims will offer people "choices and opportunities" has drawn an outcry from critics saying more than 200 000 black people living in white areas face eviction from their homes into the streets if the proposed legislation becomes law.

A further reaction to the measures claimed by the bureau to protect rights is an announcement by Lawyers for Human Rights (LHR) director Mr Brian Currah that Group Areas crisis committees are being set up countrywide to provide free legal representation for victims of state action to enforce the Bills if they become law.

ALL this indicates that the credibility gap between government and the governed on the whole concept of civic rights is as wide as ever when it comes to Group Areas legislation.

Among foremost critics this week was Labour Party leader the Rev Allan Hendrickse — for years at loggerheads with the Government and President P W Botha over Group Areas. He said he regarded the proposed legislation as

"absolutely immoral, inexcusable and condemned by me in the strongest terms."

One of his objections is that the Bureau for Information went ahead with a propaganda campaign even before the proposed legislation had been before the parliamentary standing committee on constitutional affairs and before it had been considered by Parliament.

"To try to sell that which is unsaleable in the view of the majority of the people of South Africa must certainly be condemned," Mr Hendrickse said.

His views were echoed by other Labour Party spokesmen, including his son Mr Peter Hendrickse, MP for Addo, who described the Government's new trio of Bills dealing with group areas as "nauseating". The Group Areas Act, he said, was "an evil which cannot be amended — it must be scrapped."

THE Bureau's advertising campaign was launched last weekend with full-page newspaper advertisements to promote the draft legislation allowing for a crackdown on Group Areas Act offenders.

The proposed measures make provision, among other things, for fines to be increased from a maximum of R400 to R10 000, imprisonment for up to five years, confiscation of property, compulsory eviction and tougher policing measures to crack down on violators.

However, provision is also made for "open areas" where people of all races will be allowed to live.

Mr Peter Soal, MP for Johannesburg North and Progressive Federal Party spokesman on the Bureau for Information, said this week the

use of taxpayers' money to promote the policy of the National Party was "corrupt".

"The overwhelming majority of the people of South Africa are opposed to the Group Areas Act. It is only the National Party and the Conservative Party who want to put people into kraals," Mr Soal said.

In a point-by-point reply to claims in the bureau's full-page advertisement, Mr Soal made these comments:

● *Live and let live* — "The way to 'live and let live' is to scrap the Group Areas Act and not to hound people out of their homes. It has been estimated that more than 200 000 people could be thrown out of their homes. Apart from the inhuman aspect of such action, it will raise the anger of the international community. And the Government is coming with this measure to circumvent a court ruling which provided that people could not be kicked out of their homes unless there was alternative accommodation for them."

● *Good neighbourliness* — "This means not interfering in other people's lives, but words lose their meaning with the National Party. The most cynical aspect is that provision is made for taking away the roof over the heads of people."

● *The Government has undertaken to ensure opportunities for forming an own community, an own community life and land ownership and to safeguard the existing rights of both individuals and communities* — "This is gobbledeygook for apartheid. You have to scrap the Group Areas Act to allow people to live where they wish."

● *The Government has undertaken to provide for open residential areas in which members of all population groups may live*

— "What they will create is pressure points like Hillbrow and Woodstock where accommodation is limited and where you will have an enormous influx of people. The land set aside for mixed areas will be inadequate. The simple truth is that the whites comprise a fraction of the population of South Africa and cannot continue to own more than 80 percent of the land."

● *The Government has undertaken that the desirability of opening up individual areas will be thoroughly investigated* — "More red tape and more bureaucracy."

● *The Government has undertaken to safeguard the existing rights of residents and owners* — "This is to appease white fears which are unnecessary, as Deputy Minister Roelf Meyer admitted in Mayfair (Johannesburg) on Tuesday night. He said property prices in Mayfair (a mixed area) had increased substantially, and there is a shortage of housing accommodation. But the advertisement does not give the whole story and does not tell us about the posse of Group Areas spies and snoops who will hound out people technically contravening Group Areas legislation."

● *The Government has stated as a prerequisite that the political rights of people in own and open areas must be ensured* — "The Government has a paranoia for ruling peoples' lives. It should rather let the people get on with living their own lives."

90
ST Times
10/7/88

Group Areas Bills may be held up

By **NORMAN WEST**
Political Reporter

THE Government could be in for a rude shock if a secret joint plan by opposition MPs in all three Houses of Parliament succeeds in halting the passage of the three controversial Group Areas Amendment Bills.

The Sunday Times has established that the plan involves possible obstruction of the Bills at Joint Committee level by making it impossible for the Joint Committee to reach voting stage and so complete what is regarded as the First Reading of the Bills.

If such a delaying tactic is resorted to — by prolonging debates or calling for evidence from expert witnesses and interested parties — the Bills could be “stuck in the spaghetti of the system” MPs indicated.

Bludgeon

The Bills would not reach Parliament for their Second Reading in time for the August session.

The Government is known to be extremely anxious to get the Bills written into the Statute Book — even if it has to “bludgeon” them through Parliament via the President's Council, a senior Cabinet source indicated.

It regards it as essential that they become law before the October 26 nationwide local government elections, to be fought along party-political lines.

The Bills are intended to appease right-leaning white voters by the stricter application of new provisions and penalties up to R10 000 or five years' imprisonment and the sealing of loopholes in existing law.

Lawyers to fight Group Areas Bill

80

Cypress
19/7/88

By SOL MORATHI

LAWYERS for Human Rights in Pretoria will take urgent action to stop the proposed new Group Areas legislation.

National director of the LHR Brian Currin said the new legislation was racist and might result in un-called for violence.

"If these Bills become law, racial feelings will be fermented and as people literally fight for their homes, township violence could shift to the centre of some of our larger cities," Currin said.

The new Bill provides for harsh and drastic increases in penalties for the

contravention of the Group Areas Act and gives the Minister, Chris Heunis, strong powers.

Currin said the LHR would also provide free legal representation for those who may be evicted if the Bill became law.

He pointed out that the proposed law was based on a "group right philosophy" that had been dismissed by respected constitutional lawyers throughout South Africa.

Advertisements calling people to endorse the new Act were published in several newspapers on Sunday.

The advertisements pointed out certain aspects of the Free Settlement Areas Bill, the Local Authorities Free Settlement Areas Bill and the Group Areas Act Bill.

The proposed law has received widespread condemnation.

A survey conducted by Koinonia Southern Africa has discovered that more than 200 000 people could face eviction if amendments of the Group Areas

Act were approved.

That would happen if no consideration is made to provide alternative accommodation for many people who presently live in overcrowded conditions in black townships.

National co-ordinator for the organisation, Reverend Ivor Jenkins, said the injustices inherent in South African law must be removed as a first step towards securing peace.

He said the proposed legislation concerning the Act would drastically increase penalties suffered by those contravening the Act.

● The National Democratic Movement opposed the Bill providing for a National Council because it did not allow participation by extra-parliamentary groups, the leader of the party, Wynand Malan, MP for Randburg, said in a statement in Cape Town.

He said the NDM had not been given an opportunity to state its reasons for opposing the Bill during the vote.

Although the NDM was acknowledged for the political party it was, it had been argued that only political parties which had been registered for other purposes could participate. Although minority par-

ties would also be excluded from participation on the council, the NDM would continue to exert a positive influence on the insight, activities and decisions of the council and its members, Malan said. - Sapa

LP set for defiance of 'ungodly' bills

By ANTHONY JOHNSON
Political Correspondent

THE Labour Party and the government are headed for yet another showdown over the Group Areas Act.

The leader of the Labour Party, Mr Allan Hendrickse, told a regional conference of his party at Robertson at the weekend that if three controversial new group areas bills became law the party would support bodies that defied them.

The proposed legislation provides for a major tightening up of the Group Areas Act, the creation of open areas administered as "own affairs", and franchise arrangements for those living in officially sanctioned mixed areas.

Mr Hendrickse, whose party controls the Ministers Council in the House of Representatives, vowed that the party would refuse to administer those group areas laws which the government wanted to make an "own affair".

"We will not administer our own oppression," he told the conference.

Mr Hendrickse reiterated his party's refusal to pass the three sets of proposed amendments to the Group Areas Act, describing them as "ungodly".

He acknowledged that the govern-

ment could bypass opposition to the measures by the majority of MPs in the House of Representatives by forcing the bills through Parliament via the Nationalist-dominated President's Council.

In such an event, the party would still refuse to implement the laws, he said.

Government ministers have in recent weeks indicated their awareness of Labour Party plans to fight new group areas legislation but none has been willing to be drawn on government plans, if any, to overcome the party's objections.

Meanwhile, there have been indications that a number of parties will resort to various technicalities in a bid to delay the passage of the controversial group areas amendments.

The government is determined to have the amendments passed into law during the second short session of Parliament slated to run for the last week of August and the first week of September.

Nationalist MPs are adamant that the tougher group areas measures are needed before the municipal elections in October in order to fight off the electoral threat to the government from the far right.

However, opposition parties hope to delay the passage of legislation until after the short session — an effective delay until next year.

Fears grow over group areas

INCREASED apprehension and fear of victimisation among South Africans contravening the Group Areas Act was noted by service groups aiding transgressors since the announcement of the Group Areas amendment Bills.

There was no evidence yet of increased victimisation by the state or landlords acting on the Bills announced on July 1, they said.

Spokesmen for Lawyers for Human Rights (LHR) and Actstop said illegals living in white areas were frightened by the Bills which envisaged increased action against those contravening the Act.

LHR national director Brian Currin said LHR offices, which had set up

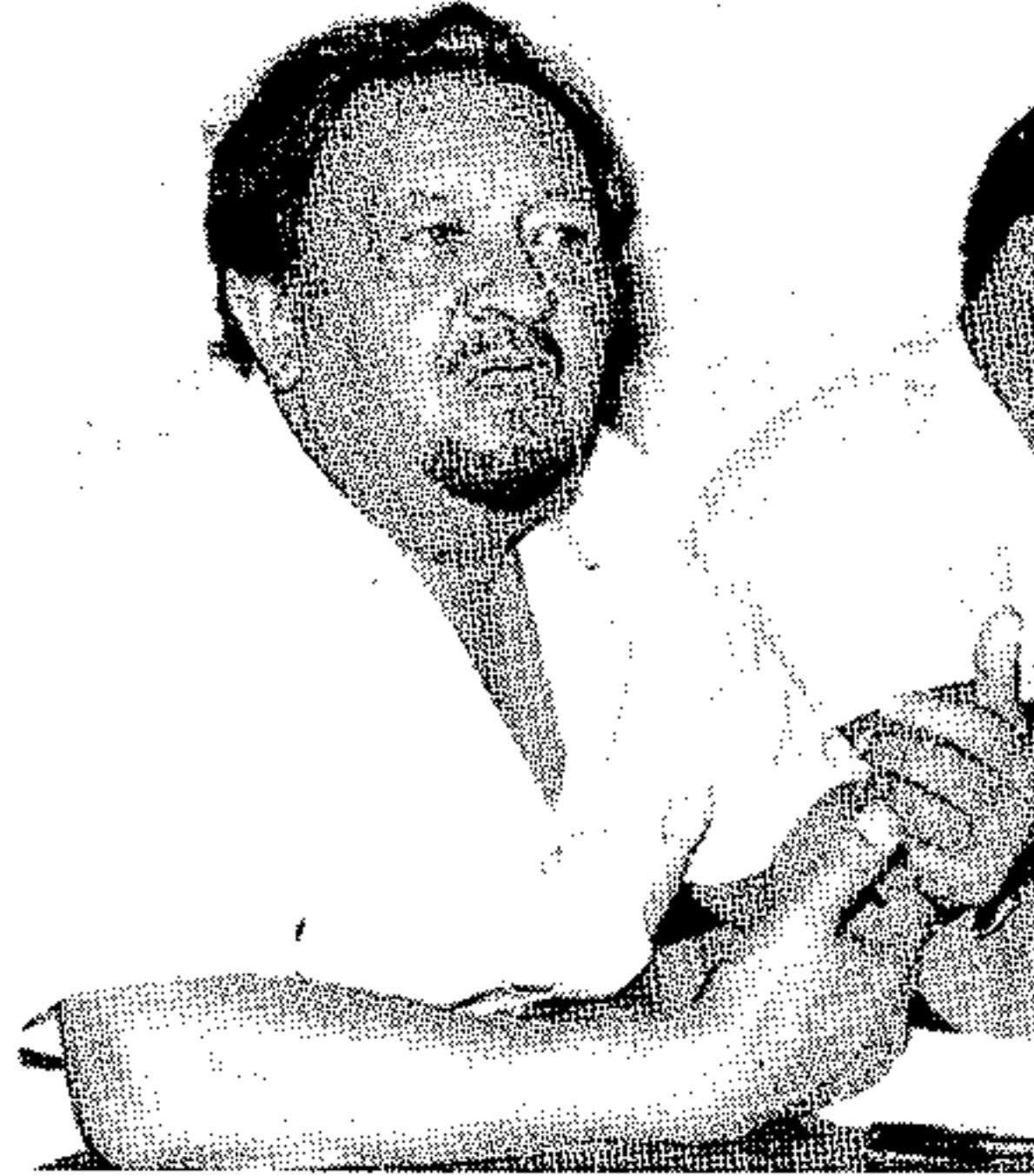
ELSABÉ WESSELS

crisis committees offering free legal aid, had been inundated with calls since the announcement of the Group Areas Amendment Bill, the Free Settlement Areas Bill, and the Local Government Affairs in Free Settlement Areas Bill.

Currin said the Group Areas Amendment Bill — which empowers the Minister or a magistrate to order an eviction and the confiscation of property, as well as the appointment of "inspectors" — had raised fears of victimisation. But they had told callers not to panic and that they would assist any victim suffering harassment.

(20) B/dwy 14/7/88

changes are semi-entrenched and must be backed by a majority in each of the three Houses before they can become law. The President's Council cannot be used to bulldoze them through. ■



Hendrickse ... no truck with new group area laws

party members that there is little hope of having the changes accepted by either the House of Representatives or the House of Delegates — in which case the Nat-dominated President's Council will be called in to "approve" the amendments.

The LP, however, is devising a strategy which it hopes will at least delay the group areas amendments, which government is anxious to have on the statute book before the October 26 municipal elections.

By using technicalities, such as insisting on expert evidence, the LP, with the backing of other opposition parties in parliament, aims to bog down the Group Areas Act Amendment Bill in the Joint Standing Committee on Constitutional Affairs. Government hopes to have the measure debated in all three Houses during the coming short session of parliament starting on August 22 and continuing until September 2.

If the LP succeeds in delaying the Bill, government will either have to consider extending the short session or holding the amendments over until next year.

Hendrickse's anger at government's moves to tighten up the Act came through clearly at an LP regional congress in Robertson at the weekend. He said if parliament was sidestepped and the President's Council forced the measure into law, the LP — through its Ministers' Council — would refuse to administer the changes and would support groups which defied implementation of the amendments. He described the proposed changes as "ungodly."

At the same time, the LP has strengthened its resolve to reject government's proposed changes to the constitution which would increase the number of seats in parliament, make provision for a black in the Cabinet and provide for a Cabinet chairman to take the administrative load off P W Botha.

Although the party is not opposed in principle to any of the proposed constitutional changes, it is refusing to back them in order to demonstrate its opposition to the Group Areas Act in general and its proposed tightening in particular. The constitutional

PARLIAMENT

Group Areas crunch

The tricameral parliamentary system is heading towards a major crisis over the proposed tightening-up of Group Areas legislation. The direct cause is the National Party's almost desperate moves to counter the growth of the white Right. In the process the carefully nurtured (though strained) relationship with Allan Hendrickse's Labour Party (LP) may be completely destroyed. There may also be a significant loosening of the close ties with Amichand Rajbansi's National People's Party.

The proposed changes have been interpreted as an effort to show rightwingers that the breakdown of residential apartheid will not be tolerated (*Current affairs* July 8). And the degree of cynicism with which the Nats are handling the issue is illustrated by off-the-record acknowledgements by senior

15/7/88 FM

Group Areas

Star 1577188

80

Act must stay, says FAK chief

Own Correspondent

POTCHEFSTROOM — The Group Areas Act could not be abandoned because this would affect the whole political structure of South Africa and was at present against the wishes of the majority of whites, the chairman of the powerful Federasie van Afrikaanse Kultuurvereniginge (FAK), Mr Hendrik Sloet, said yesterday.

Addressing a congress of the FAK here, Mr Sloet, who is managing director of Saambou, said he had no problem with free and open areas as proposed by the Government.

"If people want to live together it's fine, but those who do not must have no fear of being pushed out of their areas."

Mr Sloet said the Afrikaner was on another great trek with the Government's search for a new dispensation.

Afrikaners who had lost sight of the future role of Afrikaans-speakers in South Africa were making a mistake, he said.

Afrikaners were seen as hard, dominating, people who did not negotiate.

"As far as the majority of the pres-

ent Afrikaner leadership is concerned this is all wrong," he said.

"The Afrikaner is on another great trek today with the Government's search for a new dispensation. This political corporation must be mirrored in cultural corporation."

Former Transvaal administrator, Mr Willem Cruywagen, emphasised how well the multiracial Transvaal Provincial Executive was working and how it could encourage Afrikaans cultural bodies to follow suit.

This was not accepted by some delegates without murmurs and one said afterwards: "It's all right for the Provincial Executive but not for the FAK which must remain with white membership only."

Labour Party threatens to quit system

By Esmaré van der Merwe, Political Reporter

The Labour Party would quit the parliamentary system if the Group Areas Act was not abolished completely, its deputy leader, Mr Miley Richards, warned at the weekend.

If the Act was not scrapped, he said, the National Party should resign.

Mr Richards was the main speaker at the LP's Transvaal regional congress held in Potchefstroom on Saturday.

In a scathing attack on the Government's proposed amendments to existing group areas legislation, he said an "ungodly and unjust" Act could not be amended.

The Government was wasting its time trying to improve the Act and "using the back door to convert group areas to an own affair".

The LP would not change its stance on group areas, he said to cheering and applause.

"People often say the LP should not talk too loudly, because that will strengthen the hands of the Conservative Party. But the CP cannot take

over power. All that can happen is that the National Party can be weakened.

"The LP welcomes that, because it will improve a climate for negotiations about South Africa's future," he said.

Posters at the meeting carried slogans such as "Release all political prisoners", "Lift the press curbs" and "Nobody can live in a state of emergency".

A resolution was unanimously accepted whereby the LP called on the African National Congress to denounce violence in order to get the negotiation process started.

In another resolution, it was decided that all LP members still serving on local relations committees should resign immediately.

The LP reiterated its rejection of the regional government structures for blacks outside the self-governing areas, saying the structure of "own affairs" legislative and executive councils jeopardised the well-intended aims of the National Council.

'Mixed' Mayfair at the centre of property boom-or-collapse controversy

SPECIAL REPORT
By HANISH MCINDOE

THE Government's proposed creation of open residential areas has put property buyers and owners on a knife-edge of uncertainty.

And it is Johannesburg's bustling mixed suburb of Mayfair — home to at least 8 000 Indians — that is now at the centre of a nationwide boom-or-collapse controversy over the fate of property values in open areas.

A survey of Johannesburg property prices carried out for the Sunday Times by the De Hutzemerk group of estate agents found prices in grey areas such as Mayfair, have dropped dramatically over the past four years.

Meanwhile, property prices rose steadily in "similar whites-only suburbs" near mixed areas since 1984, according to De Hutzemerk. This is in total contrast to a recent city council estimate putting the rise in Mayfair's

property values at a staggering 160 percent over this period.

Government earlier this month tried to rest fears of diving property prices to white residents living in Mayfair — a likely candidate for official grey zoning once the Free Settlement Areas Bill is activated.

And official optimism will be echoed by a report to be released this week by the Rand Afrikaans University's (RAU) Department of Development Studies.

The report, which polled about eight percent of Mayfair's residents, makes clear that housing standards have not diminished in the area. It also dispels the myth that crime has prospered since the influx of Indians.

"In fact, says one of the report's compilers, Mr Johan Fick, 'Mayfair has become rather gentrified since the Indians moved in.'"

The De Hutzemerk survey, which was based on published monthly records of property sales, finds startling evidence to the contrary.

In the four months to April, 62 properties were sold in Mayfair at an average price of R74 000 each. But, in the same period of 1984, only 53 properties were sold ALSO at an average price of R74 000.

And, according to De Hutzemerk's figures, property prices in neighbouring Mayfair West have fallen by eight percent over this period.

"Mayfair prices haven't moved," says chairman Mr Piet Hamman. "People are scared to buy there because they fear the area will be thrown open."

"I've no political axe to grind, but it's the same picture from Bez Valley to Hillbrow ...

and it's due to the uncertainty over mixed areas."

The RAU report, which will be published by the SA Foundation, admits there has been a "limited migration" of mostly elderly whites from Mayfair.

As matters stand, about half of Mayfair's 13 000 residents are white.

The report also stresses that property values have been boosted by significant upgrading and renovation from Indian householders, who have bought into the area using the dominance system or under corporate umbrellas.

According to the De Hutzemerk survey, property prices in the mixed areas of Mayfair, Mayfair West, Bez Valley, and Hillbrow have fallen by an average three percent over the past four years. On the flip side, prices in the "similar whites-only suburbs" of Triton and Greyfont rose by 13 percent.

Average property prices in the Hillbrow Flatlands nosed up by only two percent since

1984, but the volume of sales has plummeted by 86 percent.

Estate agents agree that a property boom, especially for sectional titles in South Africa's open Flatlands, is set to follow a mixed area being legalised... but the bubble would burst once the market is saturated.

Meanwhile, says PFP city councillor Mrs Molly Kopel, banks and building societies have stopped lending bonds in "aggravated areas" such as Hillbrow until Government clears the uncertainty over its new Group Areas deal.

The SA Perm, for one, has stopped lending out sectional titles for flats because the market in these areas has ground to a virtual standstill.

Says the Perm's Assistant General Manager (Mortgages) Mr Rob Abrams: "There's absolutely no demand for such properties and it's due to the uncertainty surrounding what Government proposes to do with the area."

It is an open question whether blacks will be steamrollered into paying exorbitant prices to live in legal grey areas.

But human rights groups in Durban, for one, fear property prices will soar in the famous Warwick Avenue triangle if the area is declared open.

Says Durban Central Residents' Association chairman Mr Iqbal Mohammed: "It's one of the oldest integrated areas in South Africa and there is a huge demand to live there, even though the place is a bit rundown."

"The last thing we want to see is residents being forced out of the area by a development boom that is likely to follow an open Warwick Avenue."

Only Cape Town is expected to escape the frictions that other cities may experience from opening selected residential areas. Property prices in Cape Town's grey pockets of Woodstock and Observatory have climbed steadily over the past four years.

LP calls for repeal of new apartheid laws

Own Correspondent 80

JOHANNESBURG. — The Labour Party reiterated its "no budge" policy on the Group Areas Act and rejected the recently announced Group Areas amendment Bills in the strongest terms at the Transvaal LP Congress in Potchefstroom on Saturday.

Congress confirmed the party's opposition to the Group Areas Act by calling for the repeal of the Act in its totality, Transvaal LP leader Mr Ismail Richards said yesterday.

There was fierce rejection of the proposed Free Settlement Areas Bill, Local Authorities Affairs in Free Settlement Areas Bill and the Group Areas Amendment Bill. "We cannot support this new disguised apartheid legislation," Mr Richards said.

In other resolutions congress called on the ANC "to abolish their violent strategy".

Congress also wished Mr Nelson Mandela well on his 70th birthday, "thanking him for his contribution in the struggle and calling on authorities to release him immediately", Mr Richards said.

Group areas worry mines

The Chamber of Mines says it supports the Free Settlement Areas Bill as a step towards the repeal of the Group Areas Act.

In a statement yesterday, the chamber said that while the mining industry was in favour of the "progressive measure", it was regrettable that it was coupled with the retrograde Group Areas Amendment Bill.

"We are concerned that this legislation should come at a time when the industry has accepted the need to move, as far as the law and financial resources permit, to a flexible approach to the housing of employees of mines," the statement said.

It added that in its representations to the Government, it had stated the industry's view that the Group Areas Act should be repealed as soon as possible.

IFF attack on pending group areas Bills

Star 21/7/88
80
[scribble]

By Inga Molzen

Impending changes to the Group Areas Act have been criticised by the South African office of the International Freedom Foundation (IFF).

Positive developments — particularly the creation of racially mixed areas and the provision of a common voters roll through the Free Settlement Areas Bill, and the promotion of local government affairs in the Free Settlement Areas Bill — were “more than offset by those measures which forced South Africa back into an age of racial segregation”.

This was the view of the executive director of IFF (RSA), Mr Russel Crystal, who rejected the negative provisions contained in the proposed trilogy of new group areas legislation.

Mr Crystal, a National Party cardholder, who has actively canvassed for the NP in municipal by-elections and who last year assisted former security police spy, Mr Craig Williamson, in his campaign for the Bryanston parliamentary seat, said the proposed legislation went against the grain of the

Government's reform initiative.

The proposed amendment to the Group Areas Act and two associated Bills have come under immediate attack from all opposition quarters. Positive measures to open defined residential areas through the Free Settlement Areas Bill have been condemned by those on the political right.

But, by simultaneously legislating “draconian measures to force people out of existing homes in order to enforce racially exclusive suburbs”, Mr Crystal said the Government was clearly attempting to pander to the “racist and collectivist minds of white supremacists”.

Mr Crystal said the tightening-up of residential apartheid by an amendment of the Group Areas Act — with more stringent penalties — was “a shortsighted attempt to accommodate right-wing pressure”.

Mr Crystal, who headed mysteriously wealthy right-wing groups in his youth before his appointment as executive director of the SA branch of the IFF, said: “The last thing this country needs now is the passage of blatantly retrogressive legislation.”

“Such legislation would help force South Africa back into the US presidential campaign.”

Former president of the controversial Students Moderate Alliance and the founder of the National Student Federation — an umbrella body for conservative student groups countrywide — Mr Crystal said the introduction of the legislation appeared to indicate a deliberate reversing of the reform programme.

This, he said would “not only damage the cause of peace and stability inside South Africa, but would also bring inevitable international criticism upon this country”.

2 500 SA Muslims plan to visit Mecca

Star 21/7/88

By Sue Olswang

More than 2 500 South African Muslims intend making the annual pilgrimage to Mecca this year despite fears for the safety of pilgrims following last year's violent clashes between rioting Iranians and Saudi Arabian police.

The clash left 402 dead and 649 wounded, and has led to a restriction on the number of Iranians attending this year's pilgrimage.

But South African Muslims are not being put off

by last year's events.

A spokesman for the Central Islamic Trust said no restrictions have been placed on the number of South Africans making the journey and, he estimated that more than 2 500 would visit Mecca.

The manager of a Johannesburg travel agency, which handles reservations for many local pilgrims, thought between 2 500 and 3 000 South African Muslims would be travelling to Mecca this year.

By Lloyd Coutts

The segregation of racial groups by "statutory compulsion" was an outdated concept, the president of the Witwatersrand Chamber of Commerce and Industry (WCCI), Mr Hennie Viljoen, said yesterday.

Mr Viljoen said the WCCI believed the Group Areas Amendment Bill was counter-productive, would punish the act of providing or receiving shelter, would damage constructive economic processes, would remove reasonable discretion from the courts and offend black South Africans.

"We feel that a substantial relaxation of present restrictions is desirable and necessary, particularly with regard to Greater Johannesburg which — in the words of the President's Council's 1983 Report on Group Areas — is a dynamic city in a state of continuous physical and social change."

Referring to the Free Settlement Areas Bill, he said the WCCI welcomed the fact that land or premises zoned specifically for industrial purposes

WCCI plea for relaxation of Group Areas

would be opened to people of all races, but regretted that they were to be restricted to industrial usage only.

"These restrictions are in direct conflict with the Government's expressed belief in a free market economy and we therefore request that effect should be given to the President's Council's recommendation that land zoned for non-residential use should be opened to all population groups for the conduct of business.

"In terms of the new legislation, the establishment of 'free trading' areas will be more cumbersome than at present and we feel that the removal of the State President's power to overrule objections by a reluctant local authority is a retrogressive step," he said.

CAP. T...
urday, July 23, 1988

80

Organizations condemn new govt bills

JOHANNESBURG. — The government was enacting "emergency-type" legislation to deal with the crisis of homelessness it had created with its apartheid policies, a press conference heard yesterday.

The conference was organized by Actstop, the Black Sash, CRIN, PLAN-ACT and TRAC — all opposed to five new land and housing bills scheduled to become law in September.

These are: The Prevention of Illegal Squatting Amendment Bill; the Slums Bill; the Group Areas Amendment Act; the Free Settlement Areas Bill, and the Local Government Affairs in Free Settlement Areas Bill.

'Sweeping powers'

Mr Geoff Budlender of the Legal Resources Centre said the bills had a number of themes in common which caused them to resemble emergency regulations.

They gave "sweeping administrative powers" to government ministers and officials, increased penalties for transgressors and excluded legal control over administrative actions. This was indicative of "emergency-type thinking", Mr Budlender said.

The bills provided for compulsory evictions which removed the discretion of the courts, removed the suspending effect of appeals to a higher court and made it virtually impossible to obtain interdicts against evictions. They transferred the onus of proof from the accused to the state.

He said the effect of the bills was to reverse many of the reforms instituted by the abolition of Influx Control in 1986. The power given to magis-

trates in fact meant homeless people were considerably worse off in a number of aspects: They could now be removed by administrative action without recourse to the law, without parliamentary checks and without alternative places to live.

They could also not obtain interdicts against evictions unless they could show the action was both unlawful and in bad faith.

Mr Budlender said the bills provided Draconian measures to address short-term problems, but did nothing to solve the fundamental problems of the housing shortage.

Mr Cassim Salojee of Actstop said his organization rejected the bills out of hand after consultation with black tenants in areas like Hillbrow and Joubert Park. He said the overall "sinister purpose" of the bills was to bring back Influx Control.

'Destroy right'

Mrs Josie Adler of the Black Sash said the bills were meant to criminalize even more people, forcing them into hiding and condemning them to live in fear simply because they did not have land or homes.

Ms Aninka Claasens of TRAC said the Illegal Squatting Amendment Bill proposed to destroy the 100-year-old right of certain black people to live on white farms. She said a magistrate could now order the eviction of black people, including 3rd- and 4th-generation labour tenants living in white rural areas, without any checks, without giving reasons and regardless of whether they had permission to live there or not. The families of farmworkers were not exempted. — Sapa

Govt's Areas adverts 'directionless'

Own Correspondent

DURBAN — The Government has embarked on a major advertising campaign spelling out its stance on the Group Areas Act.

According to political analyst Professor Willie Kleynhans, this issue is crucial to the October

25/7/88
municipal elections.

The advertisements promise that the "rights of people who wish to reside and live separately are safeguarded to a greater extent".

They spell out the proposed amendments to the Act which will come before Parliament later

this year.

Professor Kleynhans, who labelled them directionless, said they would come under fire from the left and the right.

"How would you determine whether to have an integrated suburb? What if 51 percent were for it and 49 percent against.

80
This would lead to angry uprisings," he said.

"In the segregated suburbs there would be many cases of people being uprooted."

This week the National Party placed an advertisement in Hillbrow's local newspaper.

The PFP candidate for Hillbrow, Mrs Gene Gunther, criticised the new Bills.

"The problems of overcrowding, health and the general deterioration of standards in Hillbrow are a direct result of the lack of necessary management and the 'grey' status of Hillbrow."

Govt 'is compounding plight of the homeless'

Homelessness is arguably the most serious problem in South Africa, says the Black Sash, yet the Government is proposing to make even more people homeless by evicting them from farms or for being in the "wrong" group areas.

The group says this is the likely effect of the Prevention of Illegal Squatting Amendment Bill, the Group Areas Amendment Bill and the Slums Bill, all of which could become law by the end of August.

All the Bills provide for the removal of people from their homes without regard to the availability of alternative accommodation.

In a special pamphlet, the Black Sash says the measures have certain

other things in common:

- They make homelessness a crime.
- They punish the condition of being homeless with penalties more suited to crimes of violence.
- They remove judicial consideration of justice and human rights and substitute the opinions of functionaries and a compulsion on judicial officers to make orders.

All this is about to become law in a situation where "one out of six South Africans is without proper shelter or is living 'illegally'".

The Black Sash says the new measures will result in more human suffering and chaos.

"Laws such as these bring law in disrespect," the group concludes.

Group areas move is 'retrogressive'

By Lloyd Coutts

The chairman of the giant Anglo American Corporation, Mr Gavin Relly, has spoken out strongly against Government plans to reverse informal desegregation of urban residential areas.

Commenting in the corporation's annual statement published yesterday, Mr Relly:

Relly calls for more openings for blacks

Staff Reporter

The tortuous process whereby statutory racial discrimination in the mining industry was being removed reflected little credit on the legislature, the chairman of Anglo American Corporation, Mr Gavin Relly, said in the company's annual report published yesterday.

He believed mining and industrial interests in South Africa, while rightly urging the authorities to take more forthright steps to end apartheid, could and should spend more time putting their own houses in order.

"One of the most important ongoing tasks, as crucial to the country's stability as it is to the future of private enterprise, is to create and develop non-racial organisations manned by well educated, trained and competent staff," Mr Relly said.

BLASTING

The mining industry was short of qualified people with blasting certificates, and the setting of black men on this important rung of the ladder of promotion was essential in terms of equity and to ensure increasing production efficiency.

Mining societies were made up of people who shared the dangers of mining and the responsibilities of keeping those dangers to a minimum.

This structure would not sustain itself if the discrepancies in privilege between races, which were disappearing underground, remained blatant on the surface and off the mine.

"It must become possible for people of all colour on the mines (as indeed elsewhere in the country) to have equal freedom of choice, to live where they wish, play sport where they wish, school their children where they wish and take holidays where they wish — in short to live normal lives and not have these things dictated to them by rules and regulations based on race," Mr Relly said.

● Welcomed the opportunity to create non-racial areas arising from Government legislation to amend the Group Areas Act.

● Opposed reversing informal desegregation, which the Group Areas Act Amendment Bill sought to do.

● Claimed that a study of the Bill revealed much that appeared retrogressive on the subject of group areas and squatting.

● Urged that squatting should be seen as simply the first stage in the necessary process of urbanisation and the squatter's shack as an initial form of housing needing upgrading in due course — not demolition.

● Commented that the initiative had probably sensibly at this stage been left with municipalities to decide which residential areas to open to all.

Mr Relly said that, provided President Botha did not overrule the recommendations of subordinate authorities, a form of discrimination that was deeply resented would have been breached.

Power sharing

Dealing with the country's political future, Mr Relly said the country's future could not be determined unilaterally, and the open agenda under which a body provided for by the Promotion of Constitutional Development Bill would operate gave scope for the examination of all alternatives.

This included some form of partition for those who, however unrealistically, wished to go their own way.

These discussions would also establish whether the Government was prepared to share power only with two non-negotiable provisos: the retention of the veto for the white electorate and protection of group rights on an ethnic basis determined by statute, not voluntary association.

Mr Relly said the Bill had been attacked by people on both left and right for understandable reasons, and also by many people in the middle who rightly felt the decks had not been properly cleared.

"I would hope that some of the criticisms of the Bill, from such important leaders as Chief Buthelezi, will receive careful attention."

Mr Relly said progress along the road to power-sharing had been delayed by a succession of obstacles.

"As those committed to change by revolution see the prospect of success recede, they redouble their efforts and the authorities, equally predictably, feel obliged to respond — with cross-border raids, further restrictions on political activity and assaults on the freedom of the press."

These actions exacerbated foreign antipathy to the point where some no longer wanted the process of change by reform.

He said there were no doubt many South Africans who shared that view, but he believed "a far greater number reject the revolution that would be the ultimate consequence of failure".

● See Page 12.

Tragic waste of youth



David Bruce is interviewed outside the Johannesburg yesterday before being sentenced to six years' imprisonment to serve in the SADF. Mr Peter Leon, the Witwatersrand Lawyers for Human Rights, described the sentence a "useful, young life". See stories on Page 3. ● Pict



Mr Gavin Relly

New Areas proposals 'regressive' — Relly

Accus
26/7/88
PO

The Argus Correspondent

JOHANNESBURG. — Proposals contained in the Group Areas Act Amendment Bill which sought to reverse informal desegregation should be opposed, the chairman of Anglo American Corporation, Mr Gavin Relly, has said.

A study of the Bills dealing with Group Areas and squatting showed much that appeared retrogressive, Mr Relly said in his annual statement published yesterday.

The procedure for opening residential areas to people of all colours left the initiative, probably sensibly at this stage, with the municipalities themselves.

FREEDOM OF CHOICE

Provided President Botha did not overrule the recommendations of subordinate authorities, a form of discrimination that was deeply resented would have been breached, and people able and willing to fend for themselves would have been given some freedom of choice in the housing market, Mr Relly said.

Squatting should be seen as simply the first stage in the process of urbanisation and the squatter's shack as an initial form of housing needing upgrading in due course, not demolition, he said.

The future of the country could not be determined unilaterally, and the open agenda under which a body provided for by the Promotion of Constitutional Development Bill would operate gave scope for the examination of all constitutional alternatives.

The Bill had been attacked by people on both left and right for understandable reasons, and by many people in the middle who rightly felt that the decks had not been properly cleared, Mr Relly said.

BLEAK FUTURE

By THEMBA MOLEFE

AHEAD IF BILLS ARE PASSED

Sowetan 26/7/88

MILLIONS of homeless people in the rural areas and cities will be affected even more drastically if three Bills presently before Parliament become law, legal experts and organisations monitoring homelessness have warned.

The Bills provide for amendments to the Prevention of Illegal Squatting Act, the Slums Act and the Group Areas Act. They will be tabled in August.



MINISTER Heunis ...
In charge of Bills.

Attorney, Mr Geoff Budlender, of the Legal Resources Centre, said in his analysis that proposed legislation on illegal squatting placed the onus on the squatter to prove his innocence and that the courts were obliged to order the eviction of the person concerned and the demolition of structures he had built.

The court has a discretion in this regard in terms of existing laws.

Penalties

The penalties for contravention would be sharply increased, Mr Budlender said.

The Bill proposes penalties amounting to R2000 or 12 months imprisonment. The fine for continuing to commit the offence has been doubled to R20 or 14 days' jail for every day on which the offence is committed.

Landowners or lessees who permit the erection or occupation of unauthorised structure on their premises can be sentenced to fines of up to R10000 or five years' jail.

Mr Budlender said punishment, eviction and demolition orders will not be suspended by an appeal to the Supreme Court.

"The success of an appeal to the Supreme Court will thus be largely theoretical as the

Millions will be affected

punishment order will already have been carried out," he said.

A clause in the squatting Bill also creates an entirely new procedure for removals from "white" rural areas. All black people living in those areas, except farmworkers, can be removed.

"The families of farmworkers are not exempted. The clause effectively reverses a major reform in the

Abolition of Influx Control Act, which by repealing Chapter IV of the Development Trust and Land Act gave black people easier access to 'white' rural areas," Mr Budlender said.

The Bill also vastly extended the administrative powers of removals by limiting magisterial discretion.

"A major theme in the Bill is that it places wide discretionary powers in the hands of officials and

limits the power of the Supreme Court to control both administrative action and the conduct of the lower courts."

Mr Budlender said one of the most striking aspects of the Bill was the extent to which it mirrored the pattern of the present state of emergency legislation.

"The overall impression created is that the Bill is an attempt to deal with what is officially

perceived as a crisis situation by creating wide and largely uncontrollable administrative powers," Mr Budlender said.

Mr Budlender summed up the effects of the Bills if they were to become law by saying: "Millions of people in the rural areas and cities are criminalised because they are landless. People whose offence is that they have nowhere where they can live lawfully are now placed at greater risk than ever before".

'Building industries would boom'

CMT 7/19/88 27/7/88
80 1030 2070

Tax rebates for housing punted

By AUDREY D'ANGELO
Financial Editor

TAX rebates of 200% on expenditure incurred in providing housing for employees would have a "mind-boggling" economic impact, city businessman Philip Krawitz said at the annual dinner of the University of Cape Town Graduate School of Business Association last night.

Apart from providing badly-needed housing, which was the key to sociological stability, "there would be an enormous fill-up in the field of job creation. All the industries associated with home-building materials would boom".

"In time to come, all these new homes, and the income generated in their creation, would provide purchasing power for consumer durables such as furniture and appliances. Certainly, such a step could be the key to a 5% growth rate, placing little demand on our balance of payments as most of the materials and labour are local."

The suggestion was one of several Krawitz made to help improve SA's situation.

He said this was not hopeless, in spite of double-digit inflation, the state of emergency, rising unemploy-

ment, world hostility and the need to restrict the growth rate to below 3% in order to maintain a balance of payments surplus.

SA still had strengths. The chief of this was "the immense, untapped fund of goodwill, prevalent amongst millions of our fellow citizens who simply want to live side by side without taking up arms".

Since those holding power must take the first step, Krawitz suggested the government should:

● Remove the Group Areas Act "and every remaining statute which offends the dignity of man and divides our peoples";

● Abolish preconditions and petty posturing and sit down round a very large table with a blank sheet of paper;

● Convince those present that, while many hurdles have still to be jumped, no-one should quit the race as long as the finish line remains in sight.

Discussing the need to redistribute as well as create wealth if capitalism is not to give way to socialism, Krawitz said: "With 5,5m black people currently unemployed and a need to provide 1 000 homes every day between now and the year 2 000, the free-enterprise system could hardly wish for a better opportunity to prove itself."

By JO-ANNE
COLLINGE

Loving your
neighbour is a
fine sentiment
— but is it
worth going to
jail for it?



Witnessing an illegal neighbour

872 287 718V
If the Group Areas Amendment Bill becomes law and your neighbour happens to be a person of the "wrong" colour, living in the "wrong" place, you could face going to jail.

The Bill introduces a type of magisterial inquiry which may be conducted in relation to suspected Group Areas Act offenders.

The magistrate's finding is not a criminal conviction. It will not ordinarily result directly in a group areas transgressor going to jail. But a finding of "guilty" in an inquiry still carries a heavy penalty: mandatory eviction from the "illegal" home.

Where you might come into the picture — if you have an "illegal" neighbour — is that you might be called as a witness to help ascertain your neighbour's unlawful presence in the area.

And the catch is — you can't refuse to do so in the interests of good neighbourliness. Unless you are prepared to pay up or go to jail for your principles.

Section 41(a)(5) of the proposed legislation reads: "A person who is summoned to appear before a magistrate and who fails to appear at the place, on the date and at the time mentioned in the summons shall be guilty of an offence, and on conviction liable to a fine not exceeding R500 or to imprisonment for a period not exceeding three months."

Sinister familiarity

The procedure has a sinister familiarity to many journalists. It is more than a little like section 205 of the Criminal Procedure Act, in terms of which they (and other members of the public) may be called to answer questions before a magistrate in the course of a criminal investigation, often of a political nature.

The questions posed to the journalist are usually aimed at getting him or her to reveal the source of his information and potentially incriminate that source.

Similar questions of principle would affect those most likely to be summoned to give evidence in a group areas inquiry. Landlords sympathetic to the plight of homeless black families and white "nominees" who have let their names be used to secure properties for "illegals" would be prime witness material.

Section 41(a) of the Bill also provides that the person suspected of transgressing the Group Areas Act may be summoned on exactly the same basis as any other witness. Whereas in a criminal trial the accused would be able to refuse to take the witness stand and provide self-incriminating evidence, in a magisterial group areas inquiry the subject is explicitly denied such protection. Likewise the householder's spouse or children could be summoned to testify.

Eviction is mandatory. Its execution may be delayed no longer than 30 days after the completion of the inquiry. And, as the Bill makes clear, there will be no channel of appeal. "The (eviction) order of a magistrate shall be final".

Pressures from outside Govt dictate the pace of change

Star 28/7/88

80

STAFF REPORTER

There are potential openings for desegregation in South Africa, according to new research by Institute of Race Relations analyst Mr Steven Friedman, but there is a pressing need to go beyond slogans for meaningful reform.

Predictions that the Government is moving inexorably towards a system of multiracial elitism in which segregation will be abandoned but effective white political control remains intact underestimate pressures within the Government and in white politics for segregation, says Mr Steven Friedman.

In a 51-page publication, "Reform Revisited", in which he discusses current trends in Government thinking, Mr Friedman says there are potential openings for desegregation.

"At present these are limited. The extent to which they remain so may depend on the willingness on the groups outside the Government to press for desegregation and to adapt strategies which recognise both the obstacles awaiting them and the possibilities which may continue to emerge."

NOT ALWAYS IN CONTROL

He notes that Government positions on group areas, education, local government and regional government confirm that movement towards desegregation will continue to face substantial opposition, although he identifies some areas in which a continuing move away from apartheid is likely.

Some political commentators still assume that the Government alone dictates the pace of change, he says, but this overestimates the power of the Government.

While the Government is under no direct threat from its opponents, it is not always able to control events in society.

"The pace of change depends primarily therefore on the extent to which pressures on existing policies build up outside the Government's control."

One of the flaws which "often underlies thinking about change is the tendency to see it as an event, rather than as a process" and a belief that change would openly begin when power is transferred to a majority government.

"Change is seen as a single, millenarian event — the transfer of power — and strategies for change are designed to ensure that the millenium occurs as quickly as possible.

"This view is akin to that of a school history textbook which declares that change in the United States began with the Boston tea party and in France with the storming of the Bastille"

Mr Friedman says that in South Africa any change that renders racial separation less workable, or which strengthens organised black influence, will increase pressure on apartheid and strengthen momentum for its replacement.

The experience of the trade union move-

ment and of community organisations in the mid-1980s confirm "that the perception of powerlessness will only be overcome when collective action achieves gains, however limited".

He adds a counter-argument that reform, particularly if accompanied by tougher security restrictions on groups committed to political change, would deflect pressure for change by making the system workable while its opponents were prevented from challenging it.

In the event, he argues that political change is likely to become a realistic prospect "only when there has been further significant erosion of the manifestations of apartheid, creating the conditions for more effective black bargaining power and removing the powerlessness which hampers black organisation".

This erosion will be a consequence not of any Government initiative but of pressure for reform in which the Government can make concessions without yielding power.

Mr Friedman writes that outbreaks of unrest in 1976 and 1984 led many to predict confidently that "the system" was about to collapse.

Such predictions were replaced by equally confident assertions that even partial change had become remote once the unrest had been quelled.

Mr Friedman emphasises a pressing need "to go beyond slogans" in South Africa.

"The question now is whether latent or actual pressures exist which can strengthen the prospects for limited structural change."

sjw 29/7/88

Government pushes ahead with its 'grey areas' legislation

By Esmaré van der Merwe,
Political Reporter

South Africa's first official racially mixed residential areas could be declared legal before the municipal elections on October 26.

At a press briefing in Pretoria yesterday, the Minister of Information, Dr Stoffel van der Merwe, said the Government was determined to push group areas legislation through Parliament before the local government elections took place.

The legislation, providing, among other things, for legal "free settlement" areas and strict measures for transgressors in "own" areas, will be on the order paper when Parliament resumes its session on August 22.

The Group Areas Amendment Bill, the Free Areas Settlement Bill and the Local Authorities in Free Areas Settlement Bill are expected to cause major clashes in all three Houses of Parliament.

While the Conservative Party

strongly opposes legal "grey" areas, the Labour Party has indicated that it would quit the parliamentary system if the legislation were passed. The LP demands that the Group Areas Act be scrapped.

Dr van der Merwe said the situation in areas such as multiracial Hillbrow had become "unbearable" as far as maintenance of law and order was concerned. The position had to be clarified urgently.

If the proposed legislation is approved by all three Houses of Parliament, areas such as Hillbrow and Cape Town's Woodstock could officially be opened to hundreds of thousands of people of colour who live there illegally.

In terms of the legislation, the choice of the opening of residential areas will rest with local authorities. If Parliament deadlocks on the legislation, the Government is expected to push it through the President's Council.

Areas Act legislation resisted

STW 29/7/88
By Esmaré van der Merwe,
Political Reporter

The Government's determination to push group areas legislation through Parliament before the municipal elections has met with equally fierce determination from the House of Representatives and the House of Delegates to stop it.

The chairman of the Ministers' Council in the House of Representatives, the Rev Allan Hendrickse, today said both the coloured and Indian Houses of Parliament "will have nothing to do" with the legislation.

"We will not touch anything which denies people the right to live in the areas of their choice," he said.

Mr Hendrickse was reacting to the Government's indication yesterday that it was determined to push the legislation through during the next Parliamentary session starting on August 22.

Dr Stoffel van der Merwe, the Minister of Information, yesterday told a press conference that the legislation, providing for some legal "free settlement" areas and strict punitive measures for transgressors in "own" areas, will be pushed through Parliament.

Mr Hendrickse said a Government plan to use the President's Council to approve the legislation would fail.

"They need the consent of two Houses of Parliament to refer the legislation to the President's Council.

"In addition, the House of Delegates will also not pass the legislation. There has definitely been a hardening of attitudes in the Indian House after Rajbansi," he said.

Mr Amichand Rajbansi was temporarily expelled as leader of the Ministers' Council in the House of Delegates after allegedly misleading the House about funds received by his National People's Party.

Legal mixed suburbs likely soon

8/29/7188

Government pushes ahead with its 'grey areas' legislation

80

By Esmaré van der Merwe,
Political Reporter

South Africa's first official racially mixed residential areas could be declared legal before the municipal elections on October 26.

At a press briefing in Pretoria yesterday, the Minister of Information, Dr Stoffel van der Merwe, said the Government was determined to push group areas legislation through Parliament before the local government elections took place.

The legislation, providing, among other things, for legal "free settlement" areas and strict measures for transgressors in "own" areas, will be on the order paper when Parliament resumes its session on August 22.

The Group Areas Amendment Bill, the Free Areas Settlement Bill and the Local Authorities in Free Areas Settlement Bill are expected to cause major clashes in all three Houses of Parliament.

While the Conservative Party

strongly opposes legal "grey" areas, the Labour Party has indicated that it would quit the parliamentary system if the legislation were passed. The LP demands that the Group Areas Act be scrapped.

Dr van der Merwe said the situation in areas such as multiracial Hillbrow had become "unbearable" as far as maintenance of law and order was concerned. The position had to be clarified urgently.

If the proposed legislation is approved by all three Houses of Parliament, areas such as Hillbrow and Cape Town's Woodstock could officially be opened to hundreds of thousands of people of colour who live there illegally.

In terms of the legislation, the choice of the opening of residential areas will rest with local authorities. If Parliament deadlocks on the legislation, the Government is expected to push it through the President's Council.

Woodstock OPEN

CME Times 29/7/88

Bulldozer unearths arms cache

By PATRICK COLLINGS
Crime Reporter

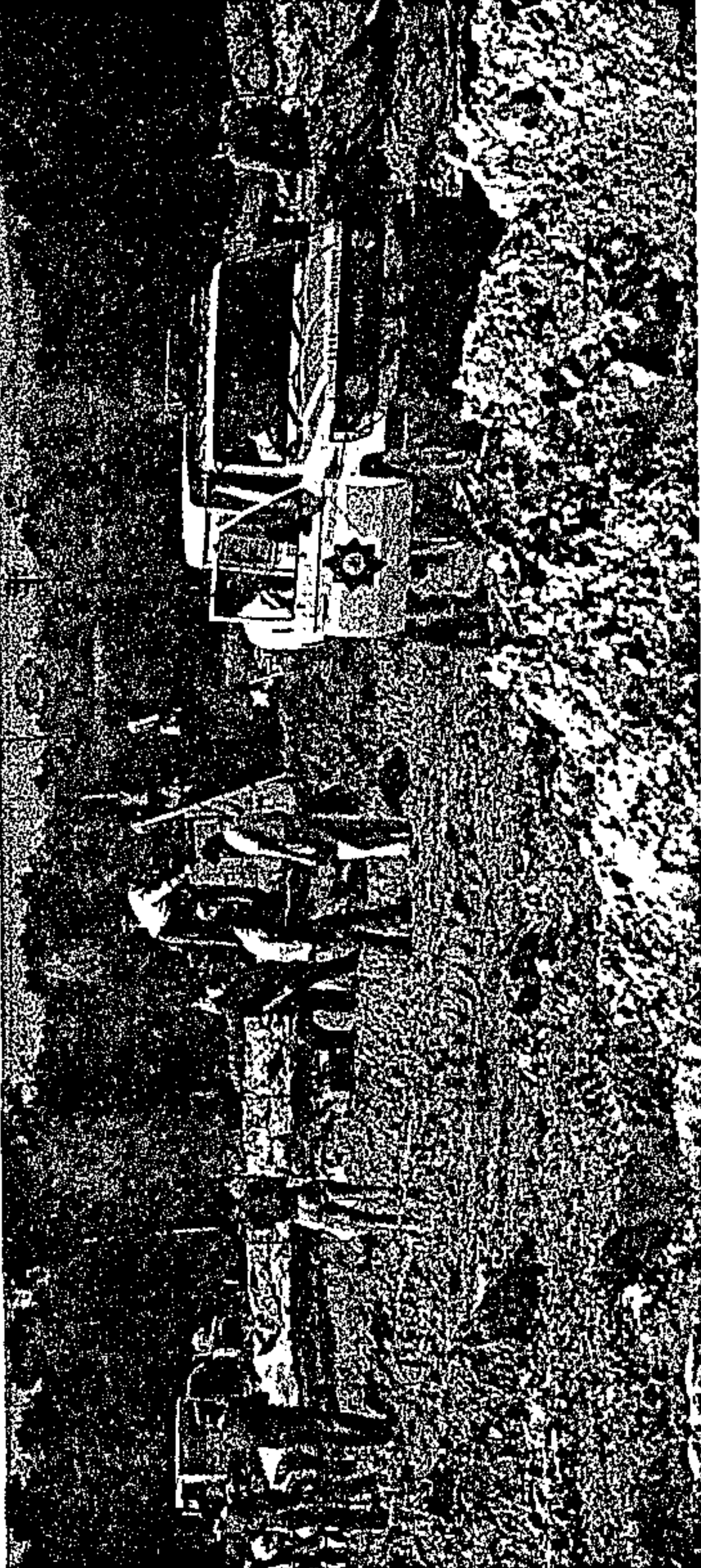
A LARGE arms cache comprising explosives, assault rifles, handguns and ammunition was accidentally uncovered yesterday on a construction site between Eerste River and Somerset West.

A bulldozer levelling the ground at the Beverly Park development site struck and broke open a buried wooden box containing the arms cache at 11.40am, scattering the weapons and explosives over a small area.

The cache included an undisclosed number of limpet mines, handgrenades, AK47 assault rifles, Makrov handguns, denonators and ammunition.

A police liaison officer, Lieutenant Attie Laubscher, described the arms cache as the largest discovered in the Peninsula this year and one of the biggest discovered in the country in the same period.

After unearthing the cache, the driver of the bulldozer contacted the Kulls



River police, who came to investigate. The officers notified security police and bomb-disposal experts, who rushed to the scene.

The area surrounding the development site was cordoned off as police removed the individual items, which were wrapped in waterproof material. Using sniffer dogs, metal detectors and rakes, police then searched the

area while a bulldozer was used to level the surrounding ground in an attempt to unearth further caches.

While the search was continuing, emergency medical personnel and two ambulances waited on the perimeter of the search area.

The cache was taken back to police headquarters where fingerprint ex-

SEARCH

... Police use a bulldozer to search for further arms caches.

Picture: ANNE LAUNG

Govt decision will affect Hillbrow too

Own Correspondent

JOHANNESBURG. — Woodstock and Hillbrow will become open areas in terms of proposed Group Areas Act changes to be legislated before the October 26 municipal elections, the Minister of Information, Dr Stofel van der Merwe, said yesterday.

Although he singled out Woodstock and Hillbrow, he indicated that other areas could be affected as well. Legislation was imminent, Dr Van der Merwe added.

The Free Settlement Areas Bill is part of a trilogy of proposed Group Areas legislation announced by the government last month.

Speaking about Hillbrow, Dr Van der Merwe said the government was faced with a disorderly situation because of the great number of illegals living in the areas.

He said the amendments to the act would be passed through Parliament before the municipal elections in order to "legalize" those trespassing the Group Areas Act.

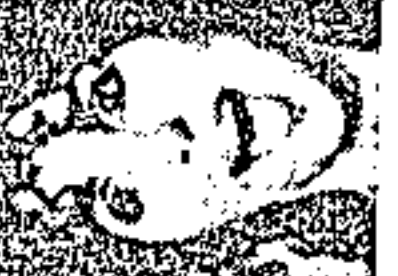
With reference to the coming local government poll, Dr Van der Merwe said the government would not tolerate acts of intimidation against those wishing to participate in the election.

Singling out church leaders who had called for a boycott of the election, Dr Van der Merwe said the government would take action against clergy if they ventured on to political ground.

Govt suspends rule on media

CME Times 29/7/88

Big security clampdown at Hartleyvale



Cher's man runs down photographer

LOS ANGELES. — Cher's live-in boyfriend was arrested on Wednesday after he tried to run down a freelance photographer who had staked out the home of the Oscar-winning ac-

People reported that Mr Caletti drove his black Ferrari at the photographer, Mr Peter

He and his legal advisers had

FCI says it opposes ⁸⁰
Govt Bills 29/7/88
new Group Areas bills

JOHANNESBURG. — The Federated Chamber of Industries (FCI) has expressed strong criticism of the new Prevention of Illegal Squatting Amendment Bill and the Free Settlement Areas Bill.

A statement by the chamber yesterday said FCI members employed more than half-a-million workers "whose daily lives are affected by the proposed legislation".

It believed that the industrial and national future depended on reducing the antagonisms and social unrest such legislation generated and that domestic and international perceptions of continued discriminatory legislation would seriously worsen.

"While the FCI accepts that the creation of free settlement areas is a move to allowing freedom of association and of residence within the borders of the state, the concept falls short of removing inequalities and the trilogy of group areas bills are based on wrong principles."

The FCI believed that while the Prevention of Illegal Squatting Bill might have some positive aspects, the "prohibition" sections of the bill would be unenforceable because of the enormous housing shortage. — Sapa

Hillbrow, Woodstock for all

HILLBROW and Woodstock would become open areas in terms of proposed Group Areas Act changes to be legislated before the October municipal elections, Information Minister Stoffel van der Merwe said yesterday.

Although he singled out Hillbrow and Woodstock, he indicated other areas could also be affected. Legislation was imminent, Van der Merwe added.

The Free Settlement Areas Bill is one of three on Group Areas announced by Government last month.

Speaking about Hillbrow, Van der Merwe said government was faced with a disorderly situation because of the

ELSABÉ WESSELS

large number of illegals living in the area.

He said the amendments to the Act would be passed through Parliament before the municipal elections in order to "legalise" those trespassing against the Group Areas Act.

Referring to the forthcoming local government poll Van der Merwe said government would not tolerate acts of intimidation against those wishing to

To Page 2

Hillbrow, Woodstock to be open areas

take part in the election. 6/20/88

Singling out church leaders who had called for a boycott of the election, Van der Merwe said government would take action against clergy if they ventured onto political ground.

When churches embarked on explicit political action they were no longer act-

ing as churches. They could no longer hide behind the of the cloth and should expect political attacks in return, Van der Merwe said.

See Page 4

I won't support Nats again, ^{2/8/88} says Hendrickse

By PETER FABRICIUS, Political Staff

LABOUR Party leader the Reverend Allan Hendrickse has vowed that he will not support any more National Party legislation until the Group Areas Act is scrapped entirely.

He made his strongest statement to date on the Act as Parliament's standing committee on constitutional development prepared today to deliberate on three new Bills which will provide for some mixed residential areas while drastically clamping down on offenders in those areas which remain exclusive.

Mr Hendrickse said that the LP's attitude had "hardened" and it would support no more NP Bills because the Government was refusing to take account of its strong views on the Group Areas Act.

The constitutional development committee, chaired by Deputy Minister of Constitutional Development Mr Roelf Meyer, is due to discuss the three Bills in Pretoria for most of this week and next week but it is likely that the Labour Party will simply state its objection to the principle of the Bills and then withdraw from the deliberations.

ONLY ONE HOUSE NEEDED

Mr Hendrickse said that the majority in the House of Delegates was also opposed to the principle of the Bills. He believed that if both the House of Representatives and the House of Delegates rejected the Bills, the Government would be unable to force them through the deadlock-breaking President's Council.

However, a close examination of the Constitution shows that this is not so. If only one House of Parliament accepts a Bill it can be passed by the President's Council.

But it is clear that the Bills — which even the Government itself has described as "drastic" — will seriously damage relations among the three Houses of Parliament and threaten the legislative process.

Last week the Labour Party rejected a variety of constitutional and environmental Bills, including Bills to retrospectively validate the actions of the Kwandebele Government (declared invalid by the Supreme Court) and a Bill to counteract squatting by imposing heavy fines on the owners of property who allow squatting.

CAF Trunk
3/8/88
80

Group Areas Act — PW to meet MC

By BARRY STREEK
Political Staff

PRESIDENT P W Botha and the Labour Party-controlled Ministers' Council in the House of Representatives are to meet in Pretoria this morning, amid reports that the party is to oppose all proposed legislation until the Group Areas Act is scrapped.

Relations between the Labour Party and the government have been tense since the party and the chairman of the Ministers' Council, Mr Allan Hendrickse, resigned from the cabinet last year.

These tensions increased after the Labour Party said it would not support proposed amendments to the constitution to delay the elections, which are scheduled next year, unless the Group Areas was repealed and it opposed a number of bills during the last parliamentary session.

But after some Labour Party MPs, including the party's chairman, Mr Miley Richards, and the Deputy Minister of Population Development, Mr Luwelyn Landers, criticized the Progressive Federal Party during the first joint debate of all three Houses in June and supported the legislation for the proposed National Council, relations seem to have eased.

Today's meeting will be the latest of a number of meetings between Mr Botha and Mr Hendrickse.

Totally opposed to changes in the Act

Mr Hendrickse said yesterday that the meeting was at the President's request.

"I have had no indication whatsoever of what is to be discussed. I do not know whether it will be toenadering or confrontation and I will probably have to prepare for both," he said.

However, over the past three weeks he had met Mr Botha at the President's request to discuss the situation in Angola and at his request to discuss appointments and a possible restructuring of the Ministers' Council.

It was possible that the restructuring of the Ministers' Council would be discussed today.

In some National Party circles there was "a strong trend that we need each other" but other NP circles were furious that the Labour Party had blocked various pieces of legislation.

However, Mr Hendrickse stressed that the Labour Party was totally opposed to the proposed changes to the Slums Act and the Group Areas Act.

The House of Delegates was also opposed to the proposed amendments to the Group Areas Act.

He is also reported to have said that the Labour Party's attitude had "hardened" and it would support no more more NP bills because the government refused to take into account its views on the Group Areas Act.

Another form of Group Areas — Kahn

DURBAN — The disinvestment and sanctions campaigns were nothing other than the implementation of a new brand of Group Areas Act, SAB chief Meyer Kahn said.

He told the Sapoa annual conference such campaigns sought to dictate

Own Correspondent

where people may or may not invest. He said: "We have all seen the fruits of such policies. They are a cancer on growth and on the ability of people to improve their quality of life."

A
P

80
13/10/88
4/8/88



The 'meaning' of Group Areas

SINCE the publication of the trilogy of Group Areas bills, comment and criticism has revealed a profound lack of understanding of the harshness, and political deceit surrounding these attempts at social engineering.

The Group Areas Amendment Bill is without doubt one of the most frightening laws yet produced by the National Party Government. Even the potentially progressive Free Settlement Areas Bill reveals a deviousness which causes one to question the true purpose and feasibility of this legislation. And the third measure, the Local Government Affairs in Free Settlement Areas Bill, while not pernicious in itself, is a revelation of the bureaucratic complexities produced as a result of the government's obsession with race.

The Group Areas Amendment Bill provides for substantially increased penalties (R400 to R10 000 in fines and 2-year and 5-year terms of imprisonment) for offences relating to illegal ownership and occupation of land.

Overrules court

It also provides machinery for the speedy ejectment of occupants of premises in the wrong group area regardless of whether alternative accommodation is available and no right of appeal. This effectively overrides the decision of the Supreme court in the 1982 Governder case, that ejectment was unreasonable and legally unenforceable unless there was alternative accommodation available for those families.

On the face of it the Group Areas Amendment Bill appears to be no more than an updated set of measures to ensure that the Group Areas Act is strictly administered. If one accepts the need for the Group Areas Act the amending legislation is therefore, to its supporters, a logical and necessary improvement to the Act.

Does the government seriously intend strict application of the Group Areas Act or is the Bill merely a ploy to persuade the electorate that the

Nats are as good if not better than the Conservatives at protecting white community interests?

I believe this is no pre-election jitters. The Nationalists believe that the tri-cameral, own affairs system of government with veto rights vested in the State President is the only way in which they can remain in power.

Land confiscation

"Own affairs" at national, regional and municipal levels can only function in racially-segregated residential areas. The Group Areas Act strictly applied is also a prerequisite to a segregated system of education and to maintaining so-called separate community life, both important concepts in the power struggle between the Nats and the Conservative Party. In order to hold on to political power the government has every intention of implementing the Group Areas Act.

The new penalties imposed in the Bill are intended to deter not only the illegal occupants; the fines and imprisonment apply equally to landlords and people who have hitherto been happy to act as nominee owners of "white" properties purchased by coloured families.

State confiscation of land illegally occupied is an added deterrent. The new Section 41(A) compels a magistrate to consider all complaints of illegal occupation, merely on the production of an affidavit by any one person.

If satisfied that the occupier of any premises is the wrong colour — not difficult to prove particularly as the onus is placed on the occupier to prove that he is the right colour — the Magistrate is compelled to order ejectment of the occupier and his family.

Humiliating

The implications of this section are horrendous. The "accused" will be subjected to an administrative inquisition not unlike the race classification board inquiries of the 50s.

The magistrate will not function as a court of law, there will be no protection of

The trilogy of Group Areas bills designed to increase the efficiency of this divisive legislation is being examined this week by the Parliamentary Standing Committee on Constitutional Planning and Development. Progressive Federal Party MP JAN VAN GEND assesses the implications of the bills

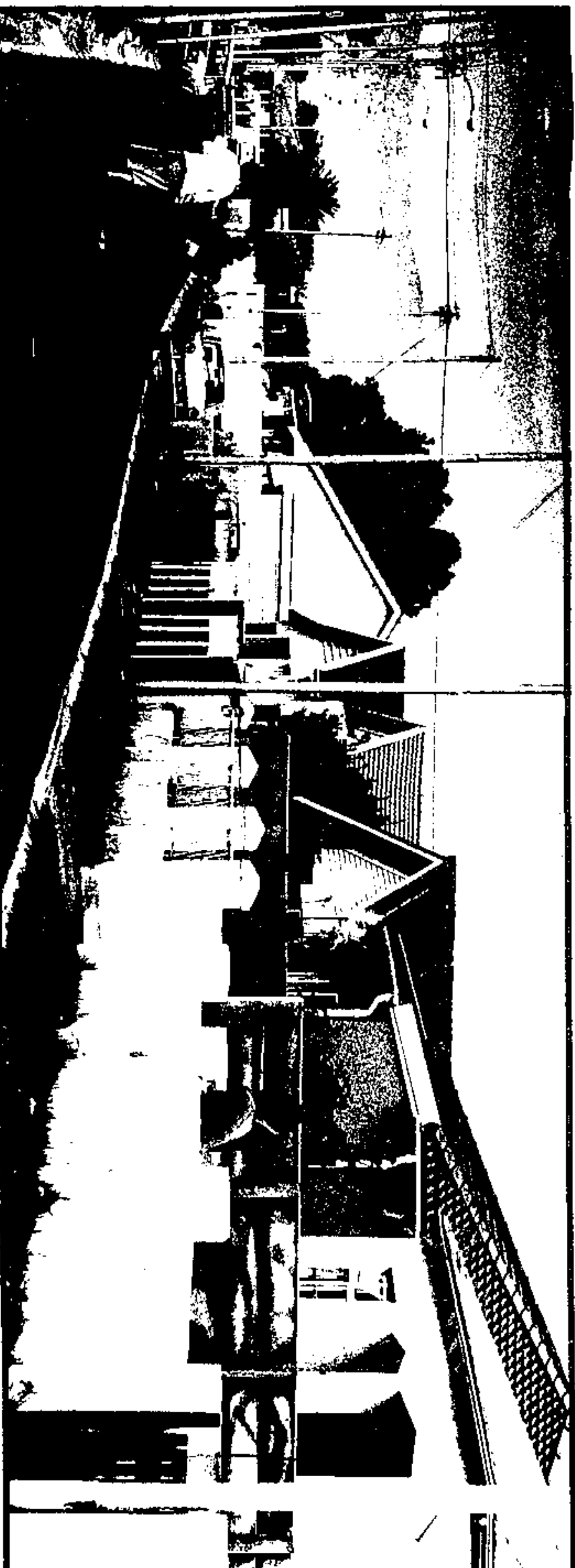


the process and no right of appeal.

More iniquitous still, because the Group Areas Act defines race in terms of appearance and general social acceptance, the occupier ("accused") and family will be subjected to the humiliating and degrading experience of physical examination and scrutiny: the texture of hair and colour of fingernail tests associated with the race classification boards.

And not only the inspectors to be appointed under the Bill but organised right-wing snoots can be expected to move into areas such as Woodstock, Observatory, Lansdowne and Rondobosch East where thousands of coloured families are presently living in harmony with their white neighbours.

The motivation for the Free Settlement Areas Bill is



Group Areas affects vast numbers of people who stand to be fined heavily and ejected for contraventions under the new trilogy of bills. The feelings of some extremists are made clear in the huge banner strung up in a 'white suburb'.



more complex and intriguing. The concept of free settlement areas in which land may be owned or occupied without racial restrictions is beyond criticism. Close analysis of the Bill, read in conjunction with the Group Areas Act and in the context of government policy, reveals that this Bill will have minimal practical application and contains many negative features.

Although the Bill envisages free settlement areas being proclaimed where such areas are "necessary" or "desirable" it would seem that in practice government will only allow the proclamation of free settlement areas in existing white group areas as a matter of necessity. It is highly unlikely that the government will consider opening up any existing white group residential areas to other races, unless circumstances prevailing

in Hillbrow and Woodstock leave them with no choice.

In considering this Bill our starting point must be that the government has every intention of implementing the Group Areas Act and particularly in white group areas, political considerations, white privilege and prejudice will all weigh heavily against the opening up of free settlement areas.

Appointees

The way in which the Bill has been formulated leaves no doubt that the State President has no intention of allowing the widespread establishment of free settlement areas in existing white group areas.

The Coloured and Indian Ministers Councils have no say in any decision affecting an existing white group area and blacks have no say at all

Seven of the nine members of the Board to be established under the Act for the purposes of enquiring into the necessity or desirability of free settlement areas, including the chairman of the Board, are direct appointees of the State President or the NP.

The two remaining members are appointed by the Ministers Councils in the House of Representatives and the House of Delegates. Once the Board has conducted its enquiry, it reports only to the State President.

The Bill further provides that every voter, owner or occupier of property within the proposed free settlement area has to receive personal notification of the intended enquiry and the Board is obliged to consider all views.

While it is laudable that the Bill should provide for such a variety of input these provi-

sions nevertheless lay the foundation for mobilising opposition to the establishment of any free settlement areas in existing white group areas.

White municipal voters living in the proposed area are provided with further grounds for objection as, in terms of the Local Government Affairs in Free Settlement Areas Bill, they will either lose their vote and representation on the local city council and have to accept as substitute a subordinate management committee. Either that or they could retain their vote on council and lose representation on the management committee governing their area.

The problems contained in the proposed Bills cannot be overcompensated through legislative tinkering. The short answer is that the Group Areas Act in its entirety must be scrapped.

Companies may face Group Areas prosecution

capv Truitt
5/18/88
RO

Own Correspondent

JOHANNESBURG. — Top South African business executives and leading companies could face prosecution under the proposed Group Areas Amendment Bill scheduled to be passed by Parliament before October.

Spokesmen for a number of leading companies yesterday confirmed that senior executives and companies had acted as nominees in helping black employees obtain residency in white areas.

Such nominees would under the proposed new legislation face tough penalties of up to R10 000 or imprisonment of up to five years.

Companies contacted confirmed that the nominee system was common practice, but executives were not prepared to go on record about breaking the law for fear that their employees might be exposed and face prosecution.

The penalties are contained in the Group Areas Amendment Bill due to come before Parliament before October. Parliament is resuming for two weeks from August 22.

According to the Group Areas Act Amendment Bill, any persons or companies that have acquired, held or occupied any immovable property, land or premises, in contravention of the Act, can be prosecuted. It also applies to persons who had permitted any other person or company to acquire such property in contravention of the Act.

No comment could be obtained from the Department.

Top businessmen face Group Areas fines

TOP SA business executives and leading companies could face prosecution under the proposed Group Areas Amendment Bill, scheduled to be passed by Parliament before October.

Spokesmen for a number of leading companies yesterday confirmed senior executives and companies had acted as nominees in helping black employees obtain residences in white areas.

The Bill provides that such nominees would face tough penalties. Contravention would incur fines of up to R10 000 or

ELSABÉ WESSELS

imprisonment of up to five years.

Companies contacted confirmed the nominee system was common practice, but executives were not prepared to go on record about breaking the law for fear their employees might be exposed and face prosecution.

The Group Areas Amendment Bill is one of three inter-related Group Areas Bills announced by Constitutional Affairs Minister Chris Heunis in June.

The three Bills will come before Parliament before October.

According to the Group Areas Act Amendment Bill, any person or company that has acquired, held or occupied any immovable property, land or premises in contravention of the Act can be prosecuted.

It also applies to people who have permitted any other person or company to acquire such property in contravention of the Act.

No comment could be obtained from the department.

Squatters here to stay

Institute

SQUATTERS evicted from their shacks under the punitive provisions of the Government's proposed new anti-squatting legislation will not leave the cities they regard as home, but will simply build new shacks.

In addition, the proposed new controls are likely to promote conflict and so pose a greater threat to urban stability than squatting itself supposedly does.

These warnings were sounded this week in evidence submitted by the South African Institute of Race Relations to a parliamentary committee examining the Prevention of Illegal Squatting Amendment Bill prior to its reintroduction when Parliament re-convenes on August 22.

The Bill was initially introduced in Parliament during its recent sitting by the Minister of Constitutional Development and Planning.

In its testimony the Institute said:

"The Bill is an attempt to counter uncontrolled squatting by ensuring that urbanisation remains 'orderly.' It partly recognises the

inevitability of black urbanisation by allowing the authorities to allocate more land for approved squatting, but also introduces new controls which seek to prevent people living on land or in buildings which are not allocated to them.

"Our research suggests that these controls are likely to prompt conflict which would pose a greater threat to stability than squatting does — and that they are unlikely to achieve their aim.

"This is not the first attempt to control squatting by the use of punitive measures — previous attempts failed. Perhaps the best-known was that in the Western Cape during the 1970s and 1980s: the authorities condoned the Crossroads squatter camp but then sought to use strict controls, including repeated demolition of squatter dwellings, to limit its growth.

"In a series of interviews, the Institute

found that officials involved in implementing this policy agreed that it had failed because it was attempting the impossible: squatters were so determined to live in the cities that no sooner had they been removed than they returned.

"One common misconception about squatters is that most of them are people from rural areas who streamed to the cities when the Pass laws were abolished. Our research in the PWV area contradicts this: in the Weiler's Farm squatter settlement, for example, most residents are either workers who were evicted from neighbouring farms or former residents of PWV townships who could not afford to pay rent.

"A second misconception is that most squatters are housed in squatter camps, such as

Crossroads. But most live in shacks in the backyards of township houses which have been subject to them by tenants or owners. In Bekkersdal, Westonaria, for example, the authorities estimate that there are on average six backyard shacks for each authorised township house.

"Indeed the phenomenon is so widespread that any attempt to act against shack dwellers will require action against the majority of settled township home owners and tenants. This will pose a major threat to stability.

"Our research suggests that people are squatting because they have no alternative. While the right of black people to live in the cities has been acknowledged, they have not been allocated enough housing land.

Research Institute (NBRI) estimates that 84 percent of urban black people are unable to afford housing unless they receive a subsidy.

"The Government is attempting to accommodate low-income people in a variety of novel subsidised schemes: they include self-help schemes in which low income people are allocated sites and services at minimal costs. However, even these are beyond the reach of most black people: an NBRI study of the self-help scheme in Kaitleng found that 99 percent of people in the area could not afford the monthly charges levied

"Attempts to remove squatters have succeeded only for a short time — in 1983, for example, 65 000 squatters were removed from the East Rand townships, but the fact that one of these, Thokoza, now has an official squatter population of 70 000, suggests that this failed to curb the growth of squatting in the area. An attempt to ensure orderly urbanisation by controlling black settlement has, therefore, had the opposite effect.

"A further reason for the growth of squatting is that most black people cannot afford even low-income housing: the National Building



A TYPICAL squatters' camp.

on participants. "Government economic planners are acknowledging that the only solution to the housing crisis which will not place undue strain on the country's economic resources is to allow squatting on a far greater scale. This aim would, however, be severely frustrated by the new controls which the Bill proposes.

"Our research suggests that the solution to the squatter problem lies not in more controls, but in attempts to provide affordable land and housing to the urban black population. Some Government planners have already begun imaginative attempts to formulate these: the controls which the bill proposes will simply frustrate their efforts."

ent Times 8/1/88 (80)

New 'Group' bills will make it worse

IF YOU think South Africa's name stinks now, just wait until the government's new housing policies go into effect. The proposed amendments to the Group Areas Act, with the ancillary legislation, is exactly what the sanctions lobby has been waiting for.

There will be miles of television footage, matched in dramatic impact only by "Cry Freedom", of policemen putting old ladies and their sticks of furniture out into the rain. There will be homeless babies cuddled on the cold sidewalks. There will be celebrated trials in which judges will confess that the law forbids them to do justice.

If revolution comes to this country it will be for the same reason that revolution came to France just two centuries ago: the Nats, like the Bourbons, forget nothing and learn nothing. They still struggle, after 40 years of failure, to control the people whom they cannot lead.

Urbanization can be seen as a threat or an opportunity. To the white voter who dreads democracy, the population explosion among black people is a threat; to the entrepreneur it is a market for millions of baby shoes. To the bureaucrat, a shack is an untidy structure; to the seller of corrugated iron sheets it's a market, and to the owner and his family it is an investment.

Think about the investment: the Urban Foundation has estimated that there are nearly 350 000 shacks in the PWV area, each of them representing an investment of perhaps R1 000.

Government's policy is to knock them down. That is tantamount to des-

troying an investment of R350 million in an impoverished country. Government hopes, instead, to put those people into tidy little boxes, each costing no less than R20 000. The task of providing such housing on such a scale, all authorities agree, is beyond the capacity of this country. Therefore they despair.

Legal system

Not unreasonably, the black people who find no houses, and are permitted to build no shacks, crowd into the cities in search of shelter. In places like Hillbrow or Mowbray, they are exploited by landlords who pack them into decaying buildings like sardines. The result is to turn a once-vibrant urban environment into a ghetto.

Government's idea of solving these problems is contained in the Group Areas Amendment Bill, which is due to come before Parliament's short session this month. The Bill envisages nothing that will put a roof over anybody's head; instead, it does further damage to our legal system by creating a presumption of guilt; it weakens property rights by permitting the seizure of buildings occupied by people of too-generous pigmentation; and it creates new classes of criminals whose crime is to rent living space.

It never ceases to amaze me that an Afrikaans government should do so much harm to the unique Roman-Dutch legal system which was Europe's (and Afrikanerdom's) greatest gift to this country; instead they pass laws which violate any concept of justice and bring the entire system into

disrepute. The eminent judges and lawyers who complain of disrespect to the courts need look no further for an explanation than to the law itself.

It surprises me less — since the National Party, recently converted to free enterprise, began its life as a national socialist party — that this government plays havoc with the property rights which are the basis of capitalism. What does surprise me is that they should violate property rights for so trivial a cause as to kick a man and his family out of their home.

Nor does it surprise me that a Nationalist government should think itself entitled to invade anybody's property, and declare him a criminal for letting the wrong people occupy the space. The idea that one's home is one's castle, and that it cannot be invaded except on a warrant, is an English tradition; like all English traditions it is dying in this country. But it was a good tradition while it lasted.

What, then, is to be done?

It takes only a little courage, and a willingness to learn from the experience of other fast-urbanizing countries, to see in the tide of new city dwellers a vast opportunity. The hordes who come to town want, more than anything, to work; that is why they come. They are an immense resource of energy and ideas.

Property rights

When they put up their shacks, they often establish their own local government. In one case discovered by the Urban Foundation, they decreed that all shack sites be fenced, and laid out a



By KEN OWEN

neat grid of roads. They needed no petty bureaucrat to put order in their lives.

What they do require is land, water, sewerage and transport. The land is gradually becoming available as government, in its slow, blundering way, identifies tracts which can be settled by black people without upsetting too many white voters. The problems of transport are solved by the shack-dwellers themselves, provided they are permitted to live within reasonable distance of their work.

That leaves the need for water and sewerage, and perhaps — with an eye to the future — a need to survey the sites. The experts at the Urban Foundation believe that shack-dwellers will then also need help to upgrade their dwellings — building plans, advice, materials, training and so forth.

Personally, I doubt whether they need anything at all, except security of tenure. Property rights. The holy base of capitalism. The foundation of a free life in a free world. The idea that distinguishes yeomen from serfs.

Given security of tenure, some people will upgrade, others will not. Those who upgrade their homes will create for themselves an asset, against which they may be able to borrow from the building society, in order to upgrade again. In time, the upgraders will own the town, and

the feckless will pay rent. There is a kind of rough justice in it. But I shall not complain if good folk help them.

Already, many black families — the Urban Foundation estimates 12% — can afford to buy or build their own houses. For a house costing R30 000 — electric stove in the kitchen, flush toilet and a bathroom with hot and cold running water — a family needs an income of a bit more than R1 000 a month. Businessmen who put up R1m for a revolving fund to finance buyers until a building society takes over the loan has found it works like a charm.

There is no need to belabour the point. The back of the urban housing problem can be broken as fast as government can identify sites and issue contracts to lay down water supplies and sewerage, so that people can build their shacks in the knowledge that they are making an investment in their own future. They will become part of an immense, burgeoning urban market.

The effect would be to relieve the terrible pressure — the desperation — that drives black people to invade the old suburbs. There would be hardly any need for savage laws, or for raids, or for the brutality... but I'm dreaming. The Nationalists have never, in my lifetime, taken advice. Like the Bourbons, they forget nothing, and learn nothing.

Proposed squatter laws could promote conflict

Star 9/18/88

By ESMARÉ VAN DER MERWE,
Political Reporter

The Government's newly proposed anti-squatting legislation will fail to counter uncontrolled shack dwelling and could threaten stability.

The harsh measures contained in the Government's newly proposed anti-squatting legislation could pose a threat to stability and could promote conflict, says the South African Institute of Race Relations.

In addition, evicted squatters would not leave the cities they regarded as home, but would simply build new shacks.

These warnings were sounded in evidence submitted by the Institute to a parliamentary committee examining the Prevention of Illegal Squatting Amendment Bill.

The Bill, introduced by the Minister of Constitutional Development and Planning, Mr Chris Heunis, during the previous parliamentary session, will be debated in the next session starting on August 22.

In its testimony to the committee, the Institute said the new measures would fail to counter uncontrolled squatting.

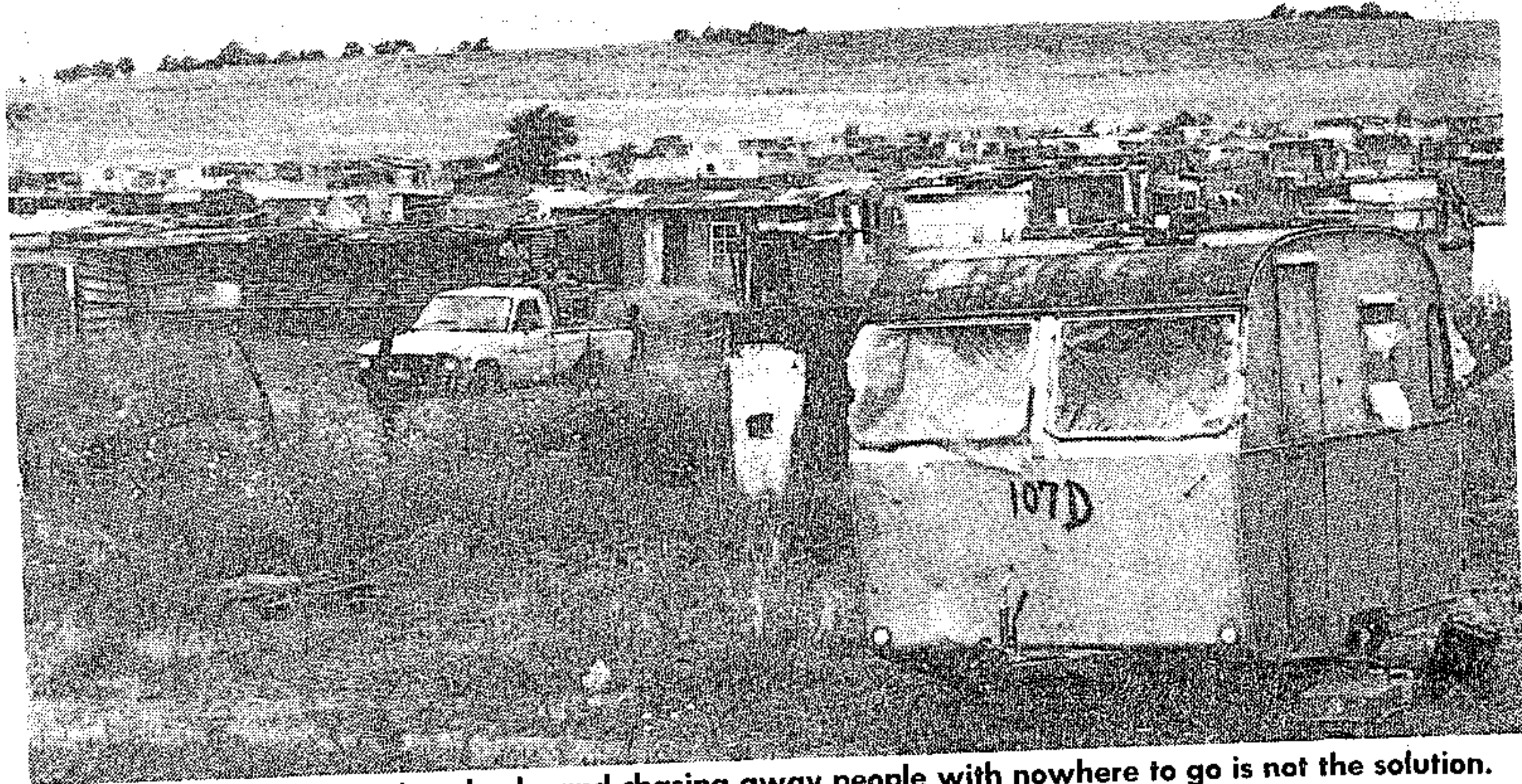
"Government economic planners are acknowledging that the only solution to the housing crisis which will not place undue strain on the country's economic resources is to allow squatting on a far greater scale.

"This aim would, however, be severely frustrated by the new controls which the Bill proposes.

"Our research suggests that the solution to the squatter problem lies not in more controls, but in attempts to provide affordable land and housing to the urban black population.

"Some government planners have already begun imaginative attempts to formulate these. The controls which the Bill proposes will simply frustrate their efforts," the Institute warned.

It said Government officials had



Squatters . . . destroying shacks and chasing away people with nowhere to go is not the solution.

'Controls will not solve the problems'

admitted that previous attempts to control squatting by the use of punitive measures had failed.

During the 1970s and 1980s, western Cape authorities condoned the Crossroads squatter camp, but then sought to use strict controls.

However, the squatters had been so determined to live there that no sooner had they been removed than they returned.

Another example was the removal of 65 000 squatters from East Rand townships in 1983. However, one of these townships, Thokoza at Alberton, now had an official squatter population of 70 000.

This suggested that the Government had failed to curb the growth of squatting, the Institute said.

It said a further reason for the growth of squatting was that most

black people could not even afford low-income housing.

The National Building Research Institute (NBRI) estimated that 84 percent of urban black people were unable to afford housing unless they received subsidies.

The Government was attempting to accommodate low-income people in a variety of novel subsidised schemes. That included self-help schemes in which low income people were allocated sites and services at minimal costs.

However, even these attempts were beyond the reach of most black people, the Institute said.

An NBRI study of the self-help scheme in Katlehong found that 99 percent of people in the area could not afford the monthly charges levied on participants.

The Institute highlighted two misconceptions about squatting:

● Most squatters were rural people who streamed to the cities after the pass laws had been abolished. This was not true. Most squatters were long-standing city-dwellers who had been unable to find housing in the townships.

There were 26 000 families on Soweto's official housing waiting list and 19 000 on that of the East Rand township of Katlehong in Germiston. All the townships in the PWV area had several thousand families on their waiting lists.

● Most squatters were housed in squatter camps. This also was a false assumption.

The Institute said most squatters lived in shacks in the backyards of township houses, which had been sub-let to them by the tenants.

"Indeed, the phenomenon is so widespread that any attempt to act against shack dwellers will require action against the majority of settled township home owners and tenants. This will pose a major threat to stability.

10/8/88 (80) Stad

Separate areas are basic to NP policy

By Esmaré van der Merwe, Political Reporter

The Group Areas Act was being tightened to assist the National Party's policy of racially segregated residential areas and schools, the NP said in its recent national manifesto for the October municipal elections.

However, provision must be made for people "who wish to live with members of groups other than their own" to relieve the pressure on separate areas.

In about three sentences on each topic, the manifesto dealt with issues such as squatting, own amenities, urbanisation and housing.

On the issue of crime and unrest control, it stated that the Government had strengthened the hand of the SA Defence Force and the police by means of the state of emergency in controlling "the visible signs of unrest such as arson and stone-throwing".

The State's housing responsibility was to provide basic services such as plots, streets and electricity. Housing was the responsibility of individuals, employers and the private sector.

The State would assist "where the underprivileged cannot help themselves".

The NP said squatting was unacceptable. Stricter laws to control the problem had been tabled in Parliament.

As rapid urbanisation made it impossible to handle housing needs by conventional township development only, it had to be realised that informal townships might be developed and upgraded into conventional towns.

The manifesto stated that the NP was serious about the local government election, because it affected people's interests and national interests.

New group areas law 'moral basis of future'

Desegregation incites racial hatred — Pik

By Esmaré van der Merwe, Political Reporter

The National Party acknowledges that rightful grievances exist over the influx of non-whites into white residential areas, but is determined to correct these mistakes by means of new group areas legislation providing for both "free settlement" and "own areas", the Minister of Foreign Affairs, Mr Pik Botha, said last night.

"This will be the moral basis for the future," he told the NP's Johannesburg regional congress.

The penetration of segregated

areas by other race groups incited racial hatred, he said.

"We cannot afford the incitement of racial feelings. That kind of politics is practised by organisations such as the ANC and the AWB. The NP does not exercise that kind of politics."

Mr Botha attributed the influx of people of colour into white areas mainly to the over-supply of white housing and the lack of sufficient housing for other race groups.

"Whenever the Government proclaims land for new town de-

Group identity political rights 'non-negotiable'

By Esmaré van der Merwe, Political Reporter

Political rights based on group identity was "a non-negotiable point of departure" for the National Party, the Deputy Minister of Constitutional Development and Planning, Mr Roelf Meyer, said last night.

Addressing the NP's Johannesburg regional congress, Mr Meyer said self-determination regarding own affairs and joint responsibility for general affairs formed the basis of power sharing.

"The most important political reality of South Africa is the existence of different groups. Any political constitution which does not acknowledge this reality, or which denies it, is doomed to fail."

The NP, Mr Meyer said, was committed to the participation of all South Africans in the processes of government. That stage of constitutional development would be reached by means of negotiations.

"Reform entails more than just extending the right to vote to everyone. It has to do with freedom, progress, human dignity and security. That is why the NP be-

lieves in equal power sharing."

Speaking on group areas legislation, Mr Meyer said there should be no fear that the maintenance, protection and extension of "own" communities would be abandoned.

"In any case, there is no possibility of mixed schools, as education is an own affair in terms of the constitution," he said.

The Government accepted that, in addition to the general pattern of own residential areas, some allowance had to be made for open areas, he said.

The NP was the only political party which could fulfil the need of the peoples of South Africa for security and finality.

While the Conservative Party offered "the false security of practical impossibilities", the Progressive Federal Party, the independents and "other political hobos" could not ensure white security.

"The pace and nature of change and innovation are determined by our ability to transform the emotional forces in our society into positive energy which will enable us to realise our ideals," Mr Meyer said.

velopment, complaints stream in — even from the Progs who don't want these people to live next to them."

Mr Botha, the chairman of the NP in Johannesburg, addressed about 700 supporters, organisers and municipal candidates. The theme of the congress was "Election '88 and the challenge of tomorrow".

He received enthusiastic applause as he entered the colourfully decorated Johannesburg town hall with Deputy Ministers Mr Leon Wessels and Mr Roelf Meyer. Their entrance was followed by a 15-minute procession of municipal candidates, accompanied by organisers and election workers carrying banners, posters and flags.

He said there was no doubt that the NP would win the October municipal elections in Johannesburg.

More importantly, however, was the size of the NP's victory to show to the people of South Africa and the world that "we have confidence in our own policies, our structures and our capabilities to build and guarantee a secure and prosperous future".

Mr Botha urged voters to exercise their democratic right on October 26. By not going to the polls they would strengthen the hand of the country's enemies and in effect exercise sanctions against the country.

"There is only one thing that can break South Africa, and that is if we ourselves lose courage and confidence in our ability to guide this country to a secure constitutional, social and economic future.

"The one thing the world cannot take away from us is our will-power, our political will not only to survive, but to construct a new constitution by which all communities can share in the wealth, security and decision-making processes of our country," Mr Botha said.

'NP does what is best for Jo'burg'

Political Reporter

The National Party's success in Johannesburg was based on its policy of "doing what is in the interest of the city", and of not trying to please the political parties on its left and right, Mr Danie van Zyl, NP leader in the city council, said last night.

Although the NP had made mistakes in the past, it ensured that it had "enough room" to correct those mistakes.

Addressing the NP's Johannesburg regional congress on the topic "The next five years", Mr Van Zyl said the NP would obtain the outright majority in the council after the October municipal elections.

In the next five years, Johannesburg's citizens would continue to play a leading role on various socio-economic terrains.

The NP would make the necessary policy adjustments with sensitivity, he said.

"The sound foundations for meaningful co-existence had already been laid. There is ample reason to believe that the peoples of our country could live together in peace and harmony," Mr Van Zyl said.

He said the Conservative Party offered no answers for the international, cosmopolitan nature of the city.

On the other hand, the Progressive Federal Party was losing support because of its policies.

"While South Africa is at war with the ANC, the PFP regards it as a political party and tries to be in competition with the ANC."

While the October 26 election was "the most important in our history", voters should be assured that the NP would handle its policy and their interests responsibly. "You will have to echo this responsibility with your vote, as the interests of your town are at stake," the manifesto said.

Warning to Govt on reform plans

'Areas Act changes' will not stop flow

By Esmaré van der Merwe,
Political Reporter

The stringent group areas legislation which the Government wanted to push through Parliament this month would not stem the flow of black people into white areas and would increase hostility against the State, the SA Institute of Race Relations warned yesterday.

Attempts to evict people under the proposed legislation could engender resistance and could have "a negative bearing on government attempts to enlist black support for constitutional reform".

The institute submitted this evidence to a Parliamentary committee examining the Group Areas Amendment Bill, the Free Settlement Areas Bill and the Local Government in Free Settlement Areas Bill.

In its evidence, backed by supporting documentation based on a two-year study of the Group Areas Act, the institute said the Act had "almost irrevocably damaged race relations".

The Act had led to mistrust and hostility between blacks and whites in South Africa.

The enforcement of the Act had often resulted in the disruption of established communities and resettlement had been accompanied by an increase in crime and other social problems.

The institute's research indicated that:
● The repeal of the Group Areas Act was supported by more white people than is generally believed. For example, a reliable survey conducted last year found that 51,2 percent of respondents wanted the Act repealed. Most were National Party supporters.

● The repeal of the Act would positively affect property prices and was essential for the long-term revival of the property market.

● Overcrowding in black areas was so huge that the average black or Coloured person had only 3 square metres of living space.

"The severity of the housing shortage for blacks cannot even be significantly reduced by the opening of a limited number of presently white areas to blacks. Consequently, when black people are allowed to move only into the few 'free settlement areas', these will rapidly fill up and become overcrowded."

Determined to stay in white areas

If the tougher measures to control the influx into white areas succeeded, the "free settlement areas" would be unable to contain the new population.

This could result in a sharp drop in standards in these areas, the institute warned.

It said illegal black tenants were determined to remain in white areas since they were close to work and their transport costs had plummeted.

In addition, the extensive movement of blacks into white areas occurred because of the acute housing shortages in black areas.

"Despite attempts by the Government to address this problem by releasing more land for black housing development the prospect of Group Areas offenders finding sufficient housing in segregated areas remains remote."

The institute called on the Government to abolish existing and proposed Group Areas legislation.

Business warns of new sanctions

By Michael Chester

Business leaders warned the Government yesterday that new sanctions are inevitable if it goes ahead with measures seen to be tightening rather than dismantling group areas laws.

A stern warning was delivered by the Association of Chambers of Commerce and Industry along with a bombardment of criticisms of the proposed new legislation.

Assocom urged the Government to halt the passage of a trilogy of new Bills in the current session of Parliament "due to the inherent dangers which it presents both internally and internationally".

The Bills are the Free Settlement Areas Bill, the Local Government Affairs in Free Settlement Areas Bill and the Group Areas Amendment Bill.

It warned of "a state of affairs which could impede rather than hasten the elimination of the remaining racial barriers in our society".

Assocom urged a reform process that would:
● Open all areas zoned

for business, commercial or industrial use in terms of local town planning schemes for occupation and/or ownership without restrictions based on race.

● Facilitate the removal of restrictions which inhibit ownership and/or occupation of land for residential purposes "in accordance with local circumstances".

Assocom said that implementation of the proposals would give rise to a larger and more costly public service.

MISERY

It feared that ending free settlement areas after they had started "can only lead to misery, hardship and chaos".

The statement said: "The spectre of any further form of 'forced removals' should not be allowed to appear on the statute book."

It recorded Assocom's emphatic opposition to stricter enforcement of the Group Areas Act, summary evictions of 'disqualified' tenants, excessive fines and punishments, and perceptions of witch-hunts and invasions of privacy.

Assocom: At variance with growth

Group Areas amendment bills 'unacceptable'

CALL TIMES 10/8/88 SP 3000

JOHANNESBURG. — The Association of Chambers of Commerce and Industry in South Africa (Assocom) has issued a strongly worded statement on the Free Settlement Areas Bill, the Local Government in Free Settlement Areas Bill and the Group Areas Amendment Bill.

In a statement issued in Johannesburg yesterday, Assocom said: "Although the draft legislative measures contain certain positive elements towards removing discriminatory legislation in South Africa, they can and are, in fact, perceived to envisage stringent group areas control in perpetuity, which Assocom regards as unacceptable.

"In our view, the bills give no indication of any commitment towards the abolition of remaining discriminatory measures and we cannot accordingly support a number of aspects".

Assocom went on to say: "We are furthermore extremely disappointed that effect has not been given to the President's Council report concerning unfettered rights of ownership and occupation by all race groups in respect of all land, buildings and premises zoned for trading, commercial and professional purposes, an omission which we regard to be totally at variance with the principles underlying the free enterprise system."

The organization also said: "Assocom also foresees imple-

mentation of the proposals giving rise to larger and more costly public service, with arbitrary powers at official levels to affect the social and economic welfare of large sectors of the population, a state of affairs which could impede rather than hasten the elimination of the remaining racial barriers in our society".

Assocom pointed out that expectations have to be created with South Africa's trading partners that the country is on the road to reform.

"Measures seen to be tightening rather than dismantling Group Areas legislation and controls will undoubtedly give extra impetus for the calls for disinvestment and sanctions and cause irreparable harm to the economy". — Sapa

Squatter Bills

will extend the arbitrary power of the State

Care Times 10/8/88

80

By KATE O'REGAN

THREE Bills recently published, the Prevention of Illegal Squatting Bill, the Group Areas Amendment Bill and the Slums Bill, propose to extend the unfettered arbitrary powers which are the hallmark of the emergency regulations to another aspect of administration — housing and urbanization.

In the past few years the courts have, on occasion, shown themselves willing to intervene to prevent the forced removal of squatters and the ejection of tenants contravening the Group Areas Act.

In cases concerning Lawaaikamp and Noordhoek in the last year judges either ordered the authorities to rebuild demolished squatter homes or permit evicted squatters to return to their homes.

IT is a long-established principle of our common law that where a person in possession is unlawfully ousted the court will order possession immediately be returned.

Therefore no landlord may take the law into his own hands and evict a tenant, even where the contract of lease or other reason for possession has been terminated.

The appropriate procedure is for the landlord to issue a summons and, where the tenant disputes the facts of the summons, a full trial before a magistrate will take place before an order of eviction is made.

However, in the case of "illegal squatters" and persons resident in contravention of the Group Areas Act, the statutory provisions contained in the Group Areas Act and the Prevention of Illegal Squatting Act have already removed many common law rights.

Nevertheless, until now, no tenant could be ejected in terms of the Group Areas Act until he had been charged and convicted and the magistrate had decided to order ejection.

To decide whether an order of ejection should be issued a magistrate should take into account a series of considerations identified by the Supreme Court.

These include the attitude of the landlord, the nature of the area concerned, the attitude of the neighbours, the personal hardship which ejection may cause and, crucially, the availability of alternative accommodation.

UNDER the Prevention of Illegal Squatting Act, similar limitations on ejection apply to the criminal procedure, although a summary demolition procedure also exists, permitting officials in certain circumstances to demolish squatter homes without a court order and without notice.

It is this procedure which has been challenged successfully before the courts in several cases.

It is in the light of court intervention to protect tenants and the consequent delays and difficulties caused for the Government that the Prevention of Illegal Squatting Bill, the Slums Bill and the Group Areas Amendment Bill, which are about to come before Parliament, should be understood.

The Bills contain provisions which both remove the courts' jurisdiction to scrutinize the activities of Government officials and grant officials wide discretionary powers to carry out Government policy.

The courts' jurisdiction to scrutinize administrative action is excluded in several ways. The most direct attack is in a clause of the Illegal Squatting Bill which precludes persons threatened with ejection from seeking an interdict to prevent the removal, even where that removal is clearly unlawful, unless the person threatened with removal can show that the removal is not only unlawful but is being made in bad faith.

IN most cases, it will be impossible to show an element of bad faith. Squatters are therefore effectively deprived of the ordinary common law relief afforded to unlawfully ejected possessors.

In addition, the Bills propose to deprive persons threatened with ejection of the ordinary protection of law. Notably, in both the Illegal Squatting Bill and the Group Areas Amendment Bill, the principle that an accused person is to be presumed innocent until proven guilty is to be abandoned.

In both cases, the State will be able to charge any person and that person will bear the burden of demonstrating his innocence.

Where a magistrate finds a person guilty either of a breach of the Illegal Squatting Act or the Group Areas Act, the magistrate must order the removal of the person convicted. In addition to this, the maximum penalties prescribed are to be substantially increased — in the case of the Group Areas Bill from R400 to R10 000 and in the case of the Illegal Squatting Bill from R1 000 to R2 000.

Where an appeal or review is lodged against the magistrate's decision it will not, as it ordinarily does, have the effect of suspending the order. Accordingly, where a person is to be removed or a house demolished in terms of an order, an appeal against that order will not prevent the operation of the order.

IN addition to depriving the courts of jurisdiction, the Bills create administrative procedures in terms of which officials are given virtually unfettered administrative powers to eject residents and to demolish homes.

In the case of the Illegal Squatting Bill such powers may be exercised without court orders or notice to the persons concerned.

The Bills propose therefore to ensure that the control of housing and urbanization will not be subject to the scrutiny of the courts.

The Bills suggest the government is seeking powers of eviction and demolition which will deprive people in informal housing of legal rights.

The government's flight from the rule of law towards arbitrary administrative controls, so evident in the emergency regulations, will embrace housing and urbanization as well — unless these Bills are stopped.

[Kate O'Regan is a researcher at the Labour Law Unit, UCT]

13/88 (80) Sowetan

Steyn: suspend racial zone draft



MR Jan Steyn

THE chairman of the Urban Foundation, Mr Jan Steyn, yesterday urged the Government to suspend implementation of the contentious draft Bills on racial zoning and squatting to give "wiser counsel an opportunity to prevail".

Addressing the foundation's annual general meeting, he said the proposed legislation on group areas and squatting were major features of the Government's readjustment of urban development policy and were causing deep concern.

Despite some positive elements such as the establishment of the principle of open areas, the overwhelming negative provisions were futile attempts to erect bulwarks against the pressures of overcrowding, lack of housing and the stress of frustrated aspirations of black people.

Patterns

Mr Steyn said the effects of the legislation would be to enable the introduction of "a pattern of authoritarian State intervention which effectively ousts the jurisdiction of the courts".

Worse still, concerning what is deemed to be inappropriate settlement in both established group area and areas of informal residence, we

Time for 'wiser counsel' urged

know from our research that the action could be taken against people who may not have any alternative to being where they are," he said.

Mr Steyn said the world was not an ideal place and South Africa, in particular, was brutally confronted by an accumulation of needs and problems which had either been neglected or dictated by inappropriate policies.

"The challenges we face in the process of urbanisation require bold management in which the skills and resources of our society are employed within a developmental, rather than repressive, mould".

The stresses in South African cities — the cradle of economic expansion — would never go away, he said.

Mabuza lashes plot to 'topple' him

KANGWANE Chief Minister Mr Enos Mabuza's office yesterday accused "pro-Pretoria agents" of organising to topple his ruling Inyandza National Movement and install "a more pliable" Chief Minister.

In a statement, Mr Mabuza's office said no opposition parties had been registered yet for the self-governing homeland's first general election on September 24, although nomination day was August 22.

The election will be for 57 members of the Legislative Assembly.

The statement said Mr Mabuza was campaigning on the basis that he was using the homeland system to gain as much as possible for the people of Kangwane, while at the same time working to dismantle the system and gain them full SA citizenship.

"Organisers of his Inyandza National Movement believe that much of the opposition to the campaign is being generated by pro-Pretoria agents to topple Mr Mabuza and install a more pliable Chief Minister," it said.

Pretoria blamed



MR Enos Mabuza

Raids will go on — council

NIGHT raids by the Soweto City Council policemen. Residents were suspicious of these people because they "did everything to get even a cent" from residents who are not paying their rent and service charges will continue until residents start paying the council's director of housing, Mrs Estelle Bester, said this week.

Mrs Bester was responding to an outcry by residents in Tshiawelo, who said they had been "raided" by groups of people who claimed to be council

Residents, who asked not to be named, said the raids — if conducted by the police — opened them to robbery by thugs who will soon masquerade as the council police. They demanded an explanation from the council about the activities of the raiding group.

Continued stringent controls 'unacceptable'

Assocom urges govt to postpone GAA Bills

B/Dewy

10/8/88

80

THE Association of Chambers of Commerce and Industry in SA (Assocom) yesterday called on government to postpone passing the trilogy of Bills amending the Group Areas Act pending further discussions.

Assocom said that although the draft legislation measures contained some positive elements "it is perceived to envisage the continuation of stringent Group Areas control in perpetuity which is unacceptable.

"In our view the Bills give no indication of any commitment towards the abolition of remaining discriminatory measures".

The omission of unfettered rights of ownership, of occupation of all land, buildings and premises zoned

MANDY JEAN WOODS

for trading, commercial and professional purposes by all races in the President's Council report was "extremely disappointing and totally at variance with the principles underlying the free enterprise system".

The result would be a larger and more costly public service with arbitrary powers at official levels affecting the welfare of many people and impeding the elimination of the remaining racial barriers, it said.

"We are also concerned about the impact which this draft legislation will have on overseas perceptions in general, and SA's trading partners in particular. SA is believed to be on a

path of reform and expectations said.

Measures seen to be tightening the Group Areas Act would give impetus to calls for disinvestment and sanctions and cause irreparable harm to the economy, it said.

Assocom welcomed the principle of open residential areas proposed in the Free Settlement Areas Bill but cautioned that the procedures and structures for implementation proposed could be cumbersome, time-consuming and counter-productive in the controversial aspects.

It supported the broad objectives contained in the Local Government in Free Settlement Areas Bill but emphatically rejected stricter enforcement of the Group Areas Act.

Antisanctions

WINDHOEK

LISE
yest
betw
and
tow
"I
real
Ang
prov
SWA
Reu
T
the
Moz
Zim
on t

It
the
year
call
ease
thro

Legal man's alert on black youth

12/8/88

B/Day

Killing fields ⁸⁰ foreseen in SA

INJUSTICE and inequality are the breeding ground for violence and new Group Areas legislation is likely to fuel the flames rather than extinguish them, said retired attorney Maurice Zimmerman.

He added that his consultations with evicted families had convinced him evictions were turning black youths into Khmer Rouge-type recruits.

"I believe we are breeding young people who are feeling the injustice and are not prepared to tolerate inequality any more.

"People can't live in these inhuman circumstances without some anger setting in. I just put myself in their shoes to understand how bitter they must feel.

"The youths who accompany their mothers to consult me at the legal centre, after facing ejection from their homes, or whatever, are contemptuous and angry — potential Khmer Rouge recruits who will have no hesitation in creating the killing fields of SA".

Zimmerman, also a Springbok rugby player in 1931 and a Springbok selector from 1955 to 1968, warned that fear on the part of whites also ensured the continuation of the Group Areas Act which, he said, was under-

GLEN SHELTON

mining the future security of the country.

"Although I have always been aware of injustice in this country it struck me that we are in a normal society in so many aspects but for the fear that stops people from removing the Group Areas Act. Instead of removing the Act there is now the most vicious legislation ever to go on our books as far as Group Areas is concerned," he said.

The centre with which Zimmerman is associated helps people who can't afford an attorney and are likely to suffer injustice as a result.

He said a major difficulty relating to a better understanding across the racial divide was the generation gap.

"There is no communication across the generations, even within the same community, and the younger people I see regard me contemptuously as I try to help.

"The people consider the laws of the country to have been made without their participation and therefore feel that they are not bound by these laws.

"At the same time any possible leadership is kept out by legislation, detention and bannings, ensuring a vacuum at that level" Zimmerman said.

Some students say boycott has t

P
y
v
te

v
al
S
m

A
c
s
w
c
d

it
in
th
w

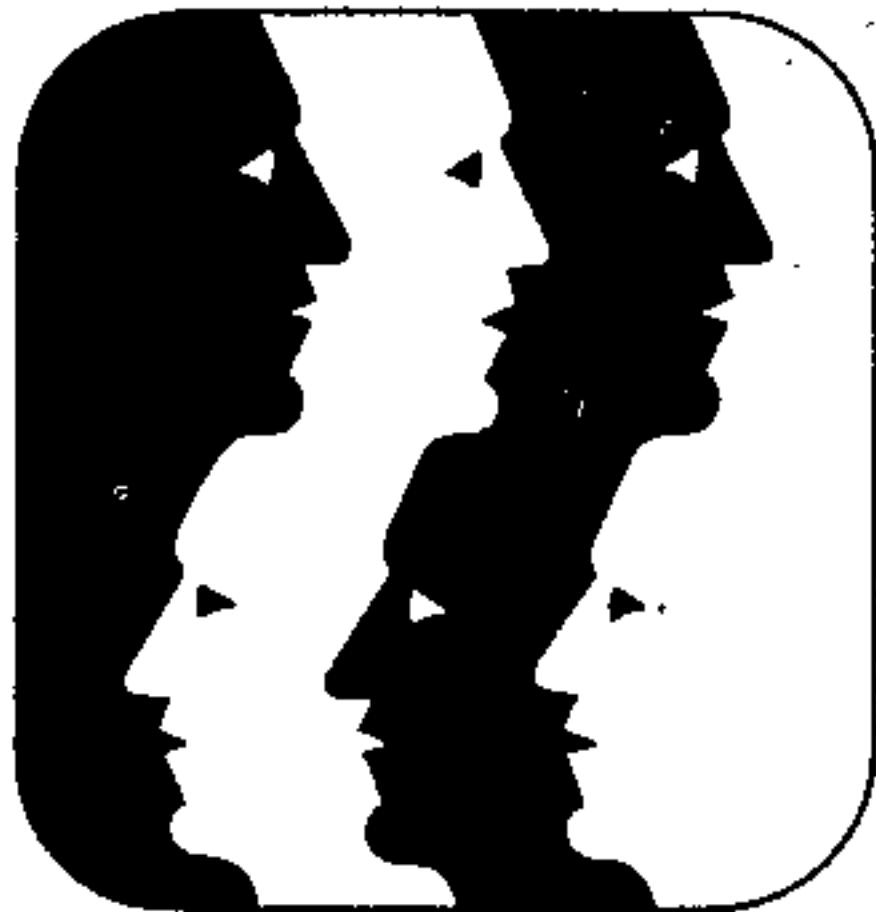
g
n
w
fr

t
g
f
f



W/E 1964/5 13/8/PP(80)

GROUP AREAS



JACKO MAREE

POLITICAL SUICIDE, FOR ME SAYS MP

POLITICAL suicide. That's the spectre haunting many a National Party politician under rightwing pressure if the government were to heed demands for scrapping Group Areas legislation.

Few Nationalists have voiced their fears more starkly than Mr Jacko Maree, MP for Klip River (Natal). For him the issue is one of white survival against a rising tide of colour.

He writes in an article in the latest issue of *Die Suid-Afrikaan* that he has no hope of retaining his seat in Parliament if the NP were to abolish the Group Areas Act or does not apply it strictly in his constituency.

Mr Maree says:

"The whites in Ladysmith fear that crowding-out will also spread to their residential area, school and church. Pronouncements by their church and political leaders call for adaptation and patience.

"Confusion and tension emerge everywhere — something that can be understood — since that which was non-negotiable a decade ago is now held up to them as highly desirable.

"This tension will be thoroughly exploited by the rightwingers in the coming municipal elections.

"In the 1987 general election about 20 percent of the Ladysmith voters voted for the PFP-NRP alliance. I estimate that only about 10 percent of the voters will vote for the total abolition of the Group Areas Act.

"The demand for retaining and strengthening the Group Areas Act is overwhelming among whites in Ladysmith.

"That is why the maintenance of the Group Areas Act is the most important political and social need in my town. The politician who overlooks this truth commits suicide.

"I believe also that in a referendum the majority of local coloured and Indians will support the retention of the Act.

"It is my duty to interpret and shape the needs of my electorate. If the NP were to abolish the Group Areas Act or does not apply it strictly in Ladysmith, I have no hope of retaining the Klip River seat for the NP.

"If the CP (Conservative Party) should capture Klip River, the political swing will be large enough country-wide to give them a majority of one in the House of Assembly. Is this what those protesting against the Group Areas Act want?"

■ **THE Klip River constituency** has about 15 000 white voters, of whom 10 000 live in Ladysmith. The town has an Indian population of 9 000, a coloured population of 1 000 and a black population of 15 000. About 150 000 blacks live in a surrounding area of 50km. The Group Areas Act was first applied in Ladysmith in 1962.

Mr Maree says: "The whites in Ladysmith see daily how people of colour increase in numbers and how the area is becoming blacker. It is happening so fast that it is virtually tangible. . . Apparently Ladysmith is no longer a white town as more people of colour than whites live, work and buy in the town."

stantially increased penalties for offences relating to illegal ownership and occupation of land. Fines are increased from R400 to R10 000, and terms of imprisonment from two years to five years.

The Bill also provides for summary eviction of transgressors, State confiscation of land and denial of the right to appeal.

Provision is made for ejection of occupants of premises in the wrong group area regardless of whether alternative accommodation is available.

Mr Van Gend says this effectively overrules the Supreme Court decision in the 1982 Gvender case — that ejection was unreasonable and legally unenforceable unless there was alternative accommodation available for those families.

Other critics have warned that more than 200 000 black people now living in white areas face eviction from their homes into the streets if the proposed legislation becomes law.

Mr Van Gend this week described it as "tragic" that some people were supporting the government's proposed "free settlement areas" as "a step in the right direction".

He said there could be no doubt that the "free settlement areas", as envisaged by the government, would be very limited and would only result in a huge influx of potential residents into limited space.

It should also be noted that seven of the nine members of the board to be established to inquire into the necessity or desirability of free settlement areas, including the chairman, would be direct appointees of the State President or the NP.

The two remaining members are to be appointed by the Ministers Councils in the House of Representatives and the House of Delegates. Once the board has conducted its inquiry, it reports only to the State President.

It is clear from the formulation of the Bill that the State President has no intention of allowing the widespread establishment of free settlement areas in existing white group areas, says Mr Van Gend.

OPPPOSITION to the Bills has also come from organisations like Lawyers for Human Rights which is setting up Group Areas crisis committees countrywide to provide free legal representation for victims of State action to enforce the Bills if they become law.

Meanwhile the government appears to be heading for another showdown with the Labour Party over the Bills and the whole issue of Group Areas.

Labour Party leader the Rev Allan Hendrickse has been quoted as saying the party was seriously thinking of quitting the tricameral system.

Talks between President Botha and the coloured Ministers' Council were reported to have reached a deadlock last week. Mr Hendrickse said afterwards there had been "no progress whatsoever."

A final decision on whether or not the Labour Party will continue its participation in the tricameral system is to be taken at the party's national conference to be held in Bloemfontein at the end of this year.

Mr Hendrickse has vowed that he will not support any more NP legislation until the Group Areas Act is scrapped entirely.

There has also been strong opposition to the Bills from members of the House of Delegates.



WHAT MALAN SAID

"I NEED not say that legislation of this character which aims at bringing about a separation of residential areas between Europeans and non-Europeans is at the root of any of the other legislation which we are trying to place on the Statute Book in regard to apartheid. . .

"We have passed legislation on the subject of mixed marriages. What is the use of having a law to deal with mixed marriages if we have conditions such as those which I have described, conditions of a kind which still exist in urban areas in this country, where Europeans and non-Europeans live alongside each other, and associate with each other, where the children play together in the streets and where the colour feelings of the Europeans are becoming dulled, and where the colour sense, which is the white man's protection, disappears completely. . ." — Nationalist Prime Minister Dr D F Malan, justifying the Group Areas Bill in Parliament on May 31, 1950.

It has been estimated that since the Group Areas Act was passed by the Nationalist government under Dr D F Malan in 1950, nearly a million South Africans have been uprooted and resettled. An estimated 98 percent of the victims were non-whites.

SPECIAL REPORT

by FRANS ESTERHUYSE, Political Staff

A POLITICAL crisis facing the government over its Group Areas legislation is driving the National Party to its moment of truth.

To save one of the remaining pillars of its apartheid structure, it has only one option left — a return to the naked racism of South Africa's tragic era of the 1950s when the NP gave birth to its apartheid monstrosity, the Group Areas Act.

If it does this, the credibility of its reform programme and of its whole concept of power-sharing will go overboard. All that will remain of its perceived policy will be undisguised white domination.

This is the dilemma facing President P W Botha, one of the architects of Group Areas, as pressure mounts for the withdrawal of the government's controversial trilogy of Group Areas bills and for the scrapping of the Group Areas Act.

Opposition politicians have pointed out that the government's problem goes beyond that of retaining a piece of apartheid legislation. The real problem, they say, is one of clinging to power.

There is evidence of formidable pressures on the government from inside the NP to retain the Group Areas system at all costs.

Nationalist MPs such as Mr Jacko Maree (Klip River) make no bones about it that they fear a Conservative Party take-over if Group Areas were to go. They are harking back to *swart gevaar* arguments from the earlier days of Nationalist rule.

All indications are that because of such pressures from inside the NP the government will push through its tougher Group Areas measures in the face of growing opposition, regardless of the wider consequences.

One of the immediate consequences could be that it may precipitate one of the worst crises yet encountered by the tricameral constitutional system — involving a possible withdrawal by the Labour Party from its participation.

And this week business leaders warned that new sanctions and disinvestment pressures are inevitable if the government goes ahead with measures seen to be tightening Group Areas laws and controls.

THE Association of Chambers of Commerce and Industry (Assocom) urged the government to halt the passage of the three Bills in the current session of Parliament "due to the inherent danger which it presents both internally and internationally."

The Bills, which were before the parliamentary standing committee on constitutional planning and development this week and last week, are the Group Areas Amendment Bill, the Free Settlement Areas Bill and the Local Government Affairs in Free Settlement Areas Bill.

There are signs that the stage is being set for a big political fight over these measures when Parliament resumes its session on August 22.

At the Progressive Federal Party's federal congress last weekend, 300 delegates voted in support of a motion calling for the immediate scrapping of the Group Areas Act and for the rejection of the latest amendments.

Opposition to the proposed legislation has also been mounting among other political groups and organisations inside and outside Parliament.

The new PFP leader, Dr Zac de Beer, speaking at his first public meeting since his election to the party leadership this week, described the Group Areas Act as "a grossly one-sided, discriminatory infringement of personal freedom."

SOME of the implications of the new measures have been condemned as "horrendous" by Mr Jan van Gend, PFP MP for Groote Schuur.

He says the government's proposed stricter application of the Group Areas Act is not just a pre-election jitter.

"The Nationalists believe that the tricameral, own affairs system of government with veto rights vested in the State President is the only way in which they can remain in power."

One of the major objections to the Group Areas Amendment Bill is that it provides for sub-

SA's first open suburb due next year

Govt 11/11/88 15/8/88

80

Own Correspondent

JOHANNESBURG. — South Africa's first non-racial suburb could become a reality within the first half of next year, the Deputy Minister of Constitutional Development and Planning, Mr Roelf Meyer, said in an interview.

Mr Meyer identified the Diepsloot/Norweto site outside Johannesburg as the first area under consideration for the development of a new non-racial suburb.

"Once legislation has been passed the declaration of new open residential areas can take place," he said.

He added that he could not say when existing group areas would be opened as provided for in the proposed Free Settlement Areas Bill.

The Free Settlement Areas Bill is

one of three group areas amendment bills to be tabled when Parliament resumes on August 22.

A constitutional joint committee last week failed to reach consensus on the Free Settlement Areas Bill, the Local Government Affairs in Free Settlement Areas Bill and the Group Areas Amendment Bill.

The latter two introduce stiff penalties for property owners and tenants who contravene the act.

The bills, which met with criticism from opposition groups, are expected to be voted down in the House of Delegates and the House of Representatives.

Mr Meyer said the bills would definitely be debated in the white House of Assembly. They would then be referred to the President's Council for approval if voted down in the Indian and coloured houses.

CRASH TONTS
16/8/88

80

Squatting bill will help some, says expert

Own Correspondent

JOHANNESBURG. — The Prevention of Illegal Squatting Amendment Bill makes possible meaningful involvement by the private sector to help people, unable to afford houses in the more costly mass developments, to settle permanently, an expert has said.

The bill has attracted criticism from a number of organizations because of the potential it creates for more negative treatment of squatters.

But pointing out that the bill is not "all bad" Professor Louise Tager, a squatter expert, says large-scale needs for black housing could be met if the bill is enacted because it makes provision for "permanent" squatting areas.

Section 6A of the bill makes provision for "designated areas" for accommodation of people who cannot afford land.

Professor Tager says the opportunities in the bill provide a challenge to the private sector to get involved in housing.

She draws attention to the provision making permanent the informal development on declared land, which also frees such areas from legislation like the Group Areas Act and the Building Standards Act.

People can lease or own the land declared a "designated area" and this makes possible the involvement of organizations such as local authorities, private companies or church groups that care for squatter groups.

Greater threat

But the South African Institute of Race Relations (SAIRR) said control measures in the bill are "likely to prompt conflict which would pose a greater threat to urban stability than squatting itself does".

Under the bill, provision is made for tough new measures to control squatting — including R10 000 fines or five years' jail or both, for owners who permit squatting.

In evidence to a parliamentary committee examining the bill, the SAIRR said research contradicted the common misconception that squatters were people who streamed to the cities from rural areas when the pass laws were abolished. Many were former township residents who could not afford to pay rent, or in the PWV area, were workers who had been evicted from neighbouring farms.

Another misconception was that squatters were mainly housed in squatter camps like Crossroads. "Most live in backyards of township houses which have been sublet to them by tenants or owners."

In some townships there were six backyard shacks for each authorized house. "Any attempt to act against shack dwellers will require action against the majority of settled township home owners and tenants."

"Our research suggests that the solution to the squatter problem lies not in more controls, but in attempts to provide affordable land and housing to the urban black population. Some government planners have already begun imaginative attempts to formulate these: the controls which the bill proposes will simply frustrate their efforts."

By BRUCE CAMERON, Political Staff
THE government and individual National Party members are clamping down on legal and illegal attempts to circumvent the Group Areas Act.

Nats clamp down on bids to circumvent Areas Act

MR 645 17/8/88

80

The issue of group areas features prominently in the build-up to the municipal elections and is a major topic at the Natal National Party congress which started in Durban today.

Dr Johan Steenkamp (MP Umhlatuzana) frankly admitted in an interview today that he was involved in a campaign to track down people "infiltrating" white residential areas and ensuring that action is taken against them.

He said that any National Party MP who did not do likewise "is not doing his job."

Dr Steenkamp said he was aware that charges had been laid against people in his constituency, including a man who had owned his home for 14 years and had married an Indian woman 18 months ago.

"Ambivalence"

He said that if the charges had not been laid by someone else he would have done so himself.

He also appealed to anyone who wanted action taken to get in touch with him.

Dr Steenkamp indirectly criticised the National Party and the government for the "ambivalent" attitude taken in recent years in applying the Act, which had created the conditions for "infiltration".

He said there should be "a place in the sun for everyone — including my people."

● Meanwhile, the National Party has firmly re-committed itself to the retention of separate facilities after being on the verge of scrapping the Separate Amenities Act.

Party manifesto

The commitment is made in the party's manifesto for the municipal elections published in the latest edition of the party newspaper, the Nationalist.

It says it is the party's policy to promote separate municipal authorities for different ethnic groups — "the cornerstone of each group's control over its own affairs".

Two years ago, after a report of the President's Council, President Botha and the government appeared set to scrap the Separate Amenities Act in its entirety.

Assocom wants wider consensus

Last-ditch plea to drop Group Areas Bills

600 000 are considered homeless in PWV area

DIANNA GAMES

ASSOCOM yesterday made a last-minute appeal to government to ditch the proposed amendments to the Group Areas Act (GAA) so that a wider degree of consensus could be reached.

In a statement Assocom president Alex Rogoff said the proposals contained negative elements that posed a threat to race relations and to SA's international standing.

"As the largest employer organisation in SA, representing 23 000 businesses, Assocom makes a renewed, strong, last-minute appeal to government not to proceed with the proposed Bills when Parliament convenes next week," he said.

Rogoff said Assocom was concerned at the likely impact of the draft legislation on overseas perceptions in general and SA's trading partners in particular.

SA was believed to be on a path of reform and expectations had been created. Measures seen to be tightening rather than dismantling Group Areas controls would undoubtedly give added impetus to

MANDY JEAN WOODS

the calls for disinvestment and sanctions, causing irreparable harm to the economy, he said.

In its presentation to the Parliamentary joint committee handling the draft legislation, Assocom said while the proposed Bills contain some positive elements, in its view they gave no indication of any commitment to abolishing remaining discriminatory measures.

"Assocom's basic concern also stems from a strong desire to see unfettered rights of ownership and occupation by all races — with particular reference to business rights — being promoted wherever possible and that the proposed legislation be tested against this goal," Rogoff said.

This would be consistent with the principles of free enterprise which government and the private sector were committed to uphold.

Rogoff said the matter should be referred back to either the Parliamentary joint committee or to the President's Council for further investigation.

80
ABOUT 600 000 people living in informal structures in the 32 townships in the PWV area were considered officially homeless, the SA Institute of Race Relations said yesterday.

The unofficial estimate was probably closer to two million, an SAIRR researcher told a members' briefing on the Group Areas Act (GAA) in Johannesburg.

There were 230 000 of these dwellers in Soweto, 70 000 in Thokoza and 95 000 in Katlehong.

In Soweto, there was an average of 10,5 people a house, while in Bekkersdal on the West Rand this figure rose to 38,7 people a house.

In Bekkersdal there were also 3 000 informal structures with fewer than 1 500 formal structures.

The SAIRR said it had made representations to a standing committee on the draft bills to amend the GAA and the Prevention of Illegal Squatting Act.

However, President P W Botha said yesterday government would not back down on the proposed legislation. He appealed to other leaders to support it, saying their communities looked to them to protect their interests.

A step backwards, says WCCI 

Planned Areas laws under attack again

By Michael Chester

Government moves to push ahead with a controversial trilogy of proposed new sets of legislation on Group Areas laws came under renewed attack from the Witwatersrand Chamber of Commerce and Industry (WCCI) yesterday.

WCCI president Mr Hennie Viljoen branded the whole concept of segregation of racial groups by statutory compulsion as outdated.

He said the chamber wanted a "substantial relaxation" of present restrictions, particularly in greater Johannesburg, which he said was a dynamic city in a state of continuous social change.

He said the chamber welcomed the fact that land or premises zoned for industrial purposes were to be opened to persons of all races — but regretted that they were to be restricted to industrial usage only.

"These restrictions," he states in the latest edition

of the *Chamber Bulletin*, conflicted with the Government's expressed belief in a free market economy.

"In terms of the proposed legislation the establishment of free trading areas will be more cumbersome than at present and we feel that the removal of the State President's power to overrule objections by a reluctant local authority is a retrogressive step."

He said the WCCI endorsed proposals for multiracial management bodies and joint committees under the proposed Free Settlement Board, but found it difficult to comprehend recommendations in the Group Areas Amendment Bill to impose more severe penalties for contraventions.

Rather than legislate for further punitive action, the urgent need was to legitimise occupation across ethnic groupings in Johannesburg's central business district and high-density suburbs.

If proposals were passed in their present form, the State President should immediately request the Free Settlement Board to give preferential and urgent attention to the CBD, Braamfontein, Joubert Park, Hillbrow, Berea and Mayfair.

The WCCI urged that no action be taken against any "disqualified" persons residing in grey areas, at least until an inquiry had been held and free settlement areas had been proclaimed.

Mr Viljoen said the the chamber believed the Group Areas Amendment Bill was a step backwards as it would "punish the act of providing or receiving shelter, will damage constructive economic processes and will remove reasonable discretion from the courts".

CH 4 Tim 15 17/8/88

(78) (80) (86)

Catholic bishops warn on squatter, slum bills

JOHANNESBURG. — The new bills dealing with squatters, slums and group areas threaten hundreds of thousands of poor people with immense distress and will intensify South Africa's acute problem of homelessness, the Southern African Catholic Bishops Conference (SACBC) said yesterday.

In a statement, the SACBC said the Prevention of Illegal Squatting Amendment Bill would "virtually" make eviction of squatters compulsory without any provision of protection from the courts.

"It reintroduces the state's power to remove any group, tribe or black person from any area to another area. It is estimated that at least two million persons will be affected."

The Group Areas Amendment Bill would "ensure that the act will be rigidly enforced and that people will be evicted without provision for alternative accommodation ... Whatever benefits the 'open area' may offer will fade into obscurity in the face of this measure".

Furthermore, the Slum Bill, by removing all existing procedures, would leave people defenceless against arbitrary orders to vacate issued by local authorities.

"As things stand now, and before these bills become law, it is estimated five million people, by government figures, have no place to live." — Sapa

'YOUR'RE WRONG PIK'

ALLEGATIONS by Foreign Minister Pik Botha that penetration

of segregated areas by other race groups incited racial hatred were refuted by research, the executive director of the South African Institute of Race Relations, Mr John Kane-Berman, said in Durban yesterday.

Addressing a meeting of members of the institute in the city, Mr Kane-Berman said: "Whether one is talking about Mayfair and Hillbrow in Johannesburg or Harare, Windhoek, and Mafikeng further afield, our studies indicate that prejudice has been broken down by the racial contact that desegregation has facilitated.

"It also shows that the only attempt to organise resistance to de facto desegregation in Johannesburg came from outsiders — the National Front, an organisation of British immigrants, in Hillbrow, and Mr Allan McCabe, who tried to whip up resistance to the desegregation of Mayfair although he did not

Challenged on segregated areas

himself live there. His complaint was that white people in Mayfair were apathetic about the movement of blacks into the suburb."

Institute research also showed, using police statistics, that there is no correlation between high crime rates and desegregation, contrary to what the right claimed, Mr Kane-Berman said.

Mr Kane-Berman added that government plans to proclaim a limited number of suburbs as open areas, but at the same time apply the Group Areas Act very fiercely in other areas, were likely to fail.

"If the Government tries to confine the erosion of the Group Areas Act to only a few areas, it will create in those areas precisely the overcrowding that it wants to avoid, making spillover into adjoining areas inevitable.

"The Government will

therefore have to keep on proclaiming open areas. Probably the only way that stands any chance of preventing overcrowding is to repeal the Act in toto, so that when black people do move into white areas there is a spread," he said.

Referring to the Prevention of Illegal Squatting Amendment Bill, Mr Kane-Berman said: "Not so very long ago the very notion of squatting was total anathema in government circles. Perhaps the most notorious example of this

policy at work was the relentless campaign waged some years ago against the squatters of Crossroads in Cape Town.

"The new Bill represents a partial reversal of this policy in that it provides for the allocation of land in metropolitan areas on which squatters will officially be allowed to erect their own houses.

"At the same time, however, the Bill introduces drastic new controls to prevent squatters from living on

land or in buildings that are not officially allocated to them. The policy that failed in Crossroads is now to be enforced in other areas," Mr Kane-Berman said.

"The detailed policy research that we have conducted into housing delivery systems, land allocation, the erosion of the Group Areas Act, and township conditions indicates that both the Group Areas Amendment Bill and the Prevention of Illegal Squatting Bill will undermine rather than promote the Government's own policy of 'orderly urbanisation'.

Gearing up for the next phase of the project for District Six



By GRAHAM BARR, Director, BP Southern Africa

ARR 17/8/88

MUCH progress has been made with preliminary planning undertaken by BPSA in support of its proposal to help the redevelopment of District Six, Woodstock and Salt River as open areas and evolving options for the consideration of Capetonians.

The issues and options surrounding the proposal are complex and emotive and a restatement of the offer, which is backed by 18 other major South African companies, is necessary as the project gears to move into the next phase of its preparation.

First, the proposal. This is that the area be redeveloped in consultation with the community — should it be declared open to all by the government — in a triangular partnership involving the community, the Cape Town City Council and the private sector.

□ □ □ □

No planning will take place without community participation, but the intention is that the fullest range of accommodation be provided, including home ownership opportunities affordable to households earning R1 000 to R1 500 a month.

A project team engaged in preliminary planning has from the outset been charged with developing concepts to meet this criterion.

Other parameters include:

- Residents of Woodstock and Salt River must be given every opportunity to own their homes and their displacement — which already is beginning to occur — must be minimised.

- Former District Six residents must have every possible opportunity for involvement.

- The redevelopment must be facilitated by a Section 21 non-profit company in which the community, the city council and the private sector are involved.

project not proceed — without the community having any say.

It has been said that District Six must not be redeveloped or the project supported unless the Group Areas Act is scrapped in its entirety; that for some to live in open areas while others are forced to stay in segregated areas is not acceptable.

□ □ □ □

This is an entirely understandable view. The heart supports it, but the head says that by doing so an opportunity to pave the way for the removal of the Act will be missed and that District Six will be built over anyway. That is the present position.

The views of former District Six residents and of people who live in Woodstock and Salt River have not yet had a proper chance to be aired.

Once the project team has completed pre-planning studies and prepared suggestions for Woodstock and Salt River and the community is able to see and discuss them, these views will emerge. This will be possible soon, since the teams are nearing the end of this phase of their task, and we believe widespread support will become evident.

There remains, of course, uncertainty about government reaction to the proposal. Legislation tabled before Parliament and probably due for debate this month will provide part of the answer.

BP, like many others in South Africa, strongly believes that the Group Areas Act must be abolished. When work began on the project in 1982 local option to open areas was an interim target. This continues to be the case.

Hence the condition that, as a minimum, District Six, Woodstock and Salt River be open to all. Such an open area would prove that South Africans can and will live side by side and help open the way for the removal of the Act.

Community involvement is fundamental to the offer. Experience of inner city development in other parts of the world has proved this is the only way satisfactory development of this nature can be concluded. Given the opportunity, the project could be a blueprint for similar development in other South African cities.

The proposal can proceed only with the government declaring the area open and providing support through, among other things, making land available.

Full Cape Town City Council involvement is vital.

□ □ □ □

It has been said that the project will help provide only expensive homes. This is not so, as has already been mentioned.

The concept is not to tackle the project as a conventional housing development. Rather, it is to plan jointly and then help by providing the framework and access to finance for those who need it, which would allow people to build their own homes.

It has also been said that by rejecting the project, District Six will be preserved as "salted earth" — a monument to the depredations of the Group Areas Act.

This, regrettably, is increasingly unlikely to eventuate. Like it or not, District Six will almost certainly be built over should the

□ □ □ □
However, this is also complicated since the Bill which aims at providing the mechanism to breach the Group Areas Act for the first time by allowing areas to become open has been accompanied by a Group Areas Amendment Bill that tightens up on segregation elsewhere.

At the time the Bills were published, BP chairman Ian Sims said in a press statement: "The draft legislation provides more scope for confusion and negative reaction than for the positive response so desperately needed."

"We have been working and hoping for legislation that would allow South Africans the option of living in open areas if they wish as a vital and symbolic shift to a free and open society."

"However, the draft legislation is not encouraging in that moves to allow the option for some areas to open seem to be accompanied by even stronger measures to enforce restrictions in the greater part of the country."

□ □ □ □

"We urge government to continue to strengthen positive measures to achieve a South Africa where all people can have equal rights and opportunity in education, living and employment."

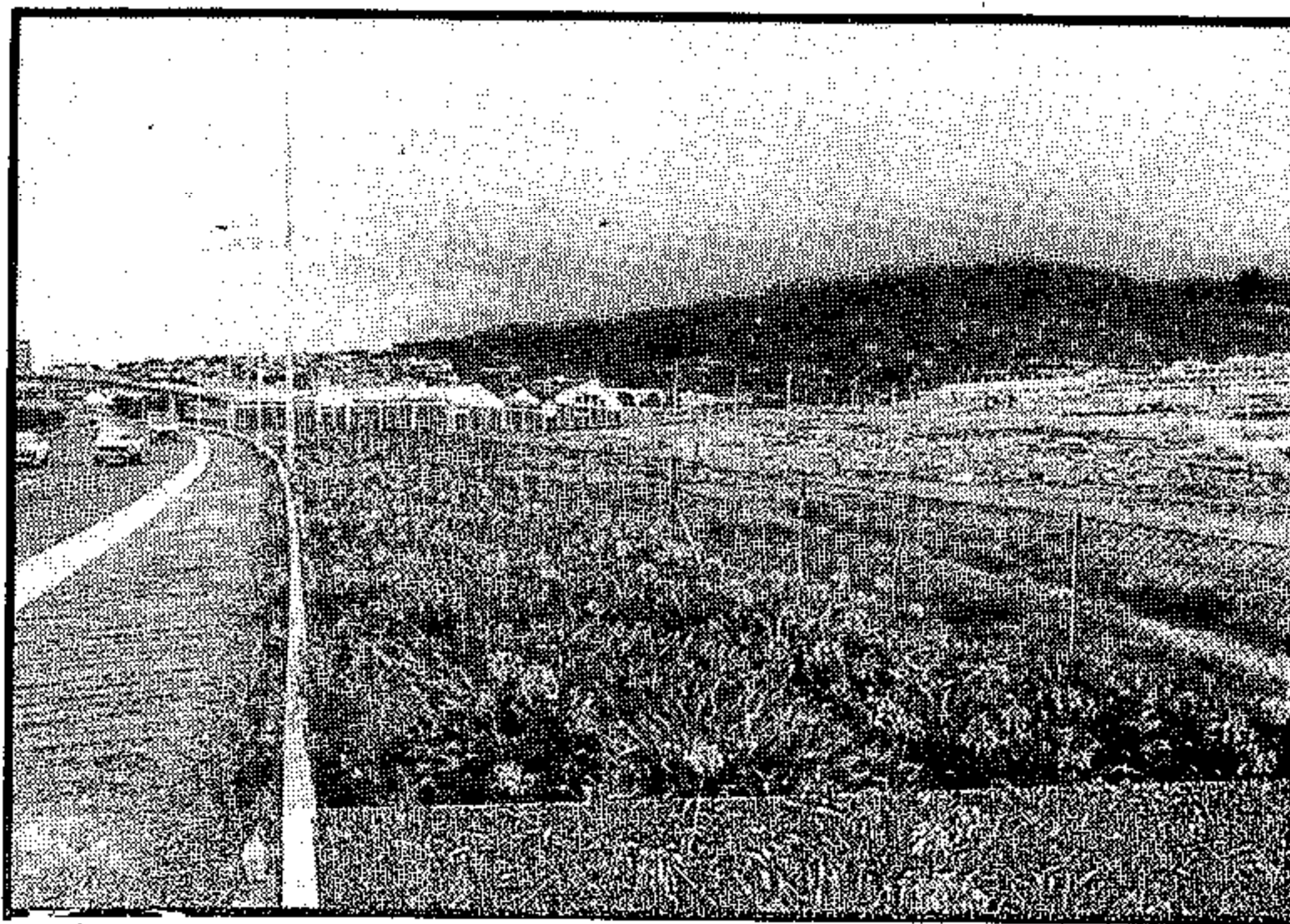
"BPSA's District Six project, still in proposal form, is aimed at helping achieve this and could serve as a valuable model as well as a symbol for the South Africa of tomorrow."

"It would be a tragedy if the existing goodwill between peoples and the small steps of unity so far achieved were to be thrown out the window by the imposition of draconian restrictions which set people against their neighbours."

The future of District Six, Woodstock and Salt River as open areas and the regeneration of Cape Town's inner city lies in the balance between the community, government and Parliament.

The areas could become beacons for the future or the opportunity to effect tangible and definite evidence of the ability of South Africans to come to reconciliation will be lost.

The latter would be a tragedy, a squandered chance to help build for the future a South Africa in which all South Africans can live together and prosper.



An open expanse in District Six.

Catholic prelates lash out at new housing legislation

(80) ~~20~~

2-million will be hurt by Bills, say bishops

17/8/88 B/Day

PRETORIA — The new squatter, slums and group areas Bills would deprive at least two-million people of what pitiful security and shelter they now had, the Southern African Catholic Bishops Conference (SACBC) said.

In a wide-ranging attack on the Bills, an SACBC spokesman said they threatened hundreds of thousands of poor people with immense distress and privation.

The acute homelessness problem would be intensified.

The spokesman said the Prevention of Illegal Squatting Bill virtually made eviction compulsory without any provision for protection from the courts.

It re-introduced the state's power

GERALD REILLY

to remove any group, tribe or black from any area. It also re-introduced influx control in a more severe form.

The Group Areas Amendment Bill would ensure a rigid enforcement of the Act and people could be evicted without provision for alternative accommodation.

Obscurity

The spokesman said whatever benefits the "open areas" might offer would fade into obscurity.

The Slum Bill, by removing all existing procedures, would leave people defenceless against arbitrary local authority orders to vacate.

"As things stand now it is estimated five-million people — by government figures — have no place to live.

"This means one in six in our society has no proper shelter or is living illegally somewhere."

The spokesman said this was a reflection of a world-wide trend towards urbanisation but the SA situation was due to government's insufficient provision of low cost housing.

The poor and homeless were now threatened with more misery and that, in turn, was made into a crime.

The harsh penalties proposed would deter those of goodwill from coming to their aid and the courts would be able to offer little or no protection.

P W tells Nats he will not budge

Group Areas amendments will go ahead

80
18/8/88. smc

By David Braun, Political Correspondent

Durban

The Government will not back down on its proposed legislation to amend the Group Areas Act. This was made clear today by the State President Mr P W Botha in opening the Natal congress of the National Party in Durban.

Mr Botha appealed to other leaders to support the legislation, saying their communities looked to them to protect their interests.

Calling on them to examine their motives in opposing measures aimed at enhancing the rights of all communities, he said:

"In this regard, I include the current proposals aimed at amending certain legislation pertaining to the broad field of residential areas that will come before Parliament during the forthcoming short session."

Referring to the Labour Party's refusal to pass the amending Bills, Mr Botha said boycott politics did not serve the cause of reform and did not serve the cause of communities looking to their leaders to protect their interests.

Mr Botha believed that a referendum of white voters would find 80 percent in favour of own residential areas, while 70 percent of coloured and Indian voters would favour the protection of their own residential areas.

There was also evidence that the various black communities tended to align along the lines of group and cultural affinity.

Mr Botha said South Africa had been developing a unique system that contained elements of various models which allowed for future development of a process in which all peace-loving communities could be involved in matters of common interest.

"This will have to be done in a uniquely South African way, possibly with the European Parliament as an example, without interference with or the destruction of the distinctive character of members of the co-operating communities."

Offensive

On the ANC, Mr Botha said the organisation still followed a dual approach of violence and a subtle misleading political and diplomatic offensive.

"For this reason, various little schemes are being plotted and an increasing number of naive liberals and convinced radicals are being involved in them.

"Front organisations are being created here and elsewhere, talks are staged with radicals, research projects are launched with Western aid and now there are even attempts to give the so-called Freedom Charter a more acceptable face.

"Many attempts are made to draw naive fellow-travellers from the clergy and the academic and media worlds.

"We therefore have to keep our eyes open for those who draw up various devious plans to place South Africa irrevocably on the road to chaos and misery.

"Surely, no citizen should be allowed to commit treason against the principles and values that form the basis of a safe and prosperous South Africa."

CAR TITLES 18/8/88 (80) (806)

Alarm over Group Areas amendments

Own Correspondent

JOHANNESBURG. — Pressure mounted on the government yesterday not to introduce contentious amendments to the Group Areas Act (GAA) when Parliament reconvenes next week.

Urban Foundation chairman Mr Jan Steyn called on government to suspend the implementation of the draft bills on racial zoning and squatting, saying they were causing alarm and concern.

The NP-supporting newspaper Beeld bluntly urged government to drop contentious measures or at least qualify them. The SA Foundation joined the UF in supporting free settlement areas but opposing the Group Areas Amendment Bill which would tighten enforcement of group areas.

Mr Steyn said the series of draft bills would deeply injure race relations and refuel the external sanctions campaign.

He said the October elections meant SA was entering a period of escalating stress and this was not the time to put forward legislation that would create controversy across the spectrum.

The proposed legislation would allow the introduction of authoritarian state intervention which would effectively oust the jurisdiction of the courts, Mr Steyn said.

Beeld suggested the least that

should be done was to soften the most contentious provisions. The best option was to drop the Bill entirely.

The editorial said the thought that families could be left homeless with their belongings on the pavements could not be defended.

It also warned of the harm it would do to SA's already tattered image.

At least 20 organizations have called for the scrapping of the GAA in the past month. Most warned that the legislation was likely to escalate violence and bring it out of the townships and into the city centres.

Within Parliament, opposition has also been strong with most parties coming out against the legislation. The Labour Party has threatened to withdraw from the tricameral system unless the Act is repealed.

The Rev Allan Hendrickse said he would refuse to administer the law under "own affairs". "We will not administer our own oppression," he said.

The PFP and the National Democratic Movement have also opposed the Bill.

The CP gave its support to the concept of the Bill but said it did not go far enough in ensuring separate areas. They also felt that the slow "greying" of certain areas would become a flood that could not be controlled afterwards and suggested an even higher degree of discipline concerning group areas.

Keep up the pressure, urges UK ambassador

18/8/88
Cape Times
(80)

THE Group Areas Act, it has become fashionable to say, is not the central issue in South African politics. And indeed it is not. The central issue is the sharing of political power.

But the Group Areas Act remains a fundamental source of alienation in this society. It is about to be amended. The Urban Foundation has made clear its position, which is that the Act should be repealed.

It may be thought by some impossible to repeal it now; but one day it will be thought impossible to continue with it. The sooner that day comes, the better it will be for South Africa.

From time to time I am asked what business leaders can do to help change South Africa. Your influence with the government, it often is pointed out, is limited.

Many of your recommendations have been greeted with the response that businessmen should stick to making money.

But you must maintain pressure on those who have the power to change laws which not only are unjust, but also are inhibiting economic growth.

Most important of all, business leaders represented here control large empires of their own and whatever you can or cannot achieve vis a vis the government, you can succeed in breaking down apartheid within your own enterprises; and that process so far has brought about more fundamental changes than almost any other I can think of here.

By modern standards this is a hopelessly over-regulated society, with one of the world's more cumbersome bureaucracies. And many if not most of those regulations, for instance the restrictions on land use, as well as a high proportion of those bureaucratic jobs, stem from the continued enforcement of aspects of the apartheid system.

BUT, we are told, you have moved away from apartheid. And in some important respects that is true. We are not among those who refuse to recognize the importance of the changes that have been made — the legalization of black trade unions, the ending of job reservation, the scrapping of the pass laws.

This is, gradually, becoming a more multiracial society. But it is no use pretending that apartheid has been abolished, or is about to be. The cornerstone of the apartheid system is the Population Registration Act; and

British Ambassador **ROBIN REMWICK** told the Urban Foundation yesterday that South Africa might be approaching another turning point in its relations with the rest of the world. Here are extracts from his address.



it remains very much in force. How can we seek best to overthrow apartheid without inflicting even greater misery on the people of South Africa, to say nothing of the neighbouring states?

The reality is that more general sanctions might end up reducing the average income of white South Africans by, say, five percent. But they would reduce the income of black South Africans thrown out of work by 100 percent and the consequences for their much larger number of dependents do not bear thinking about.

Even sanctions advocates acknowledge that they would take a very long time to produce their effects. What is going to happen to all these people meanwhile?

As we try to assist community groups in the townships, so we come across the practical effects of disinvestment. By numerous groups I have been told that they used to receive help from companies, usually US companies, that have left. When I visit the liberal universities, I hear of scholarships for black students that also terminated when companies left.

When a company decides to leave this country, it does not continue to worry about South Africa. On the contrary, it writes that subject off its agenda. And, after all, we can hardly blame them. They are not asked by the apostles of disinvestment to go on doing anything positive here. All they are asked to do is leave.

These pressures to disengage apply not just to companies, but to countries as well. We are urged to cut off all economic contact with South Africa, to break off diplomatic relations, to engage in a cultural boycott, to maintain the sports boycott, to reinforce the academic boycott — in short to leave, and pretend that the place no longer exists.

SO far as Britain is concerned, we do not believe in disengagement. We do not intend to walk off the pitch. We intend to stay on the pitch — to go on working for peace in Angola, an internationally recognized settlement in Namibia, a return to the Nkomati Accord with Mozambique, the repeal of all racially based legislation, the release of political leaders and negotiations in which all parties can participate on the basis of a cessation of violence on all sides.

We do not expect instant transformations, or success on all fronts at once. But however long it takes, and however hard we have to struggle we will go on working to attain those objectives. We are determined to help to defeat apartheid. And we intend to demonstrate that we too do not lack staying power.

When there are positive developments, which we have encouraged, we will welcome them.

We do welcome, and have worked hard to encourage the progress currently being made in the Angola/Namibia negotiations. We strongly support also and have tried directly to contribute to the efforts currently underway to normalize relations with Mozambique.

The most dangerous and debilitating disease in politics is fatalism. I recall only too well how people in my own country started reconciling themselves to what was supposed to be our inevitable economic decline.

It must be obvious to all of you that South Africa may be approaching a further turning point in its relations with the outside world. We do not believe in your isolation; but we cannot prevent you isolating yourselves.

Whether you do end up more or less isolated will depend on what happens here.

Box 11 CAPE TOWN 8000

Mowbray does not need her thoroughfare

MACLENNAN (Mowbray):

has already been sliced up by a freeway, an artery and a railway line. All of these have contributed to the fragmentation of the community.

city's planners want to bulldoze houses to clear the way for a new arterial road eight lanes wide through the heart of Mowbray. What Mowbray needs is a plan to divert vehicle traffic, not to increase the throughflow. It badly needs upgrading in the bus terminus area.

not done, and the artery goes through, and the area is enlarged as planned, this pleasant residential neighbourhood will be reduced to nothing more than a busy transit zone.

A film ban would do some good

SEMARY KLEYN (Green Point):

reference to the report in Motion Picture Magazine of America before not to "victimize South Africans" by banning American films.

On August 2 I wrote to offer the following opinion:

The vast majority of South Africans who can afford to go and see films are white and the majority of these supported the present government in the last election. Surely the ban on showing American films in this country would go a long way in bringing home the absolute repulsion with which the outside world views us.

A great honour for Voortrekker

GJER KIRKHAM (Sea Point):

After 20 years of a highly successful ocean racing career, Gjer Kirkham (I) qualifies for retirement; this is the opinion of the eminent skippers, including the renowned Bertie Hume, who gathered at Victoria Docks, with a comprehensive career, and surrounded by museum memorabilia, would be a centrepiece of attraction. Copies of the book should be sold and would find a ready market at yacht clubs at home and overseas.

Inclusion into Voortrekker's unique achievements may be for inclusion in the Guinness Book of World Records. Would the South African Navy, as the owners, comment?

101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200

Bills will ham race relations

CERTAIN major features of the proposed re-adjustment of government urban development policy are a cause of the very deepest concern. The series of recent draft bills clearly indicates the contradictions in our present politics. I refer to the trilogy of bills on racial zoning, the radical amendments to squattling legislation and the amended Slums Act.

These bills contain some positive features, notably:

● The establishment of the principle of open areas.

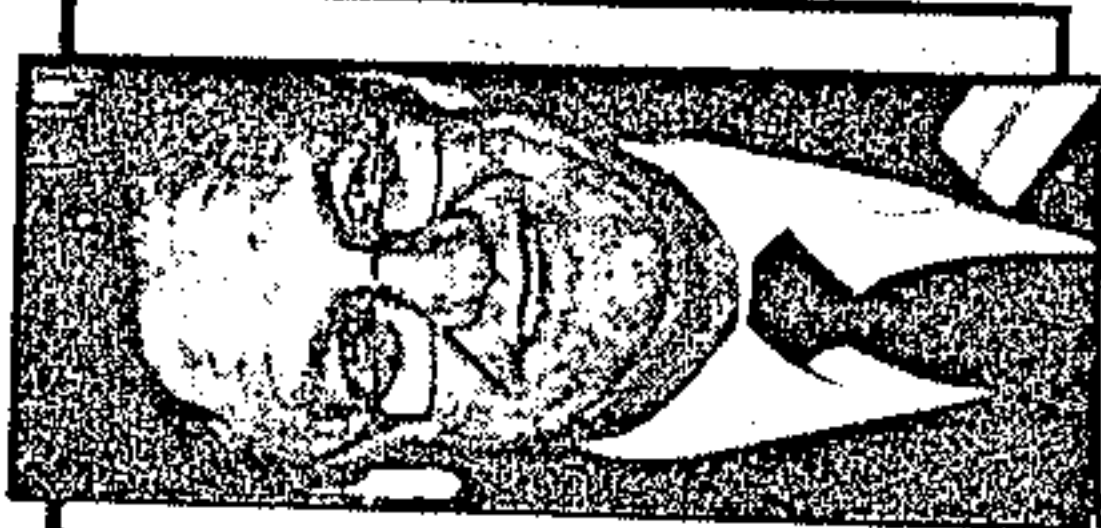
● The reinforcement of a policy of providing for both temporary and permanent in-formal settlements.

● The acknowledgment of the need for speed and flexibility in the approval and establishment of new black residential areas.

These positive features are more than counter-balanced by proposed new restrictive provisions aimed at rigidly maintaining the status quo in all areas where the positive provisions are deemed not to apply.

Hence the effects in both the proposed new group areas and the squatter legislation will be to enable the introduction of a pattern of authoritarian state intervention which effectively ousts the jurisdiction of the courts. Worse still, concerning what is deemed to be inappropriate settlement in both established

The Government's forthcoming Bills on racial zoning and squattling are harmful to race relations and a cause of grave concern, according to the chairman of the Urban Foundation, Mr JAN STEYN, speaking at the foundation's annual meeting in Johannesburg yesterday.



group areas and areas of informal residence, we know from our research that the action could be taken against people who may not have any alternative to being where they are.

I accept that these provisions are not part of any government plan by that, as regards basic policy, many of those in government would, in an ideal political environment, like to see the design of an harmonious pattern of development of areas for community residence, open areas, upgradable informal settlements in suitable locations and stable, de-

veloping local authorities (especially for black South Africans) where previously neglected needs of residents would be progressively addressed.

THE problem is, however, that the world is never an ideal place. In South Africa, in particular, we are today directly and brutally confronted by an accumulation of needs and problems which have either been neglected in the past or dictated by inappropriate policies. Our cities are places of stress — stress of overcrowding; stress of lack of affordability; stress of conventional housing; stress of frustrated aspirations of black people who are increasingly dominant in the economy of our cities, but who feel cut off from the normal benefits of urban living.

The negative provisions in the Bills under debate are not part of a systematic oppressive policy. They are attempts to erect bulwarks against the pressures which I have outlined. Herein lies their very utility.

South Africa's cities will be the emergence of

will have to be managed as systems capable of creatively absorbing the stresses. These stresses will never go away. Our demography, our economics and our politics in South Africa have a stern message. We are a developing society, and a society in transition. We are grudgingly going through this process of transition in which we will, hopefully, soon be building a new national identity. The government has acknowledged this, with a stated commitment to the incorporation of black South Africans into central political decision-making.

I realize that the process is too slow, that the signals which are sent about government intentions are not clear and that there are pronouncements and actions by government which are huge impediments to the process. I am also painfully aware of the tragic shortcomings of present policy, but I am also equally convinced that a process of transition has started.

THE logical outcome of this process of transition will be the emergence of

the non-racial city in South Africa. We have a deep responsibility to see to it that when it arrives it is a city in which all communities can enjoy the full benefits of our industrial urban milieu. They must be cities with a reasonable quality of life and shared pride, security in their neighbourhoods and harmony in their interaction.

Cities are also the cradle of our future economic expansion. We know that if we can develop cities of opportunity for all, we will bring to the fore a massive but latent store of goodwill and cooperation that will inject confidence in the economy. It is pointless to try to stimulate the politics of moderation without structures of opportunity. These will be found primarily in our cities.

WE have to start planning now for the city of the future and it is in this context that I view the negative aspects of the legislation currently proposed with such alarm. The signs of positive policy shifts are there, but fear and uncertainty as regards con-

sequences have resulted in proposed provisions which will hugely delay the emergence of the fully South African city. These provisions will deeply injure race relations and refuel the external sanctions campaign.

Worst of all, not only will these bills not achieve what the government wishes to achieve, they will also strengthen reactionary forces.

Furthermore, we are entering a period of escalating stress around the October municipal elections which will generate tensions on the right and the left. I cannot believe that this is the time to venture contentious new legislation on racial zoning and informal settlements which will create controversy right across the spectrum.

I would urge that South Africans should be given a breathing space during which, hopefully, wiser counsel will be given an opportunity to prevail.

SQUATTERS: A severe urban problem which, speakers in Johannesburg yesterday maintain, is not going to be helped by Bills before Parliament.

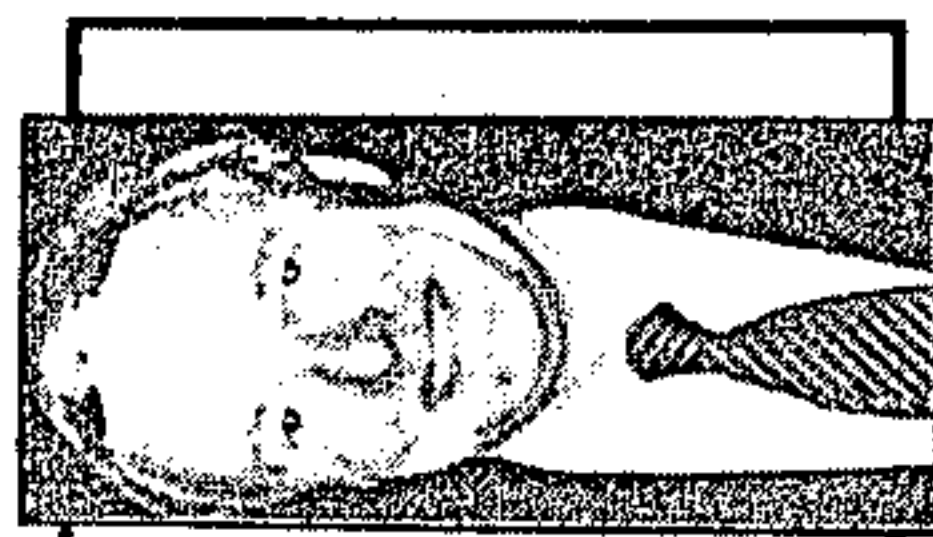
CARL TIMS 18/8/88

Keep up the pressure, urges UK ambassador

THE Group Areas Act, it has become fashionable to say, is not the central issue in South African politics. And indeed it is not. The central issue is the sharing of political power.

But the Group Areas Act remains a fundamental source of alienation in this society. It is about to be amended. The Urban Foundation has made clear its position, which is that the Act should be repealed.

It may be thought by some impossible to repeal it now; but one day it will be thought impossible to continue with it. The sooner that day comes, the better it will be for South Africa.



British Ambassador ROBIN RENWICK told the Urban Foundation that South Africa might be approaching another turning point in its relations with the rest of the world. Here are extracts from his address.

From time to time I am asked what it remains very much in force.

Government urged to put new racial zoning legislation on ice

THE Urban Foundation executive chairman, Mr Jan Steyn, has warned the government that with the municipal elections looming, its proposed legislation on racial zoning and squatters should be put on ice.

At the annual meeting of the 12-year-old foundation in Johannesburg yesterday, Mr Steyn said major features of three Bills proposing readjustment of government urban development policy were cause for "the very deepest concern".

He added: "The effects of both the proposed new group areas and squatter legislation will be to enable the introduction of a pattern of authoritarian State intervention which effectively ousts the jurisdiction of the courts."

"If these Bills become law, new problems of race relations will be created which will further polarise our society and make one's task as bridge-builder more onerous."

South Africa was "directly and brutally confronted" by an accumulation of needs and problems which had been neglected in the past or stemmed from inappropriate policies.

"We have to start planning now for the city of the future and it is in this context that I view the negative aspects of the proposed legislation with such alarm."

"Fear and uncertainty have resulted in proposed provisions which will hugely delay the emergence of the fully South African city."

South Africa was entering a period of "escalating stress" before the October municipal elections that would "generate tensions on the right and left".

"I cannot believe that this is the time to venture contentious new legislation on racial zoning and informal settlements which will create controversy right across the spectrum."

"I would urge that South Africans should be given a breathing space during which, it is to be hoped, wiser counsel will be given an opportunity to prevail."

Mr Steyn said he accepted the Bills were not part of "any demonic plan" by the government.

"I do believe that many of those in government would, in an ideal political environment, like to see the design of a harmonious pattern of development of areas for community residence, open areas, upgradable informal settlements in suitable locations and stable, developing authorities — especially for black South Africans — where previously neglected needs of residents would be progressively addressed."

However, South African cities were "places of stress" because of overcrowding, unaffordability of conventional housing and the "frustrating aspirations of black people who are increasingly dominant in the economy of our cities but

who feel cut off from the normal benefits of urban living".

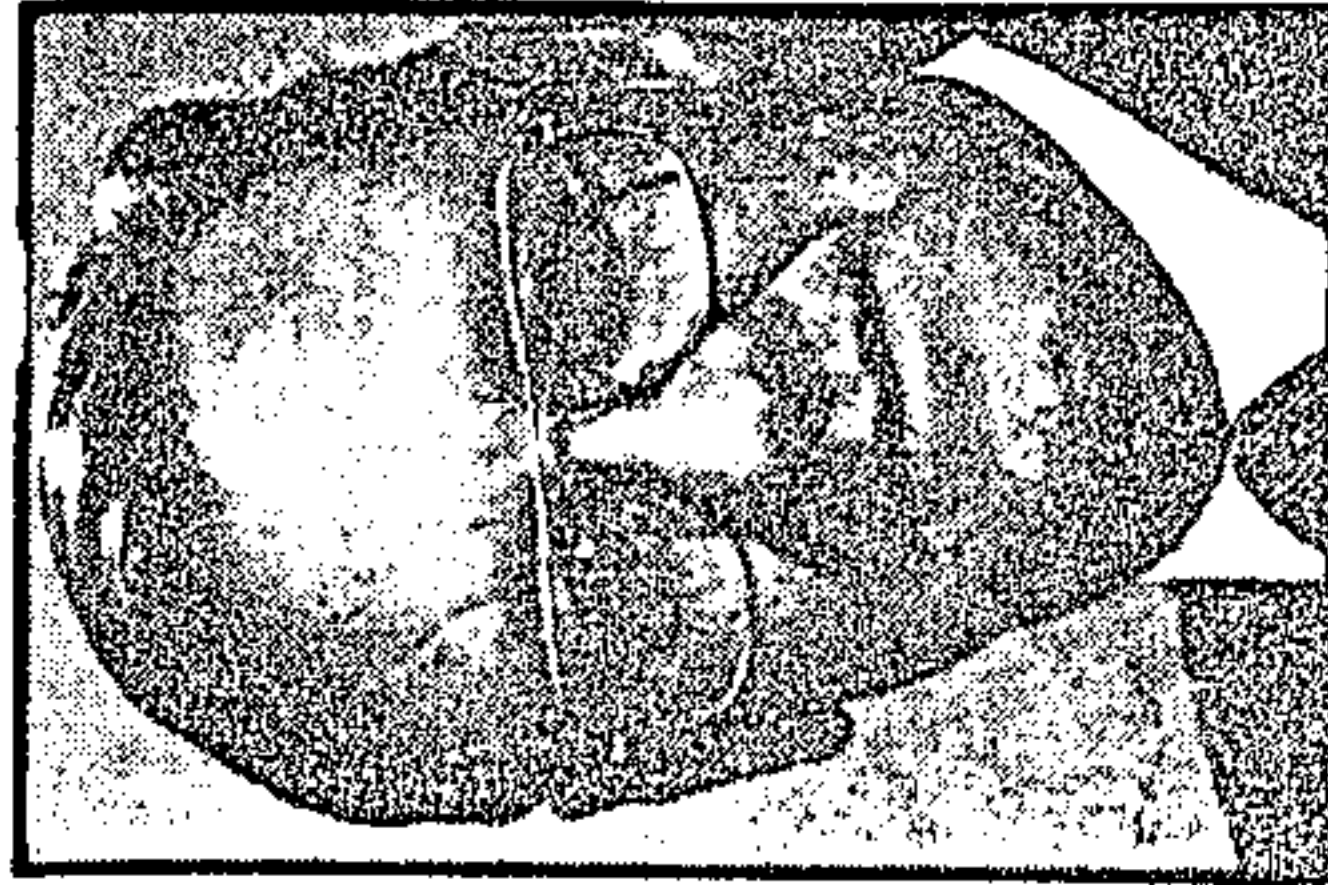
The challenges faced in the process of urbanisation required bold management.

South Africa was a developing society that would soon be building "a new national identity".

"The government has acknowledged this, with a stated commitment to the incorporation of black South Africans into central political decision-making." The logical outcome of the process of transition was the emergence of the non-racial city.

"We have a deep responsibility to see to it that when it arrives it is a city in which all communities can enjoy the full benefits of our industrial urban milieu."

Cities were "the cradle of our future economic expansion".



Mr Jan Steyn

Clamour to drop Group Areas Bills

18/8/88 B/Day 80

Business Day Reporters

PRESSURE mounted on government yesterday not to introduce contentious amendments to the Group Areas Act (GAA) when Parliament reconvenes next week.

Urban Foundation (UF) chairman Jan Steyn called on government to suspend the implementation of the draft Bills on racial zoning and squatting, saying they were causing concern and alarm.

The NP-supporting newspaper Beeld bluntly urged government to drop contentious measures or at least qualify them. And the SA Foundation joined the UF in supporting free settlement areas but opposing the Group Areas Amendment Bill which would tighten enforcement of group areas.

Steyn, speaking at the foundation's agm, said the series of draft Bills would deeply injure race relations and refuel the external sanctions campaign.

He said the October elections meant SA was entering a period of escalating stress and this was not the time to put forward legislation that would create controversy across the spectrum.

The proposed legislation would allow authoritarian state intervention which would effectively oust the jurisdiction of the courts, Steyn said.

The Bills should be suspended as they

were causing alarm and would impede the cities of the future.

There were some positive features in the Bills such as the establishment of the principle of open areas, he said.

But these were "regrettably, indeed tragically, more than counter-balanced by proposed new restrictive provisions aimed at rigidly maintaining the status quo in all areas where the aforementioned positive provisions are deemed not to apply".

Although government had acknowledged a process of transition to a new national identity, it was too slow and its intentions were unclear. Certain of its actions and pronouncements were also "huge impediments" to the process.

"It is pointless to try to stimulate the politics of moderation without structures of opportunity. These will be found primarily in our cities," he said.

The present pressures on SA's cities such as overcrowding would not go away and they would have to be managed as systems capable of creatively absorbing them.

He said it was in the context of plan-

● To Page 2 →

More pressure to drop Group Areas Bills

ning for the cities of the future that he viewed the Bills with alarm.

"The signs of positive policy shifts are there but fear and uncertainty as regards consequences have resulted in proposed provisions which will hugely delay the emergence of the fully South African city."

Beeld yesterday called on government to drop the legislation that seeks to ensure rigid enforcement of the GAA from its legislative programme.

Its editorial said it was beginning to look as if the Group Areas Amendment Bill would cause new divisions among South Africans of all colours.

It said the legislation unavoidably gave opportunities to unsympathetic officials and far-right politicians to engage in witchhunts of the type last experienced with the notorious pass laws and Immorality Act.

It also warned of the harm it would do to SA's already tattered image.

80 ← ● From Page 1 B/Day 18/8/88

The SA Foundation said while it welcomed the Free Settlement Areas Bill and the Local Government in Free Settlement Areas Bill, the GAA was one of the main stumbling blocks in the way of black economic advancement on which the future health of SA's economy depended, Sapa reports.

It added: "The SAF wishes therefore to suggest that other measures of resolving the country's housing shortages, protecting cultural identities and addressing white fears about swamping be investigated to avoid SA's further international isolation and the incurring of damage to our fragile economy."

At least 20 organisations have called for the scrapping of the GAA in the past month.

Business leaders have also come out against the proposed legislation.

Botha 'ready' for GAA referendum

Own Correspondent

DURBAN. — President P W Botha yesterday made it patently clear in the face of rising agitation for the scrapping of the Group Areas Act that it is here to stay.

In a tough opening speech to the Natal National Party congress, Mr Botha also:

- Increased speculation about the possible release of Mr Nelson Mandela;
- Bluntly said black majority rule would not happen under his leadership;
- Said it was time the word "traitor" was reintroduced in respect of South Africans who pleaded for economic action against the country;
- Congratulated South Africa's negotiating teams in the Namibia-Angola peace initiative;
- Criticized black leaders for refusing to participate in negotiations for a new constitution, and
- Appealed for less "negativism" towards government steps to bring about constitutional reform which could not succeed without socio-economic reforms.

On the Group Areas Act, Mr Botha said he was prepared to

what he described as "hypocrisy".

Mr Botha also strongly criticized the Afrikaans-language newspaper Beeld for calling on the government to scrap the act.

He also hit out at growing radicalism in the country and said the ANC had embarked on a subtle campaign to improve its image and there were even attempts to give the Freedom Charter a more acceptable face.

"It remains what it is, a communist attempt to overthrow good order in South Africa," he said.

The government knew what the ANC was up to because it had entries to its inner circles. "That is why so many of them are in jail."

Arrangements could be made, if the ANC laid down its arms, for them to come back to the country to discuss a future constitution in a sensible manner.

In an indirect reference to the Dellums sanctions legislation in America, Mr Botha warned against outside interference in South Africa's affairs.

"If South Africa does not resist interference in its internal affairs, it will become a vassal state of the US," he said. "I am not prepared in my time to allow this."

hold a referendum to test white opinion about scrapping the legislation.

But, he said, he believed 70% would vote to retain it.

This would also apply to coloured people and Indians.

"I invite them to prove the opposite," he said hitting out at

80/3216
19/8/88
17/8/88

11th-hour plea to scrap new Areas Bills

By ANTHONY DOMAN
Municipal Reporter

THE Cape Town City Council today made a eleventh-hour plea to the government to scrap the proposed new group areas legislation.

Parliament reconvenes on Monday to debate the Free Settlement Areas and the Group Areas Amendment Act Bills, which will allow open areas while dealing much more harshly with "illegal" residents.

The legislation would encourage group areas "snoops", add to pressure on housing and hamper the administration of justice, executive committee chairman Mr Dick Friedlander said in a statement today.

The council had decided to take its up objections with the Parliamentary standing committee involved, but the committee could not fit the council into its schedule, Mr Friedlander.

The council's opposition to the principle of group areas was a matter of public record.

HARMONY,

"Cape Town was the first municipal council to open all its amenities to all its citizens and the result has been harmony and a great improvement in human dignity," he said.

The city did not want to prescribe to other municipalities.

"All it asks for is the right to have a say in matters concerning the community which is Cape Town."

The council had "strong objections" to the proposed amendments to the Group Areas Act.

It objected to the "arbitrary and harsh" provision for people to be evicted without alternative housing having to be available.

This would lead to a further drain on resources for housing and would add to pressure on councils.

DISCRETION

Another consequence would be the "degradation of human relations".

"The proposed legislation will make it easy for one neighbour to report another for alleged infringements of the legislation."

The proposals also remove magistrates' discretion in inquiries into alleged "illegal" occupation of premises.

"This is likely to have a most adverse effect generally on the administration of justice."

The council wanted the proposals scrapped, or at the very least applied with tolerance, moderation and understanding of local attitudes in Cape Town.

The Free Settlement Areas draft legislation was welcomed in principle but important changes were needed.

Its proposal that residents be represented by management committees would lead to the creation of ineffective, unnecessary and costly structures.

Residents of "free settlement areas" should be entitled to elect city councillors, he said.

The method of choosing free settlement areas was also questioned.

"There is no need for a special board composed of people having no connection with Cape Town to decide on whether a particular area should or should not be a free settlement area," he added.

The council should negotiate these decisions.

● Mixed reaction to Group Areas offer — page 3.

'Test' for group areas ¹⁹⁸⁸ ^{Sawetan} 80

S

THE Government was prepared to test the Group Areas Act with a referendum, President P W Botha said yesterday.

In the face of the controversy over the Government clampdown on groups areas and the tough new legislation, Mr Botha predicted that 80 percent of whites and 70 percent of Indians and coloureds supported group areas.



Mixed reaction to PW's Areas Act referendum offer

By TOS WENTZEL
Political Correspondent

SOME opposition leaders today welcomed the idea of a referendum on the Group Areas Act, while the Conservative Party rejected it.

The possibility was mentioned by President Botha at the Natal Nationalist congress yesterday.

He said the government was prepared to test the Act.

He predicted that in a referendum 80 percent of whites and 70 percent of Indian and coloured voters would support the Act.

Opposition leaders have disputed Mr Botha's claim.

Dr Andries Treurnicht, Conservative leader and Leader of the Opposition in the Assembly, rejected a referendum.

Uncertain

He said Mr Botha was only "kicking up dust" because the National Party was uncertain.

A government could not run off to a referendum with every matter, he said.

The "volk" had already made up their mind.

Whites wanted the Act retained. There would also be more realism in coloured thinking if they considered what black intrusion would mean if the Act was scrapped.

In the past the National Party had said it was in favour of separate residential areas, but now there was uncertainty.

While some of the new group areas legislation was said to be tightening provisions of the old Act, a permit system which could create further mixed areas was being retained.

The Rev Alan Hendrickse, leader of the Labour Party, said his party would welcome a referendum "because we totally disagree with Mr Botha's assessment of people's opinions of the Group Areas Act".

"We believe that most South Africans are opposed to the Act.

"In the coming short session of Parliament the Labour Party will oppose an iniquitous trilogy of Acts which are trying to tinker with the Group Areas Act," Mr Hendrickse said.

Dr Zac de Beer, leader of the Progressive Federal Party,

said he was not against the idea of a referendum as such. A lot depended, however, on what the question was and how it was put.

Mr Botha appeared to want to exclude blacks from such a referendum. Dr de Beer said he did not see how this could be done, because as a group they were profoundly affected by the Act.

An opinion poll about a year ago had shown that some 50 percent of whites were in favour of the Act being scrapped. He believed this number had since grown.

Dr de Beer said he would be surprised if most Indians and coloured people were not in favour of scrapping the Act.

He would also be surprised if blacks did not feel the same way.

ARGUS 19/8/88
80

GAA amendments unacceptable — Council

Staff Reporter
CAPE TOWN 20/8/68

CAPE TOWN City Council finds the proposed amendments to the Group Areas Act unacceptable and has pleaded for a special dispensation for the municipal area of Cape Town.

The council objected to the draft legislation for the following reasons:

- The arbitrary and harsh implementation of the proposed legislation without any provision for alternative accommodation.

- The pressure likely to be brought on the council to provide alternative accommodation, even though this would not be a legal obligation of the council.

- The effect that these pressures would have on the limited funds available for housing, and the delays which would result in meeting the general housing needs of those families who have been on the housing waiting list for many years.

- The use of magistrates for inquiries into the alleged "illegal" occupation or ownership of premises, and the removal of any judicial discretion from them.

- The degradation of human relations in that the proposed legislation would make it easy for one neighbour to report another for alleged infringements of the legislation.

The council had unsuccessfully sought an interview with the parliamentary standing committee considering the draft legislation to make representations, said Exco chairman Mr R M Friedlander.

However, the Free Settlement Areas draft legislation was welcomed, given that the council will be able to decide which areas should be open to free settlement and that residents of such areas will be entitled to elect councillors to represent them. The council would then undertake to provide these areas with municipal services, he said.

By BARRY STREEK
Political Staff

CAP 20/1/88
Tues

Still no consensus on bills

A STORMY session of Parliament, which is to begin sitting for two weeks again on Monday, is expected after it was disclosed yesterday that four joint committees had failed to reach consensus on several proposed bills.

The disputed bills include the controversial trilogy of measures on the Group Areas Act, the government's proposed steps to tighten up controls over slums and squatting, a move to grant the self-governing homelands more powers and two constitutional bills.

"This heralds the collapse of the tricameral system on consensus reaching," the national chairman of the Progressive Federal Party, Mr Colin Eglin, said yesterday.

"In the end, consensus from the government point of view means 'be reasonable and do it my way'.

"But this is no longer applicable to the other two Houses," Mr Eglin said.

"I have no doubt that there is going to be very heavy debate."

None of the bills, on which the three Houses of Parliament are divided, are going to be debated in joint sittings.

However, Mr Eglin said the bills encompassed the very issues that should be debated in joint sittings.

"Instead we are to go through the farcical procedure of not being able to debate these things in one House.

"President Botha appears to be desperate to push these bills through

even if the President's Council has to override the other two Houses.

The bills on which consensus has not been reached are the Constitutional Second Amendment Bill, the Moutse (Validation of Actions) Bill, the Self-Governing Territories Bill, the Constitution Third Amendment Bill, the Prevention of Illegal Squatting Amendment Bill and the Group Areas trilogy — the Group Areas Amendment Bill, the Free Settlement Areas Bill and the Local Government Affairs in Free Settlement Areas Bill.

The only measure on which consensus was achieved was on National Roads Amendment Bill.

Yesterday, the PFP's spokesman on Group Areas, Mr Tian van der Merwe, said the three bills were "a clumsy attempt on the part of the government to please both the racists and the pragmatists inside and outside their party".

"What is immediately apparent is that there is no moral consistency about these bills."



Government determined to steamroller controversial new laws through Parliament

Enough on Group Areas

Win hearts and minds for victory, says Vlok

Political Correspondent

VICTORY against the revolutionary onslaught must be the priority of all South Africans, says the Minister of Law and Order, Mr Adriaan Vlok.

He told the Natal National Party congress in Durban yesterday there would be no victory unless the hearts and minds of the majority of the country's people were won.

"If this revolutionary war being waged against us at a variety of levels cannot be stopped and rolled back we will lose our country," he said.

"Our opponents are also trying to win the hearts and minds of the people. But they are using intimidation, murder and robbery while we must try to persuade people."

Master plan

He said it sometimes happened that some of the government's actions appeared to be confusing or its intentions were not clear.

But the government had a master plan and everything followed a strategic pattern.

This master plan rested on three pillars: security action against the revolutionaries, good government for all, and the creation of a constitutional dispensation acceptable to the majority of the people.

The government had built up the strongest defence force in Africa, and the police and security forces were capable of protecting the country's people.

The second element, good government, required money and South Africans should be ready to make sacrifices.

Needs addressed



Mr Harry Oppenheimer



Dr Anton Rupert



Roelf Meyer

THE government steamroller seems firmly on course to plough controversial group areas legislation through Parliament next week — in spite of last-ditch, dire warnings of the consequences from leading businessmen and politicians to the right and left of the National Party.

20/11/83
Weekend Argus Correspondents

The new laws, described as the most retrogressive apartheid legislation in years, could directly affect tens of thousands of people living illegally in white areas.

The first of the National Party's provincial congresses, held in Durban this week, showed that the Government had not weakened in its determination to put the legislation on the statute book, in spite of a vociferous outcry at home and abroad.

Yesterday, on behalf of the board of governors of the Urban Foundation, Mr Harry Oppenheimer and Dr Anton Rupert added their powerful voices to the growing storm of protest.

Race relations

They urged the government to postpone action on the trilogy of Bills designed to regulate residential segregation.

They said the Bills, if enacted, would damage race relations and fuel the campaign for further punitive measures against South Africa.

"In our capacity as president and vice-president of the board of governors of the Urban Foundation, we would like to record our support for the stand taken by Mr Jan Steyn, chairman of the Urban Foundation, on the proposed trilogy of draft Bills which would seek to regulate residential segregation in South Africa," they said in a joint statement.

"We would urge the government to postpone action on these Bills so that further and even more extensive consideration could be given to the advisability of their enactment."

The Progressive Federal Party estimates that between

90 000 and 200 000 people living illegally in white group areas may be affected.

The government has been given notice by the Labour Party, the majority party in the House of Representatives, that it will oppose the legislation.

The Labour Party said it would withdraw completely from the tricameral Parliament at the end of the year if the Group Areas Act had not been scrapped by then.

In spite of all the opposition, the government has put the President's Council on standby to override the House of Representatives and the House of Delegates so that the new measures can become law.

In terms of the legislation people of one group living illegally in residential areas of another group could be evicted from their homes — even though they may have no alternative accommodation.

The draft legislation also provides for huge increases in the penalties for offenders of the Group Areas Act and for people who allow their properties to be used for squatting.

Can override

The President's Council, controlled by a National Party majority for just such contingencies, is empowered in terms of the 1983 Constitution to override any two Houses of Parliament in order to ratify the decision of the third.

The Natal National Party congress this week clearly showed that the Government was not fazed by the opposition and the warnings it has received about the proposed legislation.

President Botha made it clear in his opening speech at the congress that the Govern-

ment was determined to retain group areas.

He said he was prepared to hold a referendum of whites to prove his assertion that 80 per cent of them wanted their own residential areas.

He also claimed that 70 per cent of the coloured and Indian communities wanted their own residential areas, and he challenged their leaders to prove that this was not so.

But it appears that the National Party will stand alone on the proposed adaptations to the Group Areas Act in the short session of Parliament starting on Monday.

All other parties in the three Houses will oppose the trilogy of Bills — the Group Areas Amendment Bill, the Free Settlement Areas Bill and the Local Government Affairs in Free Settlements Bill.

The most disheartening factor is that the National Party can force these measures through the Assembly with its majority.

Dr Andries Treurnicht, leader of the Opposition in the Assembly, said yesterday that, "broadly speaking", the Conservative Party would oppose all three Bills.

Mr Colin Eglin (PFP) Sea Point said his party would oppose the package of Bills, which made the Group Areas Act even worse.

The Deputy Minister of Constitutional Development, Mr Roelf Meyer, told the Natal congress that the Government would humbly and responsibly implement the laws, which will also clamp down heavily on squatting.

The Government would genuinely try to resolve the problem, but at the same time it would have to apply the law effectively.



P W Botha — determined to retain group areas.

'State launches major 'street children' probe

Political Staff

DURBAN.— The government has launched a major investigation into the growing problem of South Africa's "street children", the Minister of National Health, Dr Willie van Niekerk, has announced.

Speaking at the Natal National Party congress, Dr van Niekerk said the issue was a national problem involving more than 9 000 children.

Proper facilities had to be provided at which the children could be rehabilitated

and trained to be useful members of society.

Answering complaints about the high cost of medical care, Dr van Niekerk also announced that the government might re-introduce price-fixing for medicines.

And in another effort to keep costs down a statutory body was to be established next year to which patients could take complaints about bills from private hospitals.

He said: "No one can afford to get sick any more."

'You're doing a great job!'

Weekend Argus
Political Correspondent

GOVERNMENT critics say the National Party is leading the country to perdition, but the number of laudatory motions at the Natal congress this week indicate that rank and file members believe their leaders are doing a tremendous job.

Other congresses of the party often sum up the plaudits in one trenchant motion, but President Botha had no fewer than 23 paeans.

They thanked him and expressed warmest congratulations and appreciation for his unselfish, accomplished, purposeful, forceful, efficient and inspiring leadership, his statesmanship, his unfailing dedication, his perseverance and his resolute and firm stance in the face of adversity.

Pundits say the economy is in a mess, but Finance Minister Barend du Plessis was lauded for his capable handling of his portfolio, the positive steps that have been taken to combat inflation and his purposeful contribution to financial reform.

Natal leader Mr Stoffel Botha, the minister who has been instructed to clamp down on the Press, also came in for warm praise for his firm action in relation to "subversive reporting".

All of which prompted an observer to ask: "If this is what the Nats say when their leaders are just coping, what extravagant language are they going to use when the government finally does something right?"

The government did not spend money in areas where people lived in poor conditions merely because it wanted to hand out cash. It did so to address needs and grievances as part of the strategy to win hearts and minds.

On the constitutional dispensation, Mr Vlok said people should appreciate the various structures already created, which enjoyed the support of substantial numbers of the people they affected.

These included the four independent states, the six self-governing states, the trilateral Parliament and now the regional services councils.

Worrall 'superficial glamour boy'

Political Correspondent

DR Denis Worrall, who has set as a target dissident Nationalists as potential supporters, this week faced a pre-emptive strike from the NP.

Natal leader Dr Stoffel van der Merwe told the party's Natal congress the Independent Party leader was a superficial "glamour boy" of politics.

He said: "He seems to be prepared to seek support from any conceivable source in his political

vendetta against the National Party, of which he was once a supporter.

"One wonders what aspect of the NP policy he once supported he now regards as having changed so drastically that he has reversed his political allegiance completely."

"If anything, one would have expected his support of the NP to have been strengthened when the party embarked on its present initiatives for reform and democratisation.

"It's a strange political performance... the kind of opportunist politics the National Party rejects with contempt."

"We will have to mercilessly expose the superficiality and shallow thinking of these representatives of the left."

"It is nothing but glib sales promotion and the selling of personalities instead of policy."

Mr Botha also attacked the PFP's new leader, Dr Zac de Beer. He said the so-called "Big

Business" PFP ignored group and cultural differences and wanted to lump all members of South African society together politically.

He said Dr de Beer's statements about the scrapping of the tricameral system and his desire for a political system similar to that of Zimbabwe smacked of recklessness, which spell no good for the PFP.

He forecast the electorate would "dear" with the party's attitudes.

Stoffel 'advertises' great Press

Weekend Angus Correspondent

DURBAN. — Mr Stoffel Botha, responsible for implementing the government's clampdown on the Press, has taken a surprisingly conciliatory stance on the role of "mainstream" newspapers.

He told the party's Natal congress there was no conflict between the government and the Press.

In fact, he said, there was appreciation for the tremendous work of the Press in es-

tablishing a civilised society.

At times there was a vigorous exchange of thoughts with the government, but said this was as it should be.

"Generally speaking the Press have made a much more positive contribution than they are sometimes credited for and I gladly give them this free commercial."

The government did not want to curb the Press but would crack down on publications which became tools of the ANC.



Mr Stoffel Botha

21888 (80) Times

OK, let's vote on it!

Hendrickse challenges Botha to hold Group Areas poll

By NORMAN WEST: Political Reporter.

LABOUR Party leader Allan Hendrickse yesterday challenged President P W Botha to call a nationwide referendum on the Group Areas Act.

"This would dispel once and for all Mr Botha's misplaced perception that people other than whites are, in great numbers, in favour of the retention of this law," Mr Hendrickse said.

Mr Hendrickse's hard-hitting speech at a Labour Party conference in Beaufort West set the tone for Wednesday's joint debate in Parliament when the two leaders are expected to clash head-on.

"Mr Botha is this country's most dangerous liability. It is about time he stepped down to make way for a person of greater vision and perception," he said.

Mr Hendrickse was responding to a claim by Mr Botha at the National Party Natal congress this week that 70 percent of coloured and Indian people were in favour of the Group Areas Act.

Mr Hendrickse said he knew Mr Botha would shy away from the Labour Party challenge to call a referendum on the issue.

"Mr Botha lacks the statesmanship and courage to test his convictions through a referendum, just as he is unable to take South Africa out of its state of siege politics," the LP leader said.

According to him, Mr Botha appears to be waging a one-man war against agitation for the scrapping of apartheid.

"The man is at war with everybody who disagrees with him. He is even at war with the forces of righteousness within himself."

Mr Hendrickse described international trade and investment as the lifeblood of



ALLAN HENDRICKSE

the economy of any country and that it was "treacherous" of anybody to advocate sanctions.

"But the Botha Government must examine to what degree it may be responsible for the enemies of South Africa who encourage sanctions."

About the continued incarceration of Nelson Mandela he said:

"If this man should die in jail, the forces of hell would be unleashed on this country. All of us would be trapped between burning mountains and boiling seas."

"Mr Botha should go on television to tell the people of this country how he is going to contain such an explosion of emotions from the masses.

"He must explain it in terms of his own obstinacy in refusing to release Mr Mandela and all other political prisoners and detainees who have not had the benefit of a fair trial."

80 21/8/88

OPPOSITION to the Government's new Group Areas plans has snowballed as Parliament prepares to debate one of the most contentious apartheid packages in 40 years.

The Urban Foundation, Assocom, the Institute of Race Relations and the SA Jewish Board of Deputies are among groups who have condemned the proposed measures on racial zoning and squatting.

These groups have been joined by powerful individual voices in the Afrikaner establishment.

Consensus is that the Bills will open a Pandora's box of new problems — and the lid could stay off forever.

Thousands of blacks face eviction from "non-legal" areas to the swelling list of South Africa's homeless — put this week by researchers at more than five million.

On the reverse side of the coin, whites, already squeezed for living space in overcrowded inner cities, could face a new influx of black families eager to take up legal opportunities for renting and buying.

Rents and property prices could soar to meet the demand in newly proclaimed "free settlement areas".

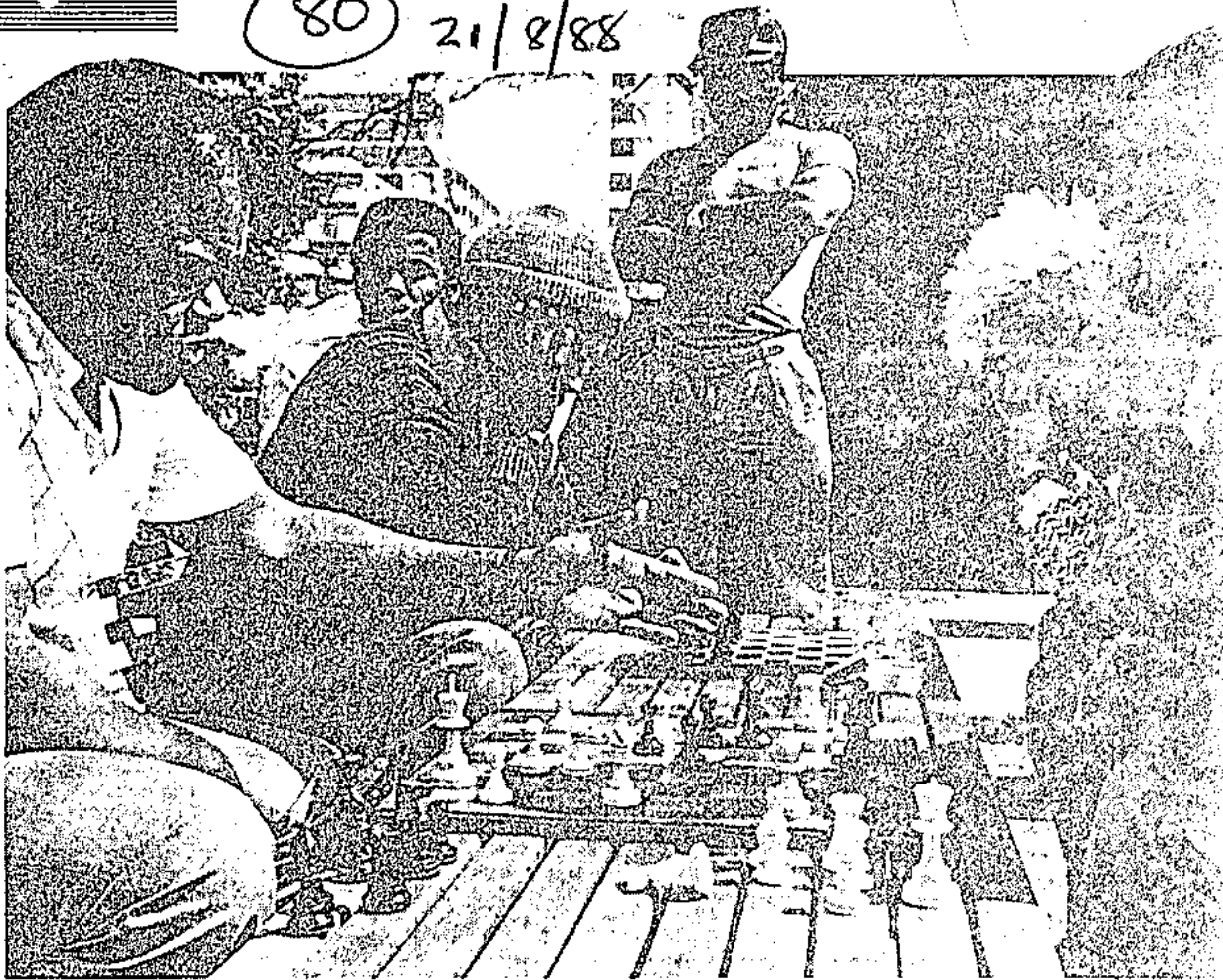
What are the Bills? There are three main measures. They are the Prevention of Illegal Squatting Amendment Bill, the Slums Bill — and a trilogy of Group Areas measures contained in the Group Areas Amendment Bill, the Free Settlement Areas Bill and the Local Government Affairs in Free Settlement Areas Bill.

Government sources insisted this week that the measures were not an attempt to go back to "hard line" Verwoerdian Group Areas measures of the 1950s and '60s.

They admit the influx of blacks into white areas is now out of control — and they say the Bills are a mixture of concessions and punitive measures in a bid to bring the situation under tighter control.

It's stalemate for these black and white Hillbrow residents as the Government ponders the political moves that could decide their fate...

JAMES SOULLIER took the pictures



PAWNS in the

Mixture

They say the influx has speeded up enormously since the abolition of the pass laws two years ago. But independent researchers and opposition politicians argue that the movement of blacks into white suburbs and inner cities is a result of "natural growth", and that the tide cannot be turned.

Thousands of blacks, they say, have been born and bred in urban areas and know no other home.

Latest figures suggest that in the PWV area alone there are up to two million people without "formal housing units" and that the waiting list in the townships runs into tens of thousands.

The desperation of the homeless forces the majority to build crude shacks — the squatter settlements that have arisen even in the townships themselves — while those who can afford to do so move to the white inner suburbs such as Hillbrow.

There, white landlords, desperate for tenants, have bent the rules and allowed them in. And an elaborate system of white nominees has provided a quasi-legal front for blacks wishing to buy property.

So the "grey areas" became reality. Now the Bills seek, in the Government's view, to bring order to the chaos.

The Prevention of Illegal Squatting Amendment Bill:

National Party sources argue that the Government has accepted the inevitability of squatting and that the Bill provides for more areas to be set aside for legal squatting while at the same time controlling its spread.

The Bill extends the prohibition of squatting to unauthorised buildings and structures or land.

According to Mr Sean Mackay, a researcher with the Institute of Race Relations — which has completed a major study of the implications of the Group Areas Bills — this, in effect, means that the tens of thousands of black shack-dwellers in townships

MAKING SURE THE ACT WORKS

NUMEROUS punitive measures are aimed at making implementation of the Act more effective. At the moment the Minister can sell only property which is being held in contravention of the Act. The Bill proposes to extend this power to govern property occupied in contravention of the Act.

The Minister must give the person who holds or occupies the property in contravention of the Act an order to cease holding or occupying the property within three months.

If that person does not cease to hold or occupy within that period, the Minister may at any time thereafter order the sheriff to attach and sell that immovable property. The order shall be executed as if it were a warrant of execution issued by a court.

Professor J D van der Vyver of Unisa, in a report commissioned by Actistop, points out that the many "disqualified" persons who contravene the Group Areas Act do so in circumstances beyond their control and in conditions of necessity.

could be evicted and their landlords fined.

The onus is on the alleged squatter to prove his innocence, and his legal defences are severely limited. The courts are compelled to order eviction and demolition of the structure.

Squatters will not be able to ask for an interdict unless it can be proved that the action has been taken in "bad faith". Even if an appeal is lodged with the Supreme Court, the orders will not automatically be suspended.



Colour-blind kids... winning on the swings

Depriving the courts of a discretionary power when sentencing or conducting inquiries into instances of unlawful occupation in itself signified the absence of justice and a lack of compassion on the part of the legislature.

He further points out that, in terms of the Free Settlement Areas Bill, no land which has been set aside for occupation by blacks can be proclaimed a free settlement area. That is to say, such areas can be established in white, coloured and Indian areas only.

A local authority or a provincial administrator can appropriate private land if the owner deliberately allows squatting on it. The owner will not be entitled to compensation.

In rural areas the Bill provides for committees to decide whether or not people are squatting.

The Slums Bill:

This significantly tightens up the provisions of the old Act in answer to charges by white voters that standards

in "grey areas" have declined.

It gives local authorities wide powers to declare a "nuisance" — which power, it is claimed, could be used to evict black residents.

The Bill dispenses with the Slums Court, and there is no provision for the property owner to make representations.

The Group Areas Amendment Bill:

This gives the Government sharper teeth in dealing with offenders. It will give the State the power to order a person to leave a property — or to sell a property — that it suspects is being "illegally" occupied after giving him three months' notice. No court order is necessary.

The Bill, say legal analysts, gives the State the means to circumvent the courts and the lengthy appeals processes.

A magistrate MUST evict a person from his house if he is satisfied that the person is living in a place "illegally" — that is, in contravention of the Act.

A magistrate MUST evict a person who has been convicted of living in a "wrong" group area. There is no longer any discretion by a magistrate.

Appeals against any conviction or order will no longer have the effect of suspending the punishment or the eviction. Fines are increased from R400 to R10 000 — while maximum imprisonment is up from two years to five years.

Even when an offender is acquitted by the courts this will not preclude the installation of an inquiry. The Bill allows a magistrate to call an inquiry after receiving information from the public.

Some rightwing groups have already indicated they will be forming special units to monitor the presence of blacks in white areas — which critics say will encourage Group Areas "snoopers".

They say that, though the Government hopes to still the right wing with the Bill, it will provide it with a legal channel to impose its views.

The Bill also empowers a magistrate to call on persons

to give evidence in a Group Areas hearing. This could mean, says the Institute of Race Relations, that neighbours who are perfectly happy with the presence of blacks could be forced to testify against them.

The Free Settlement Areas Bill:

The Bill also poses an acute dilemma for landlords. It proposes that property occupied illegally be sold. If landlords allow disqualified tenants to remain, their buildings will be confiscated. If they evict them, the build-

ings will be under-used, causing financial loss.

This sets up the machinery to decide which areas should be open to all races — the unofficial "grey areas". Proclaimed "free" areas could include de facto mixed suburbs such as Hillbrow — which is already more than 50 percent "black" — and Woodstock in Cape Town.

And it would mean blacks would be able to rent and buy there legally — instead of the present set-up where officials turn a blind eye to their presence.

A positive aspect is that if the situation in Hillbrow, for

example, is appealed for would give blacks a position to appeal for help by landlords.

The Local Government Area

Black tenants move in under illegality and position to assist in terms of the common crime could help the common crime be able to call at present the for fear of be-





It all started with the 1976 settler exodus



THE "greying" of Johannesburg — and the State's counter-measures which culminated in a trilogy of Group Areas Bills — go back to 1976.

Actstop, a group spearheading opposition to segregated areas, says that after the 1976 riots thousands of immigrants decided to leave the country, creating an over-abundance of residential property in white areas. Says a spokesman: "This gave rise to a situation where some landlords were prepared to let to blacks. With an acute shortage in their areas, it was natural blacks would flock to these areas."

For about two years the Government appeared to turn a blind eye, until a small group of rightwingers started complaining.

More than 640 people were charged. In 1979 three groups which had been looking after the interests of the "illegals" formed Actstop.

This body threw down the legal gauntlet and 150 lawyers offered free services.

Says an Actstop official: "We were prepared to clog

up the courts."

Around 1980, 47 were evicted. Actstop took two cases on appeal.

"It took two years for the appeals to be heard. Meanwhile, more people flocked to suburbs. We lost the appeals and were back to square one until the Govender ruling in 1982.

"Since then people could not be evicted without alternative accommodation."

Mrs Gladys Govender moved to Mayfair after being

evicted by a landlord in Fordsburg where she had lived for much of her life.

She was prosecuted and found guilty, but the Supreme Court in a landmark judgment ruled that she could not be evicted until alternative suitable accommodation was available.

This ruling was confirmed in the Cassim case the same year.

Mrs Govender now lives in an officially proclaimed Indian area in Mayfair.

'Callous attack' on family life

THE Group Areas trio of Bills makes a mockery of the Government's claim that apartheid is dead, says the Actstop organisation.

"The Government has gone to great lengths to convince people both at home and abroad that it is embarking on large-scale reforms, but these Bills belie the claim.

"In a country torn by civil strife, unemployment and inadequate housing such legislation can only be construed as a callous and brutal attack on the security and welfare of millions of families."

Lawyers for Human Rights have also taken a strong line.

The group points out that Minister Chris Heunis is on record as saying that the housing backlog in black areas has reached a staggering 702 000 units, which translates conservatively to more than three-million people.

"It's obvious the country cannot afford to address this backlog," says national director Brian Currin.

"We all know at the bottom of our hearts the Group Areas Act will eventually suffer the same fate as the pass laws, Immorality Act and Mixed Marriages Act. Why delay the inevitable?"

Commenting on the Bills, Black Sash points out that more than 13-million people — making up more than a third of the total population — live on 14 percent of the land.

"Homeless black people are unable to resolve their housing problems legally because there is just not enough space in the areas where they have to live."

the GAME

ings will be under-used, causing financial loss.

This sets up the machinery to decide which areas should be open to all races — the unofficial "grey areas". Proclaimed "free" areas could include de facto mixed suburbs such as Hillbrow — which is already more than 50 percent "black" — and Woodstock in Cape Town.

And it would mean blacks would be able to rent and buy there legally — instead of the present set-up where officials turn a blind eye to their presence.

A positive aspect is that if the situation in Hillbrow, for

example, is legalised this would give blacks rights to appeal for protection. It could help curb racketeering by landlords.

■ The Local Government in Free Settlement Areas Bill:

Black tenants at present move in under the shadow of illegality and are not in a position to assert their rights in terms of the Rents Act. It could help the police counter common crime. Blacks will be able to call on the police — at present they do not dare for fear of being evicted.

This provides for voting rights in "free" areas. Basically, it means that residents in "free" areas — black and white — would vote together to elect a form of local management committee which would have advisory powers.

Parliamentary voting would remain unchanged, with different race groups remaining on separate rolls voting for separate representatives in the tricameral Parliament.

No one knows for certain how many "illegal" blacks are now living in white areas. Sometimes up to 10 people or more are crowded into one-

bedroomed flats in dense suburbs, and accurate figures simply don't exist. The figure is put at between 100 000 and 200 000 — but it could be a lot more.

Apart from the obvious "grey areas" — Hillbrow and Woodstock being commonly cited — there has been a substantial influx of black families — for example, in Mayfair, Bertrams, Bezuidenhout Valley, Berea, Jeppe (all suburbs of Johannesburg) and Benoni in the Transvaal; Mowbray, Lansdowne and Kalk Bay in the Cape, and Greyville, Albert Park and Umbilo in Durban.

Discover the ARAMIS
DEVIN
ADVENTURE
PACK

BITTER GROUP AREAS BATTLE LOOMS

By **LESTER VENTER**
Political
Correspondent



5 Times
2/10/78

THE Government goes into two highly charged parliamentary debates this week with its ranks divided on the bitterly controversial Squatters and Group Areas Bills.

However, while many NP members will be wrestling with their consciences, they are expected to jump into line when the time comes to vote. Party whips do not expect any defections.

Inside Parliament the measures will be fiercely resisted by all Opposition groups.

The Bills will be voted down in the coloured and

COMMENT

Still time
to call
a halt

SUDDENLY, South Africa is confronted by a trilogy of Bills straight out of the darkest days of apartheid. Authorities will be armed with

Indian chambers — and the Government will then be compelled to force them into law via the President's Council, where the NP has a majority.

Outside of Parliament, the Bills have run into unprecedented opposition, with respected bodies ranging from the Urban Foundation and Assocom to the Jewish Board of Deputies appealing to President Botha to shelve this draconian plan to eject people living outside racially designated areas.

They were joined this weekend by financiers Dr Anton Rupert and Mr Harry Oppenheimer.

The leading Afrikaans dai-

terly controversial Squatters and Group Areas Bills.

However, while many NP members will be wrestling with their consciences, they are expected to jump into line when the time comes to vote. Party whips do not expect any defections. Inside Parliament the measures will be fiercely resisted by all Opposition groups.

The Bills will be voted down in the coloured and Indian chambers — and the Government will then be compelled to force them into law via the President's Council, where the NP has a majority.

COMMENT

Still time to call a halt

SUDDENLY, South Africa is confronted by a trilogy of Bills straight out of the darkest ages of apartheid. Authorities will be armed with powers to summarily evict thousands, perhaps millions of wretched people from the places they choose to call home.

Abroad, the ranks of sanctioneers can scarce forbear to cheer. They have a lethal new stick with which to thrash us.

At home, community relations are imperilled and tensions — only barely controlled by the state of emergency — will revive.

Whatever happened to President Botha's exhortation that we should adapt or perish?

Why must the legal process be distorted, property seized, witch-hunters licensed and countless people be rendered homeless?

Monstrous

Why must officials interfere with the manner in which people seek shelter, a process which civilised societies are content to leave to human nature and economics?

The answer is simple. The Government, having failed to educate its followers, is losing its nerve. Mr Botha detects white resistance to residential mixing — so he does the Conservative Party's work.

It is not too late for him (and his troubled, divided MPs) to heed the pleas of responsible community, business, church and international figures and to shelve his plans.

With all its deficiencies, even the present system of racial zoning (and the blind eye it permits) is better than the monstrous new scheme.

President Botha should fight the verkrampes — not join them.

Outside of Parliament, the Bills have run into unprecedented opposition, with respected bodies ranging from the Urban Foundation and Assocom to the Jewish Board of Deputies appealing to President Botha to shelve this draconian plan to eject people living outside racially designated areas.

They were joined this weekend by financiers Dr Anton Rupert and Mr Harry Oppenheimer.

The leading Afrikaans daily newspaper, Beeld, has openly urged Mr Botha to hold back, thus inviting the wrath of the State President on the editor's head.

Qualms

Troubled Nat MPs have got the message — hold ranks, or else.

Many will do so with serious reservations about the morality of the legislation. None are likely to spell out their qualms in debate.

However, many MPs have expressed disquiet in confidential discussions with associates. By this week it was common knowledge among MPs of all parties that not all Nationalists fully supported the proposed laws.

While most support the idea of racially differentiated residential areas, many are deeply concerned about the morality of legislation that will:

- ⊙ Cause the eviction of countless families from their homes
- ⊙ Remove the onus on authorities to provide victims with alternative housing
- ⊙ Open the way for "snooper" persecution of "disqualified" residents, and
- ⊙ Lessen the already meagre hopes of SA's estimated five-million homeless for shelter where they will not be molested.

Elections

Behind the MPs' fears lies the uncomfortable belief that the Government has been goaded into old-style apartheid laws by taunts from right-wing whites.

If the laws are passed, as seems certain, observers expect the Government to act on them before it faces the Conservative Party in a tough contest in October's municipal elections.

When approached by the Sunday Times, many Nationalist MPs simply refused to discuss their personal views on the Group Areas, Squat-

By SOPHIE TEMA

PROPOSED new controls under the Prevention of Illegal Squatting Amendment Bill - to be introduced when Parliament reconvenes next week - are likely to promote conflict and pose a threat to urban stability.

This was revealed in evidence submitted by the South African Catholic Bishops' Conference, the South African Institute of Race Relations and other community organisations to the parliamentary committee examining the Bill.

The legislation was introduced by Constitutional Development and Planning Minister Chris Heunis.

The SACBC said Bills dealing with squatters, slums and the Group Areas Act threaten hundreds of thousands of poor people

Bills likely to cause conflict

Laws could jeopardise urban stability

2/8/88
Chris Heunis

with immense distress and privation and will intensify South Africa's acute homelessness problem.

It emphasised that the Bill would make eviction of squatters virtually compulsory and re-introduced influx control in a more severe form.

It reintroduced the

State's power to remove any group, tribe, or black person from any area to another.

The SACBC estimates that at least two million people will be deprived of whatever security and shelter they presently have.

The Group Areas Amendment Bill makes it possible for people to be evicted without provision of alternative accommodation.

The Slum Bill, by removing all existing procedures, will leave people defenceless against arbitrary orders by local authorities to vacate.

It is estimated that at present five million people have no place to live.

The harsh penalties proposed will deter people of goodwill from coming to their aid and the courts can offer little or no protection.

The SAIRR said squatters evicted from their shacks would not leave the cities they regarded as home, but would simply remain and build new shacks.

"The Bill is an attempt to counter controlled squatting by ensuring that urbanisation remains orderly," the SAIRR said.

"It partly recognises the



Chris Heunis... introduced Bill.

inevitability of black urbanisation by allowing the authorities to allocate more land for approved squatting, but also intro-

duces new controls which seek to prevent people living on land or in buildings which are not allocated to them.

"Our research suggests that these controls are likely to prompt conflict which would pose a greater threat to stability than squatting does - and that they are likely to achieve their aim."

Perhaps the best example was in the Western Cape during the 1970s and 1980s when the authorities condoned the Crossroads squatter camp but then sought to use strict controls, including repeated demolition of squatter dwellings, to limit its growth.

"In a series of interviews, the SAIRR found that officials involved in implementing this policy agreed that it had failed because it was attempting the impossible, in that squatters were so determined to live in the cities that no sooner had they been removed than they returned."

One common misconception about squatters is that most are people from rural areas who streamed to the cities when the pass laws were abolished.

Research has shown that most squatters are long-standing city-dwellers who have been unable to find housing in the townships.

All townships in the PWV area have several thousand families on the waiting lists and many of these people have resorted to squatting. If they are evicted they will not leave the cities, which they regard as their homes, but will instead build new shacks.

A second misconception is that most squatters are housed in squatter camps. Actually, most live in shacks in the backyards of township houses which have been sub-let by tenants or registered owners.

"The phenomenon is so widespread that any attempt to act against shack-dwellers will require action against the majority of settled township homeowners and tenants, but this will pose a major threat to stability."

Research has also shown that people are squatting because they have no alternative. While the right of black people to live in the cities has been acknowledged, they have not been allocated enough housing land.

A further reason for the growth of squatting is that most black people cannot afford even low-income housing.



Jan Steyn

Govt warned on draft legislation

21/8/88

CP 22

80 ~~205~~

By SOPHIE TEMA

IT is not time for the government to put forward contentious legislation which would cause controversy, especially as South Africa is entering a period of escalating stress with the approach of the October municipal elections.

This was the warning sounded by Urban Foundation chairman Jan Steyn at the organisation's AGM, where he urged the government to suspend imple-

Group areas and squatter bills slammed

mentation of draft bills on racial zoning and squatting.

Steyn said the proposed legislation on group areas, squatters and slums - due to be tabled in Parliament soon - were the cause of "deep concern".

He added, however, that the bills did contain some positive features. These were:

- The Free Settlement Areas Amendment Bill, which provides for the creation of open areas.
- Clauses in the Prevention of Illegal Squating Amendment Bill which provide for temporary and permanent informal settlements.

Steyn said these positive elements were regrettably more than counter-balanced as the overwhelming negative provisions were "futile attempts to erect bulwarks against the pressures of overcrowding, lack of housing and the stress of frustrated aspirations of black people".

"Not only would they delay the emergence of a fully developed South African city, but they would also deeply injure race relations and refuel the external sanctions campaign.

"Worst of all, not only will these bills not achieve what the government wishes to achieve, they will also strengthen reactionary forces." Steyn said the country was entering a "period of escalating stress" around the October elections which would generate tensions on the right and left.

"I do not believe that this is the time to venture on racial zoning and informal settlements which will create controversy.

"I would urge that South Africans should be given a breathing space during which, hopefully, wiser counsel will be given an opportunity to prevail," Steyn added.

Changes in pipeline, say Nats

Govt likely to soften Areas Bill

80 22/8/88 B/Daw

CHANGES to the controversial Group Areas Amendment Bill to be tabled in Parliament this week were in the pipeline, NP sources said at the weekend.

They said government was backing down in the face of dissension in its own ranks and criticism from opposition groups and the business sector, including the Urban Foundation and Assocom.

The proposed changes were intended to "soften" the harsh eviction measures drafted in the Bill.

On the cards was a provision for ministerial discretion to pass final judgment on the eviction of offenders, sources said.

The proposed ministerial discretion would qualify the wide powers vested in magistrates to order eviction where property was illegally occupied, as proposed in the Bill.

Closes loophole

The use of magistrates for inquiries into alleged "illegal" occupation or ownership of premises, and the removal of any judicial discretion from them, has been severely criticised.

The effect of the draft legislation was to close the "loophole" in the Group Areas Act (GAA) created by judgment in the Govender case, in terms of which people could not be evicted unless alternative accommodation was available.

NP sources said the proposed changes

ELSABÉ WESSELS

were motivated by the nature of the legislation which they described as "policy legislation" as opposed to common or criminal law.

The feeling was that government should take responsibility for the enforcement of political legislation, to protect the courts from being placed in an "impossible position".

The changes, proposed by NP MP Ters Delport, could not be put forward by Delport when the Constitutional Joint Committee met in Pretoria last week, sources said.

The committee failed to reach consensus on the desirability of the trilogy of Bills, including the Free Settlement Areas Bill and the Local Government Affairs in Free Settlement Areas Bill.

The desirability of the Group Areas Amendment Bill was voted down by opposition members on the joint committee and this prevented further amendments to the Bill, scheduled for tabling on Friday.

Delport was not available for comment yesterday.

The Group Areas Amendment Bill, which makes provision for the eviction of residents and the expropriation of property occupied by people of the "wrong" racial group, has been widely condemned.

Prominent businessmen, including

● To Page 2 →

Govt soft-pedals on Group Areas Bill

2-2/8/88
80 ← Harry Oppenheimer and Anton Rupert, joined the chorus of protest against the proposed legislation at the weekend.

Oppenheimer and Rupert, respectively president and vice-president of the Urban Foundation, warned in a statement that if government went ahead, the Bills would damage race relations and fuel the campaign overseas for further punitive sanctions.

Despite opposition, government appears determined to have the Bills rati-

80 ← ● From Page 1 B/Daw
fied during Parliament's present session.

Constitutional Development and Planning Deputy Minister Roelf Meyer has stated repeatedly that the Bills would be referred to the NP-dominated President's Council for approval if voted out in the Indian and coloured Houses.

Meyer could not be contacted for comment yesterday.

Evictions 'will be no longer mandatory but discretionary'

Govt to tone down Areas Bills

Cape Town

The Government is to tone down its proposed amendments to the Group Areas Act, but the draft legislation will still drastically toughen the existing law.

Further amendments to the Group Areas Act Amendment Bill are likely to be introduced in Parliament today or tomorrow.

It is understood that the Government has spotted the dangers inherent in its original proposed changes.

Whereas it had planned to make it mandatory for magistrates to order the evictions of people living illegally in the areas of groups other than their own, the new system now proposes to make such evictions at the discretion of the Minister in charge of the particular group area.

It will therefore be up to each group's own affairs administration (whites, coloureds or Indians) to decide whether any offenders in their areas should be evicted.

It was understood today the Government had decided to change its proposed legislation when it became clear there would be problems with a clause which provided for mandatory evictions.

The Conservative Party had already declared it would be seeking out offenders in white areas for such action.

By giving discretionary powers to the Minister, the issue

**By David Braun,
Political
Correspondent**

remains heavily politicised, but at least the Government is able to control the situation, particularly in areas such as Hillbrow and parts of Mayfair, where wholesale evictions would cause general chaos.

The Government also plans to use the new powers to evict people only where alternative accommodation is available.

The Government stands alone in the special sitting.

The two-week sitting starting today, which winds up this year's session of Parliament, is expected to be the most confrontational and acrimonious since the tricameral system was launched in September 1984.

Most of the parliamentary parties held their caucus meetings this morning to discuss their strategies and tactics for the sitting.

The sitting has been called primarily to process a trilogy of draft laws affecting group areas.

These are:

● The Free Settlement Areas Bill, to provide for residential areas where people of all race groups may own and occupy property.

● A related Bill to provide for local authorities in free settlement areas, and:

● Legislation to tighten the Group Areas Act, drastically increasing penalties and making it possible for the authorities to evict offenders.

The Labour Party has already declared it will not be supporting any of these Bills, and it has threatened to withhold its co-operation on all other legislation unless the Group Areas Act is scrapped in its entirety.

Labour has further threatened to withdraw from Parliament altogether at the end of the year if group areas legislation is still on the statute book.

Government leaders have already made it clear they will use the President's Council to force the National Party's way.

The Bills are therefore likely to be passed with the support of less than half of all the MPs.

Newspapers' plea to Govt

Political Reporter

South Africa's three major Afrikaans newspapers have appealed to the Government to reconsider the stringent amendments to group areas legislation scheduled to be debated in Parliament next week.

During the weekend Nasionale Pers's political columnist Dawie raised the topic in the Cape Town newspaper *Die Burger*, while the Sunday newspaper *Rapport* said in a leading article there was deep concern about the implementation of the legislation. In its proposed form severe damage would be done to inter-group relations.

Dawie said the main aim of group areas legislation should be to make South Africa a place in which no person felt threatened or wronged by others.

Nasionale's Transvaal morning newspaper *Beeld* reiterated today its call that the legislation should be postponed until the implications were thoroughly weighed. It vowed to be "the forefighter against the conservative onslaught".

ARGUS 22/8/88
80

Harsh clauses in new Areas Bill changed

By TOS WENTZEL, Political Correspondent

THE edge is being taken off some of the harsh amendments tightening up the Group Areas Act, according to an announcement today by the Minister of Constitutional Development and Planning, Mr Chris Heunis.

One of the changes in a new Group Areas Amendment Bill published today is that the Minister is being given discretionary powers in possible action against people living in areas not demarcated for their race group.

A clause in the original Bill compelled a court to issue an eviction order after an illegal occupant had been found guilty.

This was meant to over-ride court decisions that alternative accommodation had to be available.

Mr Heunis maintained today that the discretionary power now being given to the Minister made it possible to take into account the availability of alternative housing and other humane considerations before the eviction of an illegal occupant was ordered.

Another adaptation of the original Bill is aimed at making stipulations to stabilise land prices in new group areas more practicable.

The new Bill does not diminish or change the fines and terms of imprisonment (maximum R10 000 or five years) contained in the first Bill, Sapa reports.

Mr Heunis said comment received since the original Bill had been introduced in July and evidence laid before the Joint Standing Committee had made it necessary to introduce changes to the Bill.

See page 3.

Afrikaans Press ^{22/8/88} appeals for change

The Argus Correspondent

JOHANNESBURG. — South Africa's three major Afrikaans newspapers have appealed to the government to reconsider the stringent amendments to group areas legislation scheduled to be debated in Parliament this session.

At the weekend, Nasionale Pers's political columnist Dawie raised the topic in Nasionale's Cape Town newspaper Die Burger, while the Sunday newspaper Rapport said in a leading article that there was deep concern about the implementation of the legislation.

Nasionale's Transvaal morning newspaper Beeld today repeated its call that the legislation should be postponed until the implications were thoroughly weighed.

Last week, State President PW Botha lashed out at the paper's editor, Mr Willem Wepener, over his "irresponsible" handling of contentious political issues.

NO ALTERNATIVE

But Mr Wepener responded by saying that the Afrikaans press more than ever carried the obligation to criticise the government responsibly.

"This is so because there presently is no alternative to the National Party government. If the National Party has

to disappear, which party will replace it?"

He firmly stated that Nasionale Pers, although loyal to the government, was not its servant.

"One should never confuse Nationalism with patriotism," he said, adding that South Africa's interests weighed heavier than those of the government.

"One should not bluff oneself by simply attributing South Africa's problems to the vindictiveness of the world. We ourselves are responsible for most of the problems. And the Afrikaans press, more than anyone else, should point that out."

EFFECTS

Dawie said the main aim of group areas legislation should be to make South Africa a liveable place in which no person felt threatened or wronged by others. The proposed legislation should be altered to make it more "human".

Rapport said the Group Areas Amendment Bill should be reconsidered. If it was to be implemented in its proposed form it would have almost incalculable effects.

Severe damage would be done to group relations if people of colour were to be evicted from white areas — people, the paper said, who often did not have any other home because of the housing shortage.

D-day for

CAP- Tim's 22/8/88

govt's 3

so

race bills

By BARRY STREEK
Political Staff

THE government is set on steamrolling its controversial trilogy of bills on the Group Areas Act through Parliament when it reopens today for a short session — in spite of widespread opposition to the proposed measures and serious implications for the tricameral system.

National Party MPs and members of the cabinet are convinced that unless the government is seen to be enforcing racial segregation in residential areas, the NP will suffer at the polls from a white backlash, particularly

during the October 26 municipal elections.

Though there has been some speculation that some of the provisions of the Group Areas Amendment Bill, which is aimed at giving more teeth to the enforcement of the law, may be changed, particularly in regard to the eviction clauses, the government is determined to push ahead with the measures.

However, our Johannesburg correspondent reports that changes to the controversial Group Areas Amendment Bill are in the pipeline, NP sources said at the weekend.

They said government is backing down in the face of dissension in its own ranks as well as as fierce criticism from opposition groups and the business sector, including the Urban Foundation and Assocom.

The proposed changes are intended

To page 2

Parachutist killed

Own Correspondent

MARITZBURG. — A young Durban parachutist, Mr Victor Malec, 24, plunged to his death from about 3 050 metres after colliding with another parachutist during a jump over Oribi Airport yesterday.

Mr Malec is thought to have lost consciousness and was thus unable to release his parachute.

The other parachutist involved landed unhurt.

500 killed in P.T.O

Crisis for tricameral system

23/8/88

Two Houses walk out on Areas Bills

Bl Day 80

CAPE TOWN — The tricameral Parliament could be heading for collapse if President P W Botha forces the "trilogy" of controversial Group Areas Bills through the President's Council (PC).

Government looked set to push ahead with the amending Bills during the current two-week session of Parliament, although Constitutional Development and Planning Minister Chris Heunis yesterday announced the Group Areas Act (GAA) Amendment Bill tabled in June had been withdrawn and would be replaced today with a revised version.

Majority parties in the House of Representatives and House of Delegates, which are boycotting the Bill along with two others amending the GAA, yesterday said pushing the legislation through the PC would make a mockery of democracy and they would have to reconsider their continued participation in the tricameral system.

There was also talk of resorting to a

Political Staff

campaign of Gandhian passive resistance.

The House of Representatives has effectively walked out of Parliament until next year and the House of Delegates voted unanimously to delay debating the Bills until February.

However, in terms of the constitution, once the NP-dominated House of Assembly has passed them, Botha could order the other two Houses to deal with the Bills within 14 days. If they fail to do so, he could refer them to the NP-dominated PC for approval.

However, in the long term there could be serious consequences for the credibility of the tricameral system and for the National Council, which is supposed to attract blacks into the constitutional reform process.

With mounting opposition to the mea-

● To Page 2

Two Houses boycott Group Areas Bills

Botha was accused yesterday of disregarding the will of the elected representatives of two Houses of Parliament and the feelings of tens of thousands of people who would be affected by the measures.

Botha was challenged by spokesmen of both Houses, LP leader Allan Hendrickse and House of Delegates chairman Salam Abram Mayet to hold a referendum to see how coloured and Indian people felt about the Group Areas Act.

Both rejected Botha's claim there would be 70% support for the retention of the Act.

Asked if they would continue in the tricameral system if Botha pushed through the legislation, Hendrickse and Environment Affairs Deputy Minister Somaroo Pachal said it was a matter to be considered.

Hendrickse said it would be dealt with at the LP's national conference in December and Pachal, speaking for the People's Party, which is in a majority alliance with Solidarity, said it was one of the options to be considered.

Pachal said: "We may have to go back to the Gandhian days of passive resistance. We may have to sit in the streets."

The House of Representatives voted unanimously to take part only in tomorrow's joint debate on Angolan/Namibian peace talks and to adjourn proceedings for the rest of the two-week session.

Meanwhile, government's substitute GAA Amendment Bill was met with equally wide condemnation as the original, ELISABÉ WESSELS reports.

The Bill ignored basic legal principles and had no place in a civilised legal system, the Association of Law Societies

said yesterday.

The amended Bill now makes the Ministers of Housing of the three Houses responsible for exercising their discretionary power in the eviction of Group Areas transgressors.

PFP MP and Group Areas spokesman Trian van der Merwe and Actstop spokesman Mohammed Dangor described the amended Bill as "retrogressive".

"It removes all the discretion from the courts and places it with a Minister who is a political functionary," Dangor said.

Urban Foundation (UF) executive chairman Jan Steyn last night reiterated his call for deferment of the Bill and described the changes as "not the appropriate way of dealing with issues as fundamental as those at stake".

Steyn said the UF welcomed the fact government had recognised the need for humane considerations and fairness to be taken into account when assessing the provisions of the Bill, but much of its remaining contents could be criticised on this score.

Lawyers for Human Rights national director Brian Currin said unless the Minister's discretionary power could be taken on review to the Supreme Court the new Bill was not a softening of the proposed legislation.

Constitutional Development and Planning Deputy Minister Koelf Meyer yesterday described the entrenchment of a ministerial discretion in the eviction of Group Areas Act transgressors as the major change to the Bill.

Bo E/Deleg 23/8/88

From Page 1

NP has a death wish, says Suzman

Government lashed over squatting Bill

The Government was listening to the demands of the lowest common denominator — the racist — in pushing through the Prevention of Illegal Squatting Amendment Bill, Mrs Helen Suzman (PFP Houghton) said in the House of Assembly yesterday.

Opposing the second reading of the Bill, she said that by forcing this and other Bills on to the statute book through the National Party-dominated President's Council, as it would have to do, the NP was confirming her belief, stated years ago, that the party had a death wish.

"To do so when the country is facing increased isolation, when the United States Senate is in the process of passing the most far-reaching sanctions Bill against South Africa, when race relations at home are at their lowest ebb, can only be the suicidal action of a government that no longer cares if it or South Africa survives," she said.

The increased penalties for illegal squatting defined in the Bill would in no way change or offset the social problems — such as severe poverty, unemployment and housing shortages — that were linked to squatting.

Instead, they might reinforce poverty cycles by jailing or fining breadwinners among the squatters.

Black urbanisation was a fact, black residential areas were overpopulated, and it was imperative that new and authorised informal settlement on undeveloped land be created at a pace and scale commensurate with the actual volume of need.

"This Bill will in no way deal with the huge problem facing South Africa — we have got to have further areas set aside for site and service.

"The sooner the Government goes ahead with massive schemes for infrastructure on site-and-service schemes, provision of reticulated water and water-borne sewage, the better for South Africa," Mrs Suzman said.

Also speaking during the second reading debate on the Bill, Mr Roger Burrows (PFP Pinetown) and the leader of the National Democratic Movement, Mr Wynand Malan (Randburg), both said the squatting problem would not be solved until the Government was compelled to provide alternative land to illegal squatters.

Mr Burrows asked for a guarantee from the Government that some land was available and added that the measure was unenforceable "because the Government will have to ask another agency to enforce it".

Mr Malan said the focus of the Bill was on the action directed at squatters.

"It is the old shotgun and pigeons story: keep the pigeons in the air, don't let them settle.

"But the fact of the matter is that they must settle somewhere."

Mr Malan added that every person needed security of tenure, "even if he has to live under a piece of plastic".

"I want to predict that if this Bill is passed in this form, people will literally invade areas in vast numbers in their dire need to acquire a place to live," Mr Malan said. — Sapa.

Group Areas Bill is 'uncivilised' lawyers

Star 23/8/68

By Esmaré van der Merwe,
Political Reporter

Aspects of the proposed Group Areas Amendment Bill had no place in a civilised legal system, according to the Association of Law Societies, an umbrella organisation of law societies in South Africa.

Adding its voice to scores of politicians, organisations and businessmen who have condemned the stringent trilogy of group areas legislation, the association said the far-reaching powers given to the Minister of Constitutional Development and Planning and to magistrates were of particular concern.

The association's chairman, Mr Keith Wilson, yesterday released a memorandum which had been submitted to Parliament's standing committee on constitutional development. Representatives of the association had also given verbal evidence to the committee.

The memorandum highlighted several unjustifiable procedures

contained in the legislation.

It stated that decisions on whether a particular law had been contravened, and the application of any sanction attached to such a contravention, should rest with the judicial authority and not the executive authority.

It also objected to a clause in the proposed legislation empowering the Minister to sell properties which were unlawfully occupied, and not only unlawfully owned. The decision on whether a property was unlawfully owned or occupied should rest with a court of law, it said.

Another clause, authorising a magistrate to evict people if they illegally occupied premises, "does not belong in a well ordered legal system", the association said.

It also requested an amendment to the Amendment Bill to allow any lawyer, regardless of race or colour, to practise in any premises suitable in terms of town planning requirements.

Change in Areas Bill

80

23/8/88 Sewejan

THE Minister of Constitutional Development and Planning, Mr Chris Heunis, announced yesterday that he was withdrawing the Group Areas Amendment Bill which was rejected in the Parliamentary Joint Standing Committee.

He said he would introduce a new amendment Bill which would make provision for ministerial discretion.

"This will bring about that the availability of alternative accommodation and other humanitarian considerations can be taken into account before an eviction," he said in a statement issued yesterday.

Other measures included in the new Bill were aimed at making the conditions for stabilising land values in group areas more practicable.

The new Bill does not diminish or change the fines and terms of imprisonment (maximum R10 000 or five years) contained in the first Bill.

The Minister said comment received since the original Bill was



Mr CHRIS Heunis

introduced in July and evidence laid down before the joint standing committee had made it necessary to introduce changes to the Bill.

In the normal course of events this would have been done in the committee, but as the committee could not agree on the principle, the desirability of the Bill, the changes could not be considered.

Amended bill in current session

CAG 7/10/83 23/8/88
80
357

By BARRY STREEK
Political Staff

THE controversial Group Areas Amendment Bill, which is aimed at giving the government greater powers to prevent unauthorized racial mixing in residential areas, will go through Parliament during the short session, which began yesterday.

But the bill, which has been widely criticized, is to be amended to give the Minister of Constitutional Development the discretion to decide whether people should be evicted from a property in terms of the Group Areas Act after an investigation by a magistrate.

At a press conference yesterday, held before the House of Representatives and House of Delegates decided to refuse to debate the Group Areas trilogy of bills, the Deputy Minister of Constitutional Development and Planning, Mr Roelf Meyer, confirmed that the Group Areas Amendment Bill would be debated during the current short session.

Mr Meyer stressed: "The basis of the bill is still the same."

However, from the government's point of view, the proposed amendments would make the changed law "more effective and more reasonable".

The first priority of any government was to provide accommodation for its people and it was not the intention of the government to evict people who

did not have alternative accommodation, but it would act against people who defied the law.

Many people were contravening the law in spite of the availability of alternative accommodation.

Mr Meyer dismissed press reports that more than 100 000 people could be evicted once the bill was passed as "unjustifiable".

In a press statement, the Minister of Constitutional Development and Planning, Mr Chris Heunis, said the discretionary powers, as provided in the amendments, enabled "the availability of alternative housing and other humane considerations to be taken into consideration before an eviction of an offender is ordered".

The amendments were essential in the light of comments and evidence.

The original bill provided for an investigation by a magistrate and if he found there was illegal occupation, he had to issue an eviction order.

In terms of the proposed amendments, the Minister or a local authority could ask for an investigation and the Minister could take action on the basis of the magistrate's findings.

The Minister could only order the sale of a property or issue an eviction after the offender had been given three months to rectify the position.

The other amendment to the original bill makes provision for the valuation of property by the Board for Land Affairs to prevent speculation and unaffordable increases in essential township development.

copy Times 23/1/88 80/32

Govt hears racists on bill

HOUSE OF ASSEMBLY. — The government was listening to the demands of the lowest common denominator — the racist — in pushing through the Prevention of Illegal Squatting Amendment Bill, Mrs Helen Suzman (PFP Houghton) said yesterday.

Opposing the Second Reading of the bill, she said the government should instead start listening to the opinions of the creators of wealth and jobs in South Africa — who are opposed to the legislation.

The Joint Committee on the bill had heard evidence from 23 organizations and individuals, including some of the most important business, financial and legal institutions in the country.

Of the 23, 16 had unequivocally opposed the bill, while the seven that supported it had not done so unequivocally, with the exception of

provincial administrations.

Introducing the Second Reading debate on the bill, the Deputy Minister of Constitutional Development and Planning, Mr Roelf Meyer, said squatting was an urbanization problem, not one of race.

He said the government was seeking a workable solution to the problem to that would not only ensure orderly urbanization, but also address the plight of the people concerned.

"Squatting is an emotional issue in any society," Mr Meyer said.

"The government accepts that people migrate to where more and better opportunities exist — especially the urban areas."

The new arrivals were not always in a position to become part of the urban structure immediately and established themselves in squatter communities. — Sapa

CALC TRIPS 23/8/88

SA lawmen slam Group Areas bill

Own Correspondent 80

JOHANNESBURG. — The Group Areas Amendment Bill ignored basic legal principles and had no place in a civilized legal system, the Association of Law Societies (ALS) said yesterday.

The government's substitution yesterday of the Group Areas Amendment Bill, announced last month, with a new amended version was met with as wide condemnation as the original bill.

The amended bill now makes the ministers of housing of the three Houses responsible for exercising their discretionary power in the eviction of Group Areas transgressors.

'No improvement'

PFP MP and Group Areas spokesman Mr Tian van der Merwe and Actstop spokesman Mr Mohammed Dangor described the amended bill as "retrogressive". "It removes all the discretion from the courts and places it with a minister who is a political functionary and who must respond to political pressures," Mr Dangor said.

Mr Van der Merwe said the new amendments offered no improvement on the stringent measures proposed in the original bill.

Urban Foundation executive chairman Mr Jan Steyn last night reiterated his call for the deferment of the bill and described the changes as "not the appropriate way of dealing with issues as fundamental as those at stake". The legislation remained fundamentally flawed, he said.

Parties threaten

GRE Tuis 23/1988

Boycott threat over race bills

By ANTHONY JOHNSON
Political Correspondent

THE tricameral Parliament was last night threatened with collapse after a revolt by majority parties in both the coloured and Indian Houses over government attempts to steamroller the controversial trilogy of group areas bills into law.

Both Houses yesterday served notice of an effective boycott of Parliament if President P W Botha went ahead with plans to bludgeon the racist legislation through the NP-dominated President's Council.

The latest credibility crisis facing the government came amid accusations from the coloured and Indian Houses completely ignored our representing them "with contempt" and that its "autocratic" attitudes and actions were making "a mockery" of joint decision-making and democracy.

Spokesman from both Houses yesterday indicated that continued participation in the system would now be reconsidered.

The claim last week by Mr Botha that 70% of South Africans supported the Group Areas Act was described as a "ridic-

Amended bill in current session, See PAGE 5

ulous assertion" and MPs in both Houses challenged him to hold a referendum on the issue.

However, once the House of Assembly has approved the bills, Mr Botha can call on the other two Houses to deal with them within 14 days. If they fail to do so, the measures will, in terms of the constitution, be deemed rejected, after which they can be referred to the President's Council for approval.

Speaking at a press conference after the majority Labour Party adjourned just a few minutes after the start of the



FAMILY PHOTOGRAPH . . . The Duke and Duchess of York hold their two-week-old daughter named Princess Beatrice Elizabeth Mary for the first official family photograph yesterday. The photograph was taken by Prince Andrew at Balmoral. A royal tradition maintained, report page 2.

Picture: REUTERS

P.T.O

Tricameral

Row over group areas puts Labour Party's future participation

MSG S
23/8/88
80

Using the Turbo system
 • Basic language element
 • Basic scalar types
 • User defined language e
 • Programme heading & p
 • Expressions & statemen
 • Scalar & sub-range type
 • set, file types, typed con
 • Procedures & functions
 • Service & file i/o
DURATION AND STARTIN
PART-TIME: 10 weeks
 Tuesday and Thursday Evening
 18h00 — 21h00
 Commencing: September 13 11
 Basic Programming Courses als
ENQUIRIES: (021) 25-2227

By TOS WENTZEL
 Political Correspondent

Squatting

There was especially sharp criticism from the Labour Party yesterday about the role of the President's Council, whose nominated Nationalist members can override the wishes of elected members of Parliament.

The council might now have to pass a number of Bills apart from the trilogy on group areas.

In addition, there are Bills dealing with slum clearance, squatting, roads, local government and liquor on the order paper.

The Labour Party has also been sharply critical of the government's refusal to discuss constitutional reform with it.

Smokescreen

The Rev Allan Hendrickse, leader of the Labour Party, said yesterday that the party had expected a *quid pro quo* from the government after it had supported the National Council Bill.

The Minister of Constitutional Development, Mr Chris Heunis, said today that this was a smokescreen.

There had never been any talk of a *quid pro quo*. The Labour Party had supported the Bill because it was convinced that it was the right step.

After that it was sharply criticised by certain quarters and it had said that it would not support further legislation until he (Mr Heunis) spelled out the future constitutional road.

● See pages 4, 6 and 13.

THE tricameral system today faced its greatest crisis yet following decisions by the Houses of Representatives and Delegates not to deal with legislation, including group areas measures, in the short session of Parliament.

The future participation of the Labour Party in the system is in the balance. President Botha will have to use the President's Council to push through group areas legislation now supported only by the National Party.

Not even the Conservative Party supports the legislation, although its objections are different to those of other parties. The House of Representatives will adjourn until the last day of the session, September 2, and the House of Delegates has decided to suspend discussion of all legislation until February.

The two Houses will take part only in tomorrow's joint session on peace plans for S.W.A./Namibia.

Rejected

Meanwhile, the Delegates will remain in session to consider reports of a House committee into allegations of maladministration which was appointed earlier this session. President Botha will now have to decide on further moves.

In terms of the Constitution he can serve notice on any of the Houses to consider a part of legislation in not less than a fortnight.

If this is not done he can deem the matter to have been rejected by the House. It can then be referred to the President's Council for confirmation, after which it is forwarded to the President for his signature and becomes law.

There has not yet been any reaction from the President, but the government is said to be keen to get the group areas legislation on to the statute book as soon as possible.

Mr R M BURROWS: Mr Chairman, arising from the reply of the hon the Minister, may I ask him whether, in view of the fact that this formula has, in part, been used for the past two budgetary years, he does not consider himself under an obligation to lay the formula upon the Table?

The MINISTER: Mr Chairman, I made it quite clear that the formula has been used as a framework within which allocations are made. It has not yet been determined as general policy. I have made some progress with regard to the negotiation process. I have negotiated with all Ministers involved in education and I have obviously also had consultations with the hon the Minister of Finance. I have his agreement in principle but only on its finalisation as general education policy can and will the formula be made public. Until such time, while I am still engaged in the negotiation process, amendments to the formula may be effected.

Mr R M BURROWS: Mr Chairman, arising further from the hon the Minister's reply, could he give us an indication as to when this formula will be finalised?

The MINISTER: Mr Chairman, I am trying to finalise it as soon as possible. In the meantime, by using it as a framework, we are gaining invaluable experience with regard to the empirical implementation of this formula. It is not easy to determine such a formula because in the final analysis such a formula must be capable of accommodating all the needs of all the population groups in a meaningful, just and equitable manner. At this stage we are once again looking at certain aspects which are causing problems in practice.

Group Areas Act: removal of restrictions on shopping centres

*8. Mr R M BURROWS asked the Minister of Constitutional Development and Planning:

- (1) Whether he, his Department or any provincial administration has received any representations for the removal of Group Areas Act restrictions on shopping centres which are not contiguous to central business districts; if so, (a) from what bodies or persons and (b) what was the (i) gist of these representations and (ii) response thereto;

- (2) whether shopping centres and central

business districts are dealt with in the same manner for purposes of deproclamation; if not, why not;

- (3) whether his Department or any provincial administration has granted free trading status to any shopping centre areas; if not, why not;

- (4) whether he will make a statement on the matter?

†The DEPUTY MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

- (1) Yes.

- (a) From local authorities and private bodies.

- (b) (i) Representations for the proclamation of shopping centres which are aimed at regional and local needs as free trading areas.

(ii) Subject to certain criteria, the requests are advertised for investigation by the Group Areas Board. It is, however, government policy that only central business areas and regional shopping centres, which serve the shopping public on a regional basis, be declared as free trading areas.

- (2) No, see reply 1(b)(ii) above.

- (3) Yes.

Free trading status has already been granted to central business areas and regional shopping centres in 72 cities and towns.

- (4) No.

Municipal elections advertisement

*9. Mr P G SOAL asked the Minister of Information, Broadcasting Services and the Film Industry:

- (1) (a) Who drafted the text of the advertisement encouraging people to register for the October municipal elections and which appeared in certain newspapers on 21 June 1988, (b) what was the total cost of the advertisement, (c) from what account was the advertisement financed, (d) in which publications did it appear and (e)

what was the purpose of placing the advertisement;

- (2) whether all information contained in the advertisement was correct; if not, (a) why not and (b) what errors did it contain;

- (3) whether any broadcast media were informed of the advertisement; if so, (a) which media and (b) when?

The MINISTER OF INFORMATION, BROADCASTING SERVICES AND THE FILM INDUSTRY:

- (1) (a) An advertising agency, but the final responsibility of course rests with the Bureau for Information.

- (b) R34 916,70.

- (c) Advertising budget — Bureau for Information.

- (d) Transvaal: Sowetan, Vaderland, Transvaler, The Star, Pretoria News, Citizen, Beeld.

Natal: Daily News.

OFS: Die Volksblad.

- (e) To inform the public about registering for the municipal elections.

- (2) Yes, regarding the area to which it was targeted, at the time of going to press.

- (a) Not applicable.

- (b) Not applicable.

- (3) Yes.

- (a) SABC.

- (b) 9 June 1988.

Mr P G SOAL: Mr Chairman, arising out of the reply of the hon the Minister, he mentioned in answer to paragraph (2) that the information was correct. Could he tell us why he then had to issue a subsequent advertisement correcting the errors in the original advertisement?

The MINISTER: Mr Chairman, there were one or two facets concerning which the information changed between the going to press of the first advertisement and the publication of the second advertisement.

Mr P G SOAL: Mr Chairman, on a point of order, I believe that the hon the Minister is not giving us correct information.

The CHAIRMAN OF THE HOUSE: Order! Be that as it may, it is not for us to decide at this stage. That is a matter for debate.

Mr P G SOAL: Mr Chairman, further arising from his reply, could he tell us on what date the information changed if the advertisement first appeared on 21 June and then subsequent advertisements appeared a week or ten days later?

Mr D J N MALCOMESS: Admit you were wrong. Be a man!

The MINISTER: Mr Chairman, I have the information somewhere and if the hon member would table his question, I shall reply to it.

†Dr W J SNYMAN: Mr Chairman, further arising out of the hon the Minister's reply, I should like to ask whether, apart from the cost of the advertisements, his department or any other State department is considering bearing any other direct or indirect expenses of candidates in the election?

†The MINISTER: Mr Chairman, I can reply only in respect of the department for which I am responsible, and the answer to that is no.

Mr P G SOAL: Mr Chairman, further arising from the hon the Minister's reply, if the information contained in the advertisement — as the hon the Minister said in a Press statement sometime towards the end of June — applied to the Transvaal, could he tell us why he placed advertisements in newspapers in the OFS and in Natal?

The MINISTER: Mr Chairman, if the hon member would care to examine them, he will find that the advertisements which appeared in the other provinces contained different information.

Langa, Nyanga, Guguletu: single-quarter hostels

*10. Mr P G SOAL asked the Minister of Constitutional Development and Planning:

- (1) Whether any single-quarter hostels in Langa, Nyanga and Guguletu are still being used; if so, (a) how many in total and (b) where are they situated;

- (2) whether these hostels are to be converted into family units; if so, when; if not, why not;

- (3) in respect of what date is the above information furnished?

†The DEPUTY MINISTER OF CONSTITU-

Man in the hot seat of group areas

Argus (80)

23/8/88

By DAVID BRAUN, The Argus Political Staff

AMI WHO? That is the general reaction to the statement that Mr Ami Venter is to be the government's man in the hot seat when it comes to deciding which people of colour may live in white areas.

The 51-year-old attorney and MP for Klerksdorp is the Minister of Local Government, Housing and Works in the Administration: House of Assembly, or, more simply, in the white own affairs administration.

In terms of the government's latest proposals to toughen the Group Areas Act, the decision whether to evict offenders will now be up to the Minister.

In the case of white group areas it will be Mr Venter. In the coloured and Indian group areas it will be Mr David Curry, Minister of Local Government, Housing and Agriculture in the Administration: House of Representatives, and Mr Amichand Rajbansi, Minister of Housing in the Administration: House of Delegates.

In the case of black group areas, still to be created, it will be the Minister of Constitutional Development, Mr Chris Heunis.

The Indian and coloured own affairs Ministers are unlikely to have to take too many controversial decisions as they are not in favour of the Group Areas Act (although Mr Rajbansi has said all areas must be opened to all races and not just the Indian areas because this could cause overcrowding).

Mr Heunis is unlikely to get many complaints from the black community about people of other groups living in their areas.

But Mr Venter will have to decide what to do about between 90 000 and 200 000 people of colour living in white group areas, the subjects of much controversy mainly because of Conservative Party and National Party supporters who want white suburbs to be exclusively white.

Until this week, the government had planned to tighten the provisions of the Group Areas Act by making it obligatory for magistrates to investigate complaints and issue eviction orders in cases of illegal occupation.

The CP planned to use this to force the eviction of any person of colour it could find living in a white area. Visions of large-scale witch-hunts were conjured up.

The government has now changed this, saying it is unfair that people think it wants thousands of people put out on the streets.

Instead, the new changes to the Group Areas Act would introduce an element of discretion so that alternative accommodation and other humanitarian factors could be taken into account. The Minister will decide in each case after a magistrate has made an administrative investigation and filed a report.

Mr Venter will be the man who has to implement the government's policy of protecting "own community life" and the integrity of own group areas. At the same time he will have to

take into account the socio-political realities of South Africa and the need to provide adequate housing for all the country's citizens.

He will have to wade through the political minefields of Hillbrow, Woodstock and parts of Mayfair, Johannesburg (which the government believes to be irretrievably integrated).

He will have to find ways to accommodate the needs of upper-income people of colour who have no suitable alternative housing in their own group areas.

He will have to balance the government's fears of the CP and its own right wing with the aspirations and feelings of others who can afford and are determined to live where their economic status in any other society would enable them to do so.

154 sign petition

By BARRY STREEK
Political Staff

THE government's bills on squatting, slums and the Group Areas Act would simply remove the chances of achieving a positive and more equitable process of urban development, 154 Cape Town architects and town planners said in a petition yesterday.

The bills, which are currently being considered by Parliament, represented a clear attempt by the government to maintain political control at a time of crisis, they said.

They slammed the proposed legislation as not intending to help ensure "the provision of shelter, security and the general social and economic development of those most in need".

Bills 'will worsen housing crisis'

The petition was signed by 40 town planners, 46 architects, eleven engineers, 17 planning students, seven lecturers, two quantity surveyors, three environmental scientists, 14 architectural technicians, four planning assistants and 10 others.

"South African cities are at a critical stage in their development and are currently having to cope with large-scale urbanization and growth. This is potentially a highly positive process in terms of the overall development of the

country's population, but if it is not managed correctly it will inevitably result in a major crisis in areas such as housing, employment, health and declining standards of living."

The present Group Areas legislation was a central factor underlying the current shortages of land and housing for coloured, Indian and African people. "These problems will only be exacerbated by the tightening of the Group Areas legisla-

The effects of the creation of a limited number of "open areas" would be highly negative.

The provision in the Group Areas bill for massive penalties and system of "neighbourhood spies" would greatly increase the insecurity of all those living in the "wrong" group area and would greatly worsen inter-racial suspicion and friction.

The slums and squatter bills were "a direct threat against those responding in the only way possible to the constraints imposed by a massive housing shortage and high costs of new housing".

The bills also removed all obligation from the authorities to provide alternative housing for those affected by the legislation and this could only worsen the housing crisis.

Can't they
24/8/88
80

THE Prevention of Illegal Squatting Amendment Bill would drastically increase the number of street children, Twilight Children management committee acting chairman John de Villiers warned yesterday.

The controversial Bill, which met with strong opposition from the PFP when debated in Parliament on Monday, devolves responsibility onto local authorities for the legitimisation of illegal settlements and empowers local authorities to expel or demolish

Bill 'will up number of street children'

squatter communities without judicial scrutiny.

Critics of the Bill, which government described as a "solution to ensure orderly urbanisation", said it was aimed at prohibiting informal settlement (squatting), which was a direct result of the acute shortage of housing.

The new measures allowed for the demolition of squatter shacks before

alternative housing had been found. If implemented by government, the number of homeless would increase uncontrollably, De Villiers said.

He referred to a statement by National Health Minister Willie van Niekerk, who said in Durban last week that a government investigation had revealed there were already more than 9 000 children living on the streets of major cities.

The street children were one social symptom of the urbanisation process, De Villiers said.

De Villiers said although organisations like The Twilight Children programmes were aimed at rehabilitating and reintegrating these children into normal society, only government could take co-ordinated action to remove the source of the problem.

80 Sp... 8/8

'They had no choice'

By Carina le Grange

It was not the Houses of Representatives and Delegates that had temporarily blocked the three group areas Bills but the people of South Africa, Actstop, a non-racial tenants organisation, said yesterday.

"They had no choice. They would have lost even the minimal credibility they have within a very small section of our people," a statement released by an Actstop spokesman, Mr Cas Coovadia, said.

Earlier, another spokesman, Mr Mohammed Dangor, said the Government's backdown on the Group Areas

Bill in changing it from mandatory and automatic eviction to eviction at the discretion of the Minister depending on availability of alternative housing and other factors, in fact made the situation worse.

Mr Dangor said the change meant that the whole issue had been removed from the area of the courts, making it a political decision and that it is "worse than the old Group Areas Act and frankly smells like something that was used in the ghettos in Nazi Germany".

The amended Bill fell short of the demand that the Group Areas Act be scrapped.

Call to end Group Areas

The American Chamber of Commerce in South Africa (Amcham) has called on the Government to repeal the Group Areas Act.

The amendments to the Act will further restrict the free movement of people in South Africa, said the Amcham executive director, Mr Adrian Botha.

The Chamber urged repeal of the Act and all other legislation regulating the lives of people on the basis of race. — Sapa.

Scrap the Act — bishop

By Carina le Grange

The president of the South African Catholic Bishops' Conference, Bishop Wilfred Napier, believes the Group Areas Act is a "cornerstone of apartheid and no amendments to it can be accepted — it can only be scrapped".

The moderator of the Ned Geref Kerk, Prof Johan Heyns, was more cautious, saying the Act had serious ethical implications which needed attention, and this was being taken into consideration.

He could not say more about the "ethical problems" of the Bills at this stage.

The Anglican Church, said Canon Winston Ndungane, stood by the principle that people have a right to live wherever they choose without consideration of race.

"The Government should stop tinkering with the Act and abolish it."

Dr Khoza Mgojo of the Methodist Church said he did not believe in "patching things".

The land was God's creation and people must be free to choose where they want to live.

"The changes do not help and I am not impressed. It delays the true and full liberation of the people."

24/8/88 B/Day

Sharing cities ⁽⁸⁰⁾ not to be feared — SAIRR study

DESEGREGATION of three cities in southern Africa — Harare, Windhoek and Mafikeng — has not led to the type of problems most feared by SA whites opposed to the scrapping of the Group Areas Act, a newly published study shows.

A booklet, *Sharing the Cities*, by SA Institute of Race Relations (SAIRR) researcher Claire Pickard-Cambridge — now a Business Day journalist — studies the changes produced by residential desegregation in the three cities.

It concludes that a similar scrapping of segregation in SA will not automatically realise whites' three main fears — of overcrowding, depressed property prices and a massive shift of blacks into formerly white areas.

The demand for housing will hold up property prices and prevent any major influx away from existing grey areas, although it could disadvantage low income whites.

The study says as formal desegregation in SA's major cities has been preceded by illegal settlement by blacks, the newcomers are more organised and more likely to demand adequate facilities. However, the link between residential desegregation and the desegregation of other facilities and of local government is not automatic, as some white opponents of desegregation believe it will be.



● Pickard-Cambridge

Desegregation in all three cities was preceded by white apprehension and some residents left Harare and Mafikeng in anticipation of problems. Many had since returned.

In Mafikeng, where white numbers have grown since the town's incorporation into Bophuthatswana, white residents believe desegregation has improved race relations, with inter-racial contact reducing tensions. Only in Windhoek had there been racial incidents after desegregation and even those were few in number.

Where overcrowding did occur, the authorities used health regulations to counter it.

In all three cities, desegregation of

DIANNA GAMES

schools aroused the strongest white resistance. Generally, however, there was no great pressure from new black residents in the suburbs for the desegregation of schools, health facilities and local government.

Thus, concludes Pickard-Cambridge, residential segregation does not automatically bring change in other areas, but the process might work out differently in SA's major cities.

In the three cities studied, segregation was repealed not in response to population pressure, but as a consequence of wider political changes.

In SA, pressure for repeal of the Group Areas Act stemmed from a shortage of housing in black townships and a surplus in some white suburbs.

There was no evidence to show an influx of blacks into white areas, in anticipation of formal desegregation, promoted its repeal.

Experience

Experience in the three cities showed that government and, to a lesser extent, private employers retained some influence over the pace and form of desegregation after repeal.

"In each case, control of the allocation of subsidies, decisions about racial access to services such as education, and other housing and land use policies, enabled the authorities to continue to influence the desegregation process," Pickard-Cambridge writes.

In Windhoek and Mafikeng, the process of desegregation was also slowed down by the provision of new housing opportunities for blacks outside the former white suburbs.

This included the extension of property ownership to the black townships, already applicable in SA, and the creation of buffer housing zones between the townships and white suburbs.

This was important as it allowed many blacks to get housing near jobs and amenities, without moving to the white suburbs and to link suburbs and townships into a single city with little changing of the racial profile.

In SA, there was certain to be enough demand for accommodation in white suburbs to sustain prices.

'Resign'



President Botha

call to PW

ARGUS
24/8/88
80

PRESIDENT Botha should resign and call a general election for all three chambers of Parliament to coincide with the October 26 local elections, said Independent Party leader Dr Denis Worrall today.

He made the call after the redrafted Group Areas Act Amendment Bill ran into immediate trouble in Parliament yesterday and a divided Labour Party wrestled with the question of whether to return to Parliament next year.

Labour's refusal to take part in the special short sitting of Parliament has plunged the government into a crisis, with the President's Council having to be used to force through a whole batch of laws, including the controversial Group Areas Bills.

Dr Worrall said in a statement that Mr Chris Heunis, Minister of Constitutional Development, had said a general election on October 26 was perfectly feasible.

The country was in a mess and the fault lay squarely with the government, Dr Worrall said.

"The economy is in a mess. People are getting poorer by the month. This is partly due to bad policies and partly to a lack of political confidence.

"Out of line"

"Relations with black and brown leaders are at an all-time low. Parliament is jammed and the NP's political reform process is a non-starter.

"President Botha has shown with the group areas legislation that he does not even start to understand black and brown attitudes. He and his Cabinet are out of line with realities."

The redrafted Group Areas Act Amendment Bill ran into trouble when it was put before a joint standing committee of Parliament. Initially the meeting was adjourned when not one member of the House of Delegates attended.

After the adjournment one member, Mr Abram Mayat, chairman of the House of Delegates, attended to tell the committee no one in the Delegates would support the principle of the Bill.

The committee was given the same information by the Labour Party.

Clear divisions

The redrafted legislation was published this week, removing some of the mandatory expulsion provisions from the Bill but retaining tough clamp-down sections and heavy penalties for contraventions.

Although there is no discernible division within the Labour Party with regard to the total repeal of the Group Areas Act, party leaders are clearly divided as to whether the party should return to Parliament for the 1989 session and there is feverish debate behind the scenes.

The Labour congress in Bloemfontein in December will make the final choice, but indications are that delegates will be faced with two arguments.

On one hand there are those who believe a firm stand on

(Turn to page 3, col 2)

3 of Tonight

'Resign' call to President

ARGUS 24/8/88
(Continued from page 1)

principle must be taken. If the government is unable to repeal the Group Areas Act, then the party must have nothing more to do with the system.

On the other hand there are those who argue that if Labour pulls out this will in no way affect the National Party's ability to govern.

On the contrary, the National Party would probably be happier to govern without the hindrance of the Labour Party.

Labour leader the Rev Allan Hendrickse is said to be neutral on the issue of quitting Parliament and willing to let the congress decide.

Mr Hendrickse stands to be criticised if he leaves because he qualifies for a full pension and other perks. But if he stays he will be criticised for taking a big salary and perks.

● See page 6.

LABOUR PARTY MAY PULL OUT

THE Labour Party is considering pulling out of the tricameral system among other options as the constitutional crisis over the Group Areas Act deepened.

This was confirmed by party leader the Rev Allan Hendrickse, who said it would be up to the party's congress in December to decide on future participation.

He also challenged President P W Botha to go ahead with a referendum or election to test whether there was the 70 percent support he claimed among Indians and coloureds for group areas.

Dr Dennis Worrall, leader of the Independent Party, yesterday called on President Botha to resign and fight an election in October.

Fed up over new Areas Bill

There is growing speculation that Mr Botha could call an election or a referendum to test support for the Group Areas Act.

Comment

No comment could be obtained from his office on the issue yesterday.

Some members of the Labour Party are, however, not even keen to contest elections saying there would be little purpose as the Government clearly had no intention of bringing blacks into Parliament or scrapping the Group Areas Act.

A number of branch committees including two in the Durban Wentworth constituency have passed resolutions already calling on the Party to pull out of Parliament in order to wreck the tricameral system.

Mr Tommy Abrahams MP (LP Wentworth) said the main objectives of the LP in going into the system had been to get rid of group areas.



REV Hendrickse ... party leader.

CAPE TIMES
25/8/88 80

Residents protest at new bill

By CHRIS STEYN

A MULTI-RACIAL delegation from the Durban Central Residents' Association (DCRA) yesterday presented a memorandum to political parties of all three Houses of Parliament in Cape Town to protest against proposed changes to Group Areas legislation.

The leader of the delegation, Mr Sayed Iqbal Mohamed, told the Cape Times that the association represented 9 000 people who had vowed at a recent mass meeting not to move from their homes if the new bill became law.

The DCRA demanded that the government — in consultation with fellow South Africans — draw up a Bill of Rights regarding housing, and establish a non-ethnic housing co-ordinating body and a single Housing Act.

The association said in its memorandum that it took strong exception to allegations by Mr Roelf Meyer, Deputy Minister of Constitutional Development and Planning, that some people had moved into "grey" areas to agitate.

Entitled "Live and Let Live", the memorandum said the latest amendments did not alter the draconian measures at all.

The DCRA called on the government to educate its electorate to recognize and accept basic human rights.

Govt's decrees 'carried out without vision'

Misguided policies blamed for unrest

25/8/88 B/Day (circled) 8E

PRETORIA — Misguided government policies, carried out to the letter with a lack of vision, had resulted in a predictable state of tension and unrest, Transvaal Association of Management Committees president Yakoob Makda said yesterday.

Speaking at the committees' conference, Makda said intensified economic sanctions had become a reality.

Economists had warned against controls, which would make it almost impossible for the man in the street to afford certain commodities.

Major political reform with drastic constitutional changes were absolutely essential.

Makda said: "It is no longer possi-

GERALD REILLY

ble for a shrinking, economically declining white minority to hold on to all the levers of political power in a future SA."

Events could still be controlled and directed by those in power. This, though, was likely to change.

A turning point had come in SA's international relations and standing in "the world".

Makda said the predicted disastrous consequences were slowly affecting the lives of all. The time had surely come to take stock.

The dilemma was whether to work for reform within official, racialistic structures or to resist the state vigorously from the outside.

There was grave concern at the deplorable proposals in the contentious slum, group areas and squatter Bills now before Parliament.

Both Bills relating to free settlement areas were cautious and clumsy attempts to reform unworkable and grossly unjust policies.

Makda said multiracial or so-called grey areas had mushroomed in the major cities through an alarming housing backlog, the lack of efficient commuter transport and many other inconveniences.

The Slums Bill was not the answer to the squatter problem.

In the absence of suitable and affordable accommodation, the problem could not be solved.

Sea pollution penalties mooted

HEAVY new penalties, including the impounding of vessels, are possible in terms of proposed new legislation to control shipping pollution.

Vessels discharging oil along SA's coastline could face fines from R20 000 to R100 000, as well as impounding if the legislation is passed. Anton Moldan, assistant director of

GLEN SHELTON

Pollution Control of the Sea Fisheries Institute of the Environment Affairs Department, said in a statement yesterday that operational discharges of plastic and other garbage from ships at sea were becoming "a serious problem".

I & J strike continues

THE legal strike at Irvin and Johnson continued yesterday.

Workers, evicted by court order from company buildings when the strike started nine days ago, are demanding a 35,9% pay increase.

I & J has offered an across-the-board 22,9% increase. — Sapa

Afrikaans church rejects party politics

WARMBATHS — The Afrikaanse Protestantse Kerk (APK) would not serve any political party, the church's synod decided at its meeting here yesterday.

The APK had been seen as the "CP's church", because its members consisted mainly of disaffected, former Dutch Reformed Church members who rejected the DRC's "liberalism".

The synod is closed to the Press,

but a "communication commission" releases a statement each day on issues raised at the synod.

The synod said yesterday it was alarming that churches were increasingly entering the political terrain,

The commission's release said the APK's parishes had raised more than R4m since the first synodal meeting eight months ago.

A budget of more than R910 000

had been approved for the next year.

The synod would also be requesting Finance Minister Barend du Plessis scrap GST on Bibles.

The synod encouraged female members to pray together, but did not associate itself with the racially mixed form the World Prayer Day for women was assuming.

The synod is chaired by APK moderator Willem Lubbe. — Sapa.



Areas Bills 'opposite to what they should be'

AKUS
2/18/88

80



Picture: LEON MÜLLER, The Argus.

AREAS ACT PROTEST: Part of the crowd of about 400 at last night's meeting in Woodstock to protest against the new Group Areas Bills.

By ANTHONY DOMAN
Staff Reporter

THE Group Areas Bills being piloted through Parliament were scandalous and shameful, about 400 people were told at a meeting in Woodstock.

The Group Areas Amendment Bill, Prevention of Illegal Squatting Bill and the Free Settlement Areas Bill are being dealt with by Parliament during the present short session.

Last night's meeting was organised by a number of organisations, including the Black Sash, the Western Province Council of Churches, the Cape Areas Housing Action Committee and the National Committee Against Removals.

A representative of Woodstock Residents Against Group Areas said the police were already "harassing" people in Woodstock, warning them they were contravening the Group Areas Act.

Professor Dave Dewar of the Urban Problems Research Unit at the University of Cape Town said that if urban growth was managed properly Cape Town could realise its full potential.

The city should provide jobs for all and it should be a place where communities with ideas received help from the authorities.

"It is quite possible to achieve that. It depends entirely on how the city is managed, how decisions are made."

But, he said, there were three pre-conditions:

- The city had to be compact; things had to be close together.

- The city had to be integrated and work together as a whole, without isolated pockets.

- And everybody had to be secure.

The Bills before Parliament were shameful, he said. "That is because they work precisely against what cities should be doing and what they should be giving to people.

Enormous costs

"They push the city farther out and they put enormous costs on the people to live in that system.

"They create isolated pockets of development instead of a city that works together.

"And more than anything, they create a world of fear, spies, informers ... where neighbours are supposed to spy on neighbours."

The Bills were "absolutely unacceptable and must be resisted".

City advocate Mr Dullah Omar said that instead of maintaining a consistent policy of providing housing the government had done the contrary.

"Now we are faced with a number of laws which threaten the very existence of the homes in which people live today," he said.

The provision for free areas was totally unacceptable. It was an attempt to "buy off elite groups" in the black community.

The keynote of the proposed laws was control. They would create a scandalous situation, he said.

The new squatting Bill would outlaw "informal housing" and make it easier to demolish this kind of housing.

2/3/88 80

LAWYERS' PLEA ON SQUATTERS

THE Association of Law Societies has sent a memorandum to Parliament's Standing Committee objecting to provisions in the Illegal Squatting Amendment Bill, it said in a statement released in Johannesburg.

The memorandum pleads for a fresh start to the entire problem of squatting and points out the amendments would aggravate the position.

The first clause "casts a wide net" in laying down that no-one not under the authority of the law or in the course of duty as a public employee, may enter the property of anyone else, it said.

A subsection "would shift the onus in the prosecution for a contravention to the accused by presuming

that he entered the land or building of another person without lawful reason and that he remained on the land or in the building of another person without the permission of that other person.

"This shifting of the onus is a serious invasion of that part of the fundamental right which

Take fresh look Parliament told

regard to giving effect to the order for ejection an individual has to the due process of the law which presumes the innocence of an accused person until he is proved guilty beyond reasonable doubt by the State," the ALS said.

Under the proposed new Section 3 of the Act, "not only would the court be compelled when convicting a person...to order his summary ejection from the property (the word 'shall' is substituted for the word 'may').

The same compulsory duty is to be imposed on the court in regard to giving effect to the order for ejection and in



CHRIS Heunis . . . Bills published by his department.

regard to ensuring the demolition and removal from the land of all buildings and structures which may have been erected thereon by and on behalf of the convicted person".

The ALS said in a further "ousting of the right of due process" is authorised by the section

allowing administrators to appoint committees for areas outside the jurisdiction of local authorities — a "form of subordinate authority".

Such a committee may in its discretion issue a finding compelling an owner to eject certain occupiers.

"If this extraordinary clause becomes law, it would mean that committees through the country would be given power in effect to take the law into their own hands."

The ALS says the aggrieved person would only be entitled to appeal to the body which has caused his grievance. In other words the committee would act as both prosecutor and judge.

"This simply cannot be allowed," the statement added. — Sapa.

A tale of three cities

To see whether residential desegregation in Windhoek (Namibia), Harare (Zimbabwe) and Mafikeng (Bophuthatswana) held any lessons for urban change in "white" SA, Claire Pickard-Cambridge conducted research for the SA Institute of Race Relations in 1987. Her report *Sharing the Cities* was published recently and is available from the institute.

The repeal of residential segregation in Windhoek in July 1979 sparked demonstrations by conservative whites who claimed property values would plunge and blacks would inundate their suburbs. None of their fears materialised and the incidents were anecdotally referred to as Windhoek's short-lived "white uprising."

Research conducted in the three cities revealed segregation was repealed not in response to population pressure, but as a consequence of wider political changes. In Windhoek, racial title deed restrictions were abolished by the SA-appointed administrator general as part of a package of changes designed to create a climate conducive to a multiracial transitional government. In Harare, the Land Tenure Act was scrapped by Bishop Abel Muzorewa's government in 1979 as part of reforms aimed at winning black acceptance of a settlement between "internal" black parties and the Ian Smith government. In Mafikeng, the Group Areas Act fell away when the town was incorporated into Bophuthatswana in 1980.

In Harare, desegregation was slow at first because few blacks could afford housing in the former white suburbs; later it increased rapidly as blacks gained access to senior posts in an expanding civil service and to higher-paying private-sector jobs. The post-independence government's desegregation of education and health facilities also increased the attractiveness of white suburbs for new black residents.

In Windhoek, the availability of housing subsidies for civil servants has played an important role in making white suburbs affordable to some blacks. But far less "Africanisation" of the civil service has limited the pace of desegregation, as has continued school segregation. Fewer than one suburban resident in 10 is black.

The process in Mafikeng has been unique because Bophuthatswana's capital, Mmabatho, was created near Mafikeng and its non-racial suburbs attracted many black bureaucrats and businessmen who might otherwise have settled in the town. Today only about one in six Mafikeng residents is black. But the correlation still applies — the extent of black access to new jobs, schools and facilities and the degree of desegregation have together been greater in Mafikeng than in Windhoek, but smaller than in Harare.

In white SA, these factors may be less

important, as is already evident. The economies of the major cities are more developed and there is greater black access to better-paying jobs. Together with the greater availability of rented accommodation, this ensures more blacks will be able to move to white suburbs. But those who can afford to do so remain a minority.

Government, and to a lesser extent private employers, retains influence over the pace and form of desegregation after repeal. Control of the allocation of subsidies, decisions about racial access to education and housing and land use policies enabled the authorities in the three cities to continue to influence change.

In Windhoek and Mafikeng the pace of desegregation was slowed down by new measures providing blacks with housing opportunities outside the white suburbs. These included the extension of property ownership



to black townships and the opening up to housing of wide buffer zones between the townships and the city. Repeal of the Group Areas Act in SA is likely to produce similar developments in buffer zones, thereby limiting the number of blacks who need to move to the suburbs to be closer to their jobs.

The pace of desegregation also depended partly on the availability of housing in the suburbs. In Harare, white emigration produced a suburban housing surplus and depressed prices temporarily, bringing property within the reach of black buyers. In Windhoek and Mafikeng, white numbers grew after desegregation; there was thus less property available for black buyers and prices were usually beyond their reach. Similarly, the state of the housing market in SA will determine the pace of integration if formal change takes place.

There is no evidence in Windhoek and Mafikeng that whites moved out after blacks moved in. While this might partly be explained by the slow pace of desegregation, there is now considerable white settlement in Mmabatho where most residents are black.

Some Harare suburbs are now entirely black and, in the lower-income neighbourhoods, a number of whites moved elsewhere

in the city because they feared overcrowding and a fall in standards (fears which proved largely unfounded). But, in general, it was white emigration rather than white flight from desegregated suburbs which characterised changing settlement patterns. A significant number of white residents — up to 20% — remain in suburbs which are now predominantly black.

Popular areas for new black residents in the cities were the CBDs and suburbs closest to the black townships, where prices were lower and they could remain near friends and township schools. Blacks also tended to avoid suburbs where resistance was likely from whites. This suggests the process will affect suburbs differently as well as exploding the myth that blacks would simply flood into white areas. It also undermines claims that automatic racial friction will result in the early days of integration.

Desegregation in all three cities was preceded by white apprehension. But tensions soon subsided and desegregation is no longer a contentious issue. The pointers there are that people come to accept desegregation once it is a *fait accompli* and that interracial contact reduces racial tensions.

But whites also accepted change because their fears were not realised. There was little overcrowding in the cities' former white suburbs; where it did occur health regulations were used to counter it. The fact that overcrowding has been controlled more successfully in desegregated areas than in suburbs such as Hillbrow, which is still formally segregated, suggests residents who are protected by the law are more likely to abide by it. In addition, segregation was repealed throughout the three cities and black residents were not restricted to a few suburbs.

Desegregation did not depress property markets; values have risen in all three cities since it began. While other factors were largely responsible for this rise (except in Harare where growing black demand played an important part in pushing up prices again), agents agree that, where black settlement has had an influence, it has been in raising prices.

In all three cities, the prospect of school desegregation aroused strong white resistance, indicating more white opposition to the opening of schools than to opening living areas.

The extent to which residential desegregation accompanied the opening of education, health and local government varied in each case. All these structures were rapidly opened in Harare, but none at all in Windhoek, while in Mafikeng only schools were still segregated by 1987. This implies the link between residential desegregation and the opening of other facilities is not as automatic as white opponents of desegregation believe.

Bills: PFP stages walkout

CAPE TOWN — The constitutional crisis facing the tricameral system deepened yesterday with the PFP staging a partial boycott of Parliament after fresh attempts by government to steamroller Group Areas draft legislation into law.

The PFP was joined in its protest action by the NDM. This resulted in a situation where 150 of the 318 MPs in the three Houses are now boycotting debates dealing with six contentious Bills aimed at toughening legislation on group areas, squatting and slum control.

Members of the House of Representatives and House of Delegates began a selective boycott of Parliament earlier

26/8/78 B Day (80)
Political Correspondent

this week to protest the measures.

After leading a walkout of the House of Assembly, following a stormy two-hour debate, PFP national chairman Colin Eglin accused government at a Press conference of "the cynical and unilateral manipulation of the rules of Parliament to assist the baasskap of the National Party".

He said new government moves to suspend parliamentary rules, to speed passage of the measures into law, had

● To Page 2 →

Walkout deepens constitutional crisis

26/8/78 B Day (80)
produced "a constitutional crisis merely because the NP has the CP breathing down its neck over October elections".

In motivating his party's decision to withdraw from further debate on Group Areas Act-related legislation, NDM leader Wynand Malan said his party objected to the process government had adopted in forcing legislation through regardless of opposition from the other two Houses of Parliament.

Malan said government attempts to hang on to the Group Areas Act would

(80) ← ● From Page 1
fail and that it would be forced to do away with the Act in a four or five years' time.

In defending his motion to suspend the rules of Parliament, to allow the Bills through without reference to the other two Houses, which have refused to debate the measures, the leader of the House of Assembly, F W de Klerk, said he was not prepared to have technicalities used to block the legislative process.

Group areas: Nats dig in as Eglin checks legality

By TOS WENTZEL
Political Correspondent

GOVERNMENT and Opposition leaders clashed again today over latest moves to push through the group areas legislation.

The government reaffirmed its determination to push ahead while Opposition leaders accused it of discarding the consensus approach of the tricameral system.

Today there was also talk of moves to challenge the legality of the government moves.

The Progressive Federal Party and the National Democratic Movement have announced that they will not take part in parliamentary debates on the group areas legislation and other related Bills.

MORE CUMBERSOME

These Bills would normally have been regarded as "general affairs" measures to be dealt with by the three Houses of Parliament in terms of joint procedures.

In terms of a decision the government accepted in the Assembly yesterday these measures are now being turned into "own affairs" measures which will be dealt with by a committee of only this House.

If a joint committee had to deal with these matters the procedure would have been

more cumbersome because possible amendments would have been put before representatives of all three Houses.

Mr Colin Eglin, parliamentary leader of the PFP, said today the NP had "ripped off the masque from the pretence" that the tricameral system was based on consensus.

It had now been shown that consensus, in Nationalist terms, meant agreement with that party. It wanted to impose its "baasskap" on other groups.

Mr F W de Klerk, leader of the House in the Assembly, said today the government would not be deterred by Opposition protests and actions and that it would press ahead with the legislation.

The National Party rejected "boycott and protest politics" because that was a certain way to look for confrontation.

The Rev Allan Hendrickse, leader of the Labour Party, said his party was considering certain options.

One of these options could be to change the rules of the Representatives in a way that would make it possible to pass

a Group Areas Amendment Bill which would in effect abolish the main Act.

Mr Hendrickse has also expressed his "revulsion" over what he described as an insinuation by Mr de Klerk that the Labour Party was being prescribed to by the PFP. He said this was typical of a "baasskap" attitude.

The question of whether the government's latest actions are legal is being studied but Mr Eglin said there could be no talk of a possible court action until this had been established.

The Independent Party today identified itself with the stand of the PFP and the NDM.

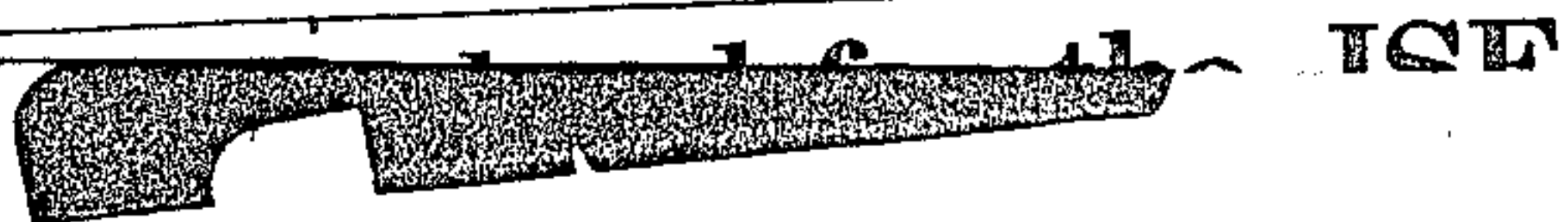
Its leader, Dr Denis Worrall, said it was perfectly clear that the NP had chosen to place white interests, very largely determined by the Conservative Party, above the interests of all others.

He repeated his call for President Botha to step down and to call a general election of all three chambers of Parliament to coincide with the October 26 municipal elections.

● The debate on the Free Settlement Areas Bill, the first of a trilogy of group areas measures, started in the Assembly yesterday and will continue today.

● See page 8.

80 RR645 26/8/88



One step at a time from disagreement to confrontation

Political Correspondent

The constitutional furore centres on the introduction to Parliament of a series of draft laws relating to group areas.

Here is a step-by-step review of the events which led to the turmoil:

- Government introduces legislation providing for changes to the Group Areas Act. On the one hand it wants to provide for residential areas where people of different races may own and occupy property legally and, on the other, it wants to make segregated suburbs more strictly enforced.

TRILOGY

Three Bills, quickly dubbed the group areas trilogy or the unholy trinity, make provisions for these two situations, as well as for local government arrangements in integrated residential areas.

- The Labour Party, majority party in the House of Representatives, declares it will reject any legislation dealing with group areas. Nothing short of total repeal of the Group Areas Act will be acceptable, it says. It threatens to pull out of Parliament at the end of the year unless the Act goes.

- Government spokesmen leak the fact that the Government will use the President's Council to ram the group areas trilogy through Parliament if Labour rejects it.

In terms of the Constitution, all three Houses of Parliament must pass an identical version of a General Affairs Bill (a draft law affecting people of all race groups).

A draft Bill is first submitted to a joint standing committee where parties of all three Houses reach consensus on the wording of the Bill.

This ensures that the same version is passed by all three Houses when they meet in full session.

If one House passes a different version or it rejects the Bill, the State President may refer it to the President's Council for a decision.

The President's Council, which has a majority of National Party members, may determine which version of the Bill must be made law or

whether a Bill rejected by one House, but passed by another, should become a law.

- Labour and other political parties reject the group areas legislation in principle when it goes to the joint standing committee for discussion. The Bills are forwarded to each House in their original state.

- Labour and the other parties in the House of Representatives announce they will not be dealing with the Bills in the present session. In protest at the way the Government has made it known it will use the President's Council to ram the legislation through Parliament, the parties adjourn the House for the entire short sitting, so no legislation will be dealt with.

- The House of Delegates votes to deal with the trilogy in the 1989 session.

- The Government, wanting to amend the original Bills, withdraws one and replaces it with another. It goes to the joint standing committee where it is rejected in principle.

- The Bills come to the Assembly for debate, but realising the Chamber may not make amendments without these being referred back to the joint standing committee, the Government proposes to change the rules of procedure.

The House of Assembly votes to treat the Bills, plus three others, as own affairs legislation.

AMENDMENTS

This means the Assembly may make amendments which will be referred to a committee of the House before coming back to the Assembly for a final decision.

The PFP and NDM walk out in protest at this unilateral change to rules agreed to by all three Houses.

- Once the Assembly passes the Bills, the State President may exercise his constitutional powers to give the other two Houses 14 days to process the legislation.

If they do not do so by then, he may refer them to the President's Council for a decision on whether the Bills passed by the Assembly should become law.

Call for prayer to oppose new Group Area Bills

Staff Reporter

Archbishop 26/8/88

ROMAN Catholic Archbishop Stephen Naidoo has for a called a non-denominational hour of prayer at St Mary's Cathedral on Sunday as part of the Catholic Church's response to the three Group Area Bills before Parliament.

"The Catholic Church views the Bills on squatting, slums and group areas with alarm because they threaten hundreds of thousands of poor people with immense distress and privation," Archbishop Naidoo said in a Press release.

"This intensifies South Africa's acute problem of homelessness. The administrative board of the Southern African Catholic Bishops' Conference has called for the Bills to be scrapped."

He said there was deep concern throughout the country.

The hour of prayer will be led by Archbishop Naidoo and Auxiliary Bishop Lawrence Henry.

CP attacks govt over GA Act

CME Tink 26/8/88
80

Political Staff

THE Conservative Party yesterday launched an old-style apartheid attack on the proposed "Free Settlement Areas", calling for President P W Botha's resignation because of "broken promises" about the Group Areas Act.

Delving back to 1950, when the act was introduced, and recalling later Nationalist promises not to meddle with it, the CP charged the government with "reckless disregard" for white rights.

Its two main speakers, Mr Moolman Mentz, Ermelo, and Dr Willie Snyman, Pietersburg, accused Mr Botha and the government of "breach of contract" and breaking its promises to whites, and warned that all residential areas would ultimately be "open".

Their charges were strongly rejected by Nationalist speakers who denied the government had dropped the Group Areas Act and countered with saying it was simply creating the opportunity for people who did not feel as strongly about living in their own communities to live in mixed areas.

"It is still our policy that people should have their own areas," said Mr Piet Coetser, Springs.

The leaders of the other two cham-

bers of Parliament had a right to say their communities did not want separate residential areas but they also had to recognize the rights of those who did.

The CP was dabbling recklessly with the security and stability of the people.

Mr Jan van Eck, independent member for Claremont, said the government had in fact changed, but it should not hide it. It should realize that it could not satisfy the CP and the Labour Party at the same time and should make a choice.

Mr Chris Heunis, Minister of Constitutional Development and Planning, said the government did not cling rigidly to laws.

"No law is a permanent fixture. If it was it would mean that society is static," he said.

Because a law was necessary at a particular time, it did not mean that it could not be repealed or amended later. Reform was an adaptation of the status quo.

"That is precisely what the bill before us envisages — an adaptation of the status quo to make it more reasonable and more in keeping with the requirements and choices of the communities which constitute the people of South Africa," said Mr Heunis.

Opposition parties consider counter moves in crisis

Govt steamroller plan

By David Braun,
Political Correspondent

Cape Town

The Government today declared it would press on with controversial group areas legislation in spite of new moves to stymie the workings of Parliament.

Various political parties are studying the legality of the House of Assembly's decision yesterday to change debating rules unilaterally to facilitate the easier passage of the legislation.

The Labour Party is also considering how the House of Representatives may follow the Assembly's example and change rules unilaterally, with a view to further confusing the situation.

Yesterday the growing constitutional crisis was dramatised by the decision of the PFP to walk out of the Assembly in protest at the Government's decision to change the parliamentary rules to force the legislation through the only remaining chamber of the tricameral system so far willing to debate the legislation.

Earlier the House of Representatives decided not to debate any legislation during the short session and the House of Delegates adjourned discussion of the controversial group areas Bills until next year, leaving the Government with only the Assembly through which to pass the Bills — and the President's Council to override the obstructionism of the other Houses.

The leader of the House of Assembly, Mr. W. de Klerk, said today the Government was undeterred by the protest and delaying tactics of the other parties and it would proceed with group areas and other legislation.

Top NP MP sides with PFP

Political Correspondent
CAPE TOWN — Progressive Federal Party MPs last night said a frontbench Nationalist had expressed solidarity as they walked out of Parliament.

"My heart is with you," the senior Nationalist said, according to two MPs. There is speculation that not all Nationalist MPs are happy with the Government's persistence with group

The Government would proceed with "stable administration in accordance with the laws of the country", Mr de Klerk said.

"The PFP has a history of boycotting for which it has paid a heavy price in the past," he said.

"With this action, the death knell has been sounded for the PFP in white politics."

PFP parliamentary leader Mr. Colin Eglin said by unila-



Smoke obscures the ruins of Lisbon's Chiado district, seven blocks of 19th century shops and arcades, and previously the hub of the city's financial life. The ruins have been the work of a shopkeeper in financial trouble, say the police.

26/888 Star

The Government today... with controversial group areas legislation in spite of new moves to stymie the workings of Parliament.

Various political parties are studying the legality of the House of Assembly's decision yesterday to change debating rules unilaterally to facilitate the easier passage of the legislation.

The Labour Party is also considering how the House of Representatives may follow the Assembly's example and change rules unilaterally, with a view to further confusing the situation.

Yesterday the growing constitutional crisis was dramatised by the decision of the PFP to walk out of the Assembly in protest at the Government's decision to change the parliamentary rules to force the legislation through the only remaining chamber of the tricameral system so far willing to debate the legislation.

Earlier the House of Representatives decided not to debate any legislation during the short session and the House of Delegates adjourned discussion of the controversial group areas Bills until next year, leaving the Government with only the Assembly through which to pass the Bills — and the President's Council to override the obstructionism of the other Houses.

The leader of the House of Assembly, Mr W de Klerk, said today the Government was un-

deterred by the protest and delaying tactics of the other parties and it would proceed with group areas and other legislation.

The Government would proceed with "stable administration in accordance with the laws of the country", Mr de Klerk said.

"The PFP has a history of boycotting for which it has paid a heavy price in the past," he said.

"With this action, the death knell has been sounded for the PFP in white politics."

PFP parliamentary leader Mr Colin Eglin said by unilaterally changing rules which all three Houses had agreed to, the National Party had plunged the country into its gravest constitutional crisis, he said.

The Government had turned a constitutional dilemma into a crisis. It had abandoned power-sharing and consensus and resorted to naked, white baasskap.

Retaliation

Mr Eglin said today the PFP was looking at the legality of the Government's actions in the Assembly yesterday.

Several Labour Party MPs yesterday said that if the Assembly could unilaterally change the rules of procedure, then so could the two other Houses.

They said the LP would investigate the possibility of changing the rules when the House of Representatives met again on September 2, so that it, too, could make its own amendments to the Bills without referring them to the two other Houses.

This would open the way for the LP to amend the group areas Bills in such a way that they repealed the Group Areas Act.

President Botha would then be faced with two versions of the Bill, one by the Assembly tightening the Group Areas Act and one by the House of Representatives repealing it.

The Labour tactic would not prevent the Government's version of the Bill becoming law, but it would show up the system for what it was, they said.

● See Pages 6 and 9.

Top NP MP sides with PFP

Political Correspondent

CAPE TOWN — Progressive Federal Party MPs last night said a frontbench Nationalist had expressed solidarity as they walked out of Parliament.

"My heart is with you," the senior Nationalist said, according to two MPs. There is speculation that not all Nationalist MPs are happy with the Government's persistence with group areas legislation.

Some of the Nationalist establishment outside Parliament have called on the Government to scrap the proposals.



Spare a thought . . .

While you are snuggled up under your duvet listening to the August winds howling outside, spare a thought for those who live there by contributing to Operation Snowball.

For those without shelter, the August wind makes the air as cold as on a midwinter's night, which is why Operation Snowball still needs your contributions.

Although the winds may not penetrate many South African homes, many Reef residents have only plastic bags for sheets and tin cans for fireplaces. These people need your help.

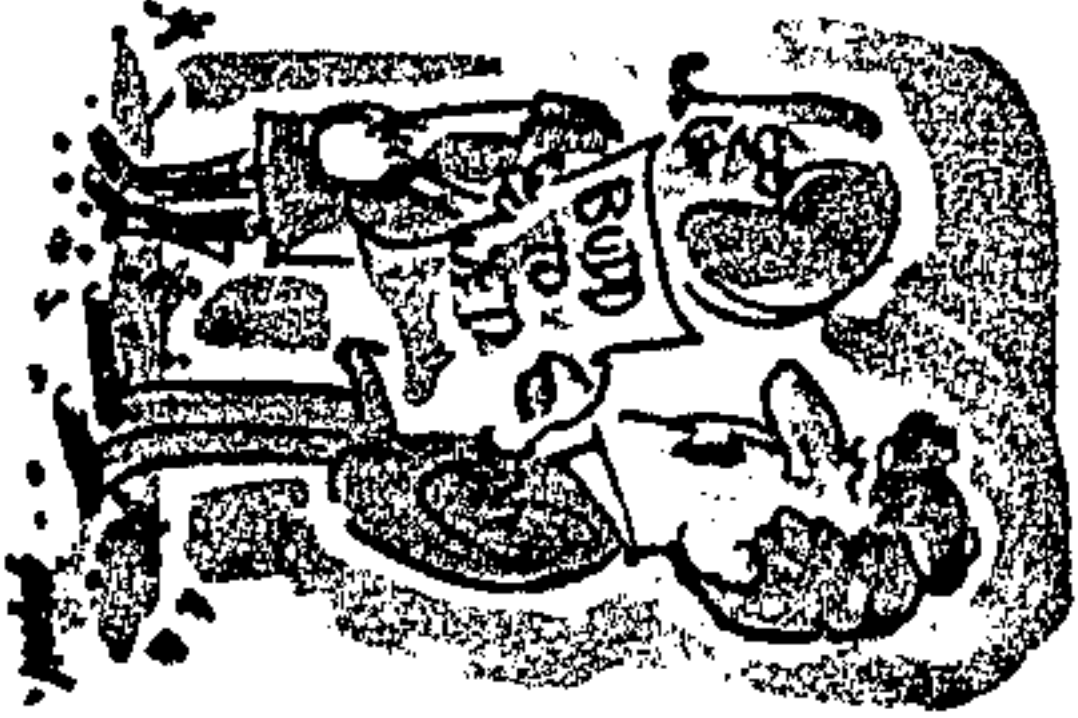
Donations can be sent to The Star, Operation Snowball, Box 1014, Johannesburg 2000.

150 MPs boycott race bills debate

PFPO WALKS OUT

80
SME TIMES 26/8/88

crack of dawn



By ANTHONY JOHNSON
Political Correspondent

**THE constitutional crisis fac-
ing the tricameral system
deepened yesterday with
the PFP staging a partial
boycott of Parliament
following fresh attempts by
the government to steam-
roller controversial Group
Areas legislation into law.**

The PFP was later joined in its pro-
test action by the National Democrat-
ic Movement, resulting in a situation
where 150 of the 318 MPs in the three
Houses are now boycotting debates
dealing with six contentious bills
aimed at toughening legislation deal-
ing with group areas, squatting and

slum control.
Members of the House of Represent-
atives and the House of Delegates
began a selective boycott of Parlia-
ment earlier this week to protest
against the measures.

After leading a walk-out of the
House of Assembly following a stormy
two-hour debate, the national chair-
man of the PFP, Mr Colin Eglin, ac-
cused the government at a press con-
ference of "the cynical and unilateral
manipulation of the rules of Parlia-
ment to assist the baasskap of the
National Party".

He said new government moves to
suspend parliamentary rules to speed
up the passage of the measures into
law, had produced "a constitutional
crisis merely because the National
Party has the Conservative Party

To page 3



August 26, 1988

From page 1

breathing down its neck
over the October elec-
tions".

Mr Eglin said the gov-
ernment's "cynical and
insensitive" manipula-
tion of democracy would
do "untold damage" to
the tricameral system
and to possible future
reconciliation among
the parties.

NDM leader Mr Wyn-
and Malan said his party
objected to the govern-
ment forcing legislation
through regardless of
opposition from the
other two Houses of Par-
liament.

Before leaving the As-
sembly, Mr Malan said
government attempts to
hang on to the Group
Areas Act would fail,
and that it would be
forced to do away with
the act in four or five
years' time.

The Leader of the
House of Assembly, Mr
FW de Klerk, said the
way for MPs in the
Indian and coloured
Houses to achieve their
objectives was not by
protest and boycott, but
by talking and negotia-
tion.

Earlier, the Minister
of Information, Dr Stof-
fel van der Merwe, said
the government had to
tighten up the Group
Areas Act because fail-
ure to do so would be
tantamount to scrapping
the act.

SME TIMES
80

Parliament and Politics

Majority want race act — govt

Political Staff

THE Group Areas Act was not being imposed from "above" and was an instrument of "social and spatial planning", Mr Roelf Meyer, Deputy Minister of Constitutional Development and Planning, said yesterday.

Introducing the controversial new bill to amend the act, which drew strong verkrampte criticism from the Conservative Party, Mr Meyer said it was one of three dealing with the government's approach to living patterns.

"I wish to emphasize it is not being imposed upon people from above. This is what the majority of people in this country want," he said.

The Group Areas Act was there to enable people who wanted to live within their own communities to do so. Free Settlement Areas were being created for those who did not.

"We must enable each group to

achieve its own values and ideals without infringing upon those of other groups."

The government believed in the greatest possible degree of self-determination which went hand in hand with the need to protect minority rights.

This was the background against which the Group Areas Act had to be seen as it has protected the identity of groups who had acquired rights and developed communities which could not be thrown overboard.

The government's point of departure was that the lifestyles of groups, vested rights and existing communities should be preserved as far as possible.

This meant the maintenance of separate schools and residential areas.

"We have ample evidence that all the different population groups prefer a system of differentiation. The only problem is how to achieve this in the most equitable manner," he said.

Housing: The group areas bottom line

W/C ARGUS 27/1/88

80

THE Group Areas Amendment Bill, notwithstanding its newest amendments, fails to consider even the most fundamental requirements of positive urbanisation, says head of UCT's Urban Problems Research Unit Professor Dave Dewar.

Consequences of the implementation of amendments to group areas legislation due to be debated in Parliament next week would be "disastrous", he warned.

"It is frankly incomprehensible, given the realities of the urbanisation process in South Africa and the management problems which it poses, that legislation such as the Group Areas Amendment Act can even be contemplated at this time."

In a written submission to the parliamentary standing committee considering the trilogy of bills which all have bearing on group areas, Professor Dewar with Upru Ms Vanessa Watson analysed the ways in which the proposed legislation would not only inhibit what is referred to as "positive urbanisation", but significantly reverse this process.

Any legislation which is going to have an impact on urbanisation should take into account several characteristics at the very heart of how to urbanise "positively", say the Upru experts.

They advise that legislation seek to promote these bottom-line characteristics:

- Maximum generation of urban opportunity;
- Facilitation of the provision of shelter;
- Promotion of security of tenure;
- Enhancement of investor confidence;

● Promotion of a positive climate of urbanisation.

The Group Areas Amendment Bill fails in respect of all of these, in Upru's analysis.

Professor Dewar points out that people are attracted to cities not only in the hope of finding shelter but in order to experience economic, social and cultural opportunities.

Failure to secure these opportunities does not, though, discourage people, as ongoing urbanisation in South Africa shows all too well. And when one asks why, the primary reason behind increasing urbanisation is revealed: the absence of opportunity and the means of survival for people in their areas of origin, notably in South Africa's case, the homelands.

In respect of generating urban opportunity, the key lies in a city's intensity of development in combination with the degree of integration of different urban activities and the ability of different parts of the city to reinforce each other.

"Currently, the physical development of our cities is based on a ethic of separation," says Professor Dewar. His eye for urban analysis breaks it down: separation of residential areas from work and commercial areas; separation of high income groups from low income groups; separation of different races and cultures from each other.

"The result is cities which are made up of independent pockets of development and fragmentation of different land uses and types of development."

This type of city massively increases the cost of living for its inhabitants, a factor felt often most severely by

the poor. Costs inflated by fragmenting a city include transport, housing and consumer goods.

Also negatively influenced by separation are human relationships: fragmented cities breed suspicion and mistrust between people of different backgrounds and income groups.

These characteristics which run counter to the ethic of human development have developed in South African cities as a result of, primarily, two influences: the uncritical adoption of planning ideas from other countries and the ideology of racial separation embodied in the Group Areas Act.

"They actively prevent the possibility of successful management of the urbanisation process," says Professor Dewar. "And the Group Areas Amendment Bill will only massively worsen the situation in its intention to tighten up the implementation of the Group Areas Act."

Poverty, unemployment and alienation will all increase as a result of legislation which seeks to underpin city development with the ethics of separation, division and dilution.

Considering the second fundamental consideration, the provision of shelter, Professor Dewar says: "If the government is in any way concerned with the welfare of its people, a central priority must be the facilitation of the provision of shelter on the largest possible scale. (In Cape Town alone, the present estimated housing shortage is between 83 000 and 162 000 units).

"In our opinion, the bills being considered will do exactly the opposite and will directly result in an exacerbation of the housing crisis."

THE Urban Problems Research Unit of the University of Cape Town is staffed by professional architects and town planners. Their concern is primarily the promotion of "positive urbanisation" in South Africa where rapid urbanisation is accepted as a fact of life. Managed correctly, there is, in their view, positive potential in this swing to the cities. Mismanaged, the resulting urban crisis would create irreversible problems and effect generations to come. The government's package of new group areas legislation sabotages all positive potential, they argue. DALE LAUTENBACH, Political Staff, reports...

Large scale displacement of people living in the "wrong" group areas will be a consequence of the proposed legislation. In recent years, inadequate provision of housing for coloured and black people in conjunction with a surplus of white accommodation has resulted in a "logical and positive response to the housing problem": blacks and coloured have moved into "white" accommodation.

NOW, evicting hundreds of families from their homes and sending them back to their "own" areas will greatly increase the pressure on already grossly overcrowded areas, says Professor Dewar.

This movement will also have the effect of increasing the cost of accommodation, of increasing exploitation of those who are desperate and of inflating the price of houses in the townships.

Private sector investment by way of renting will be discouraged and due to various changes in zoning procedures envisaged in the legislation, land for urban use will be made available at a much slower rate than before.

Creating the positive urban environment of the future is also im-

affected by security levels.

"One central effect of the Group Areas Amendment Bill will be to cause massive insecurity for all those living in the 'wrong' area," says Professor Dewar.

Investor confidence is next on Upru's list of those fundamental characteristics which will be negatively affected by the legislation.

For there to be positive and rapid growth, the private sector has to be involved, says Professor Dewar. In addition to the constraints already mentioned in that the availability of land for development will be retarded, the possibility of lengthy freezes of property and large scale state expropriation of areas affected by a change in group areas status will greatly discourage private investment... in both new housing and in the maintenance of existing accommodation and infrastructure.

Creating a "positive climate" for urbanisation is the last cardinal characteristic identified by Upru for healthy urban growth, a requirement all the more crucial where there is rapid urbanisation with the pressure this creates in society.

"It is essential that a climate is created which promotes neighbourhood cohesion, collective concern and collective responsibilities for the problems which have to be faced. If we cannot create a climate which encourages people to take control of their environments and future, the task of creating a positive urban society will prove insurmountable. The effect of the proposed bills will be to do exactly the opposite."

The bills legitimise neighbourhood spies by encouraging people to report group areas transgressors and this in spite of the government's claim in favour of the bills that they will "reduce" racial tension.

Perspectives

THE fundamental flaw in the National Party's approach to the constitutional future of the country has now been laid bare for all to see — even for some Nationalists.

The flaw is a simple one: For as long as the approach is a group-based one, the constitution can only function when the majority of the groups are prepared to accept the decision by one group, in this case, the NP.

The tricameral Parliament is built on the assumption that consensus will be found. Consensus implies a willingness to give and take, to make concessions, even about the fundamentals of politics.

If this does not happen, we get what we have today, namely a constitutional crisis which will result in the remaining power of Parliament reduced to nothing and a final confirmation that the NP will enforce its will on the majority of people in the country.

Coloured and Indian MPs have said no to the Group Areas Act, so have all white parties except the NP. Everybody outside Parliament has said no. But the NP intends pushing the legislation through.

Parliament is already weak. In the Westminster system, parliamentary government has long ago taken a back seat to cabinet government. In SA, we have the additional complication of the State Security Council taking key decisions which are then approved by Cabinet, the NP caucus informed and Parliament says yes.

Now we have two of the three Houses unwilling to co-operate in legislating something they perceive not to be in their best interests. But the NP must have its way — and will now go to the President's Council to ram through what it wants. Thereby destroying what little power Parliament has.

Nullify

As if that is not enough, the NP has pushed through Parliament a change in the standing rules which will nullify any attempt by the coloureds and Indians to use their braking power in the parliamentary standing committees.

Thus testifying again to the basic premise of the NP's approach — we stick to the rules and if the rules don't suit us we change them. As for the spirit of consensus, well, we cannot let that stand in our way.

All of this is quite apart from the fact that the legislation which is causing the constitutional crisis is inherently bad. It panders to racial feelings, makes it possible for thousands of people to be thrown out of their homes and, even more, to be chased out of the meagre squatter settlements to which poverty, lack of land and opportunity has driven them.

We cannot continue in this fashion. There cannot be talk of consensus if it means that in the end the NP gets its way in every case.

We cannot talk about a shared future if it means the future is one which the NP has rammed through against everybody else's will.

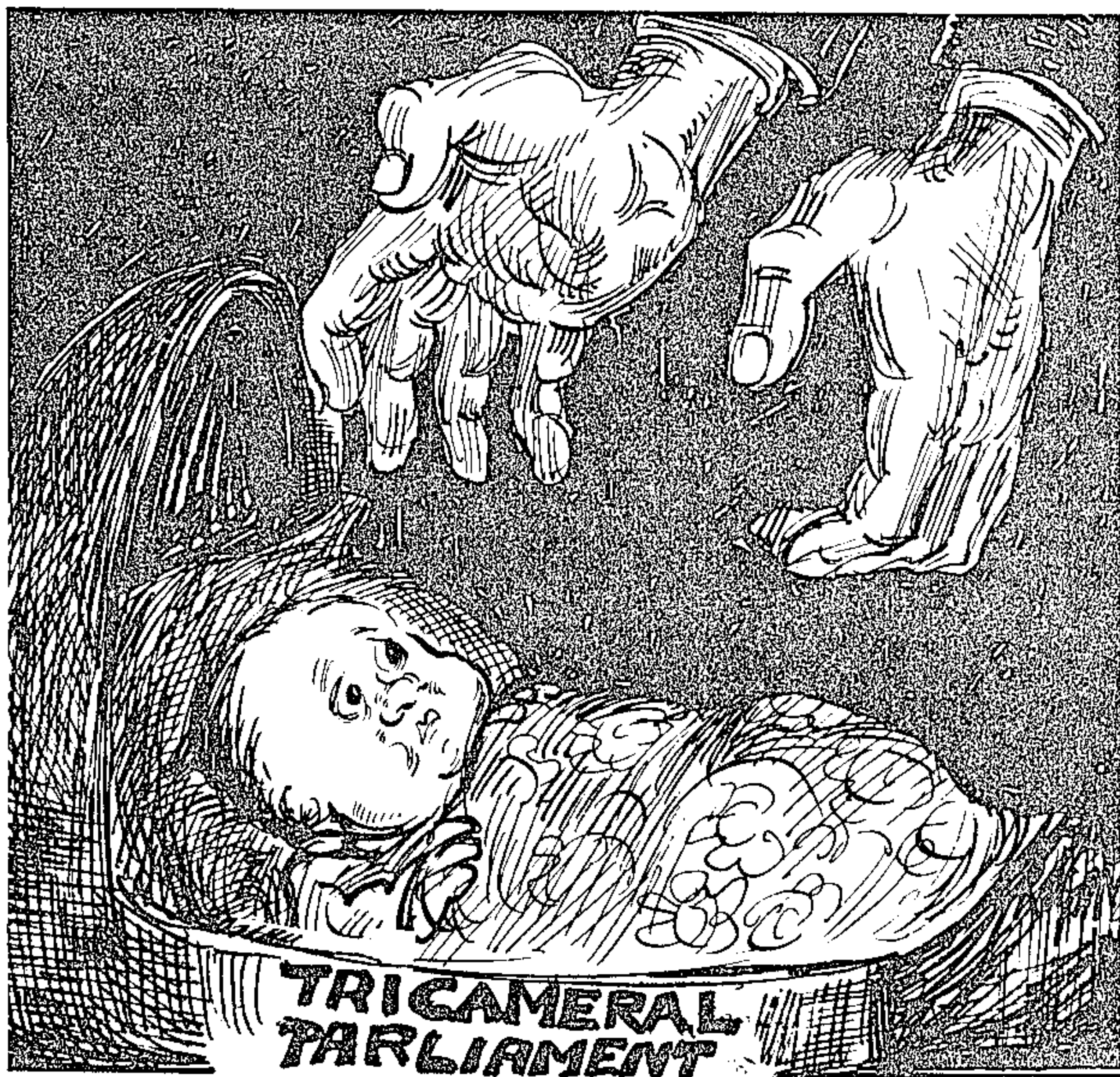
We cannot talk about a lasting negotiated future if the NP's approach, by definition, excludes everybody else from the road towards that future.

What we see before our eyes is political infanticide. The NP is killing off its tricameral child, the child which caused a split in its own ranks and brought to life the

INFANTICIDE! THE NP IS KILLING OFF ITS OWN CHILD

80
STimes

28/8/88



slide into totalitarian rule in which all who oppose it are lumped together as fellow-travellers of the ANC. And the ANC, for its part, has an equally rigid approach. The NP and the ANC insist they and only they have the right approach and those who do not join them are the enemy.

And that in fact is the stalemate in our politics. What we have is a politics of fish bowls. Two fish-bowls, standing next to each other, parliamentary and extra-parliamentary, NP and ANC.

And we, the little fish, swim round and round without getting anywhere. We are each in our separate fish bowl dominated by our own shark — the struggle by the ANC, the system by the NP, extra-parliamentary v parliamentary.

The sharks promise: We will solve the problem by pushing the other bowl off the table, destroying all in it.

Happen

But that is not going to happen. What we need to do is to bring the fish from the two bowls into one bowl. We need the politics of inclusion, we need parliamentary and extra-parliamentary to talk to each other and to begin to grow together.

If we all continue to say: My politics are right and you all have to be like I am, we will never have peace. We have to create space for all on the political stage and we need all the actors or the play will never fully be what it is meant to be.

Together we need to build a new SA with one patriotism, one nation, one loyalty built on individual rights but with full recognition for the diversity of our people — and thus protection for language, culture and religion.

The NP says its will must prevail because the democratic process has to go forward. Legislation cannot be stopped dead in its tracks, so let the council overrule the majority.

But the democratic process also implies a stand-still, a breathing space, for when there is so much disagreement a stoppage is vital. By denying this, the NP is killing off the democratic process, saying no even to those who try to remain reasonable.

by Wynand Malan

leader of the National Democratic Movement, examines the furore over the Group Areas Act and argues that reform is impossible unless we accept political diversity.



Conservative Party. What we see, is the demolishing of the credibility of those who regarded participation as a forward step.

What we see is also the beginning of a new truth.

Not that one can say clearly this or that is the only way forward because circumstances

change, new needs arise and reality impinges. It is clear, though, that the approach of the NP is not the way to go. As the NP has so amply demonstrated this past week.

What is necessary is to address white fear and black hopes in a totally different manner. Instead

of going the involved, convoluted Heunis way, we need the recognition that white fears can only be allayed when there has been black liberation.

Without it, we will continue to be isolated, will grow poorer, black unrest will continue, economic sanctions will grow, academic, cultural and sport boycotts will increase, bombs will continue to go off.

This is not to say there is an easy way out. But this way holds the promise of a prosperous, just society with room for all its diverse people, internationally accepted, at peace with itself and its neighbours.

The NP's approach is that of a

Whites favour

Group Areas

OWN CORRESPONDENT
29/8/88

JOHANNESBURG. —
The retention of Group Areas, in one form or another, is still preferred by about 71% of SA's whites, according to a Mark en Menings survey published in Rapport yesterday.

However, the survey also shows that legislation before Parliament which envisages the creation of certain "open areas" has the support of almost 60% of whites.

Rapport says the survey is significant after President P W Botha said last week that he was prepared to hold a referendum to test white opinion on the issue of separate living areas. Mr Botha said he estimated that 80% of SA's whites would be in favour of Group Areas.

Dark clouds on political horizon

political horizon

80

PRESIDENT P W Botha's determination to force the amended Group Areas legislation through Parliament has plunged the country into its gravest constitutional crisis since the 1950s.

After a week of drama it is now clear that his actions have sparked off an angry chain reaction that could mean:

- The squashing of the crucial Bill that would allow him to appoint a black Cabinet Minister.
- The prospect of court actions challenging his decision to handle the Group Areas amendments as own affairs although the Government admits it is general affairs.
- A new era of

“resistance politics” from the Government's tricameral partners and the threatening collapse of the system itself.

- More rumblings from angry verligte Nat MPs. And yesterday in a hard-hitting attack, Professor Johan van der Vyver, a top constitutional expert, urged opposition parties to take the National Party to court and said the Government had gone “absolutely mad” (see Page 2).

The NP, despite its protestations that it governs in partnership, now stands exposed as the bulldozer of white political might.

The backlash caused by the Government's cynical manipulation of Rules of Parliament is

effectively stalling its work.

Not one of the standing committees was able to reach agreement on any legislation for the past three weeks as MPs from the House of Representatives and the House of Delegates ganged up to block the Government. These measures will now have to be referred to the President's Council for approval.

The Constitution Second Amendment Bill comes up at a joint meeting of Parliament on Friday. Among other things this Bill would allow President Botha to appoint a black Cabinet Minister as part of his reform programme, but because it changes entrenched clauses of the

Constitution he needs the majority vote of each House for its passage.

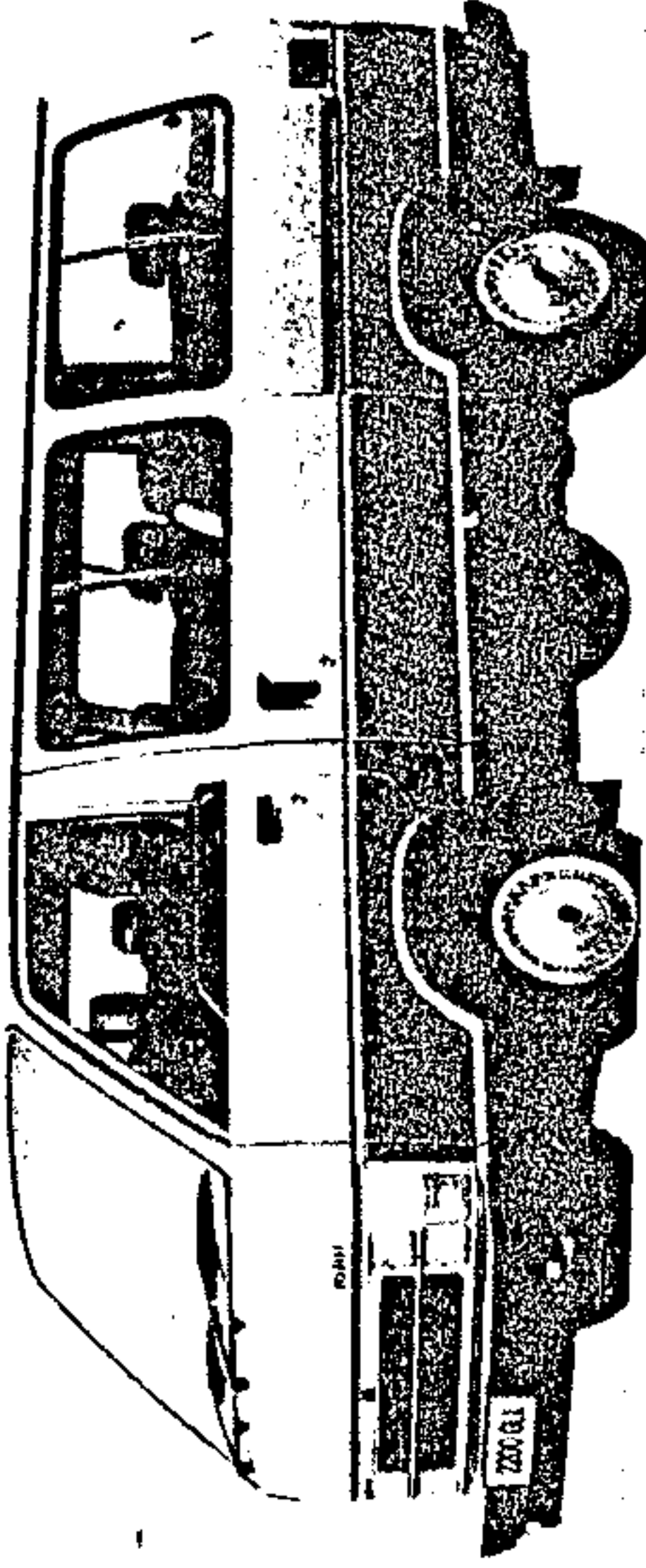
But the Indian and coloured majorities will vote against it, thus killing the legislation and causing huge embarrassment to President Botha.

Some Government MPs are now admitting in private that the controversial Group Areas amendments are costing the Government dearly, and they concede they would never work properly anyway.

Transvaal NP leader Mr F W de Klerk appeared to distance himself from the Government's stance on the Group Areas measures when he admitted at an NP youth congress that the Government was in

trouble in Parliament, that it had landed in the “rapids” and had no alternative at this stage but to forge ahead. Meanwhile ^{24/8/85} ~~the~~ ^{Indran and coloured} ~~Indran and coloured~~ ^{MPs are considering} ~~MPs are considering~~ ^{whether they should pull} ~~whether they should pull~~ ^{out of Parliament.} ~~out of Parliament.~~

**WIN A NEW TOYOTA HI-AGE
(16-SEATER) OR R40 000 CASH
FOR ONLY R10,00!**



Hussein

Spotlight on Group Areas Bill

THE Group Areas Amendment Bill fails to consider even the most fundamental requirements of positive urbanisation, says head of UCT's Urban Problems Research unit Prof Dave Dewar.

Consequences of the implementation of amendments to Group Areas legislation due to be debated in Parliament would be "disastrous", he warned.

"It is frankly incomprehensible, given the realities of the urbanisation process in South Africa and the management problems which it poses, that legislation such as the Group Areas Amendment Act can even be contemplated at this time."

In a written submission to the parliamentary standing committee considering the trilogy of Bills which all have bearing on group areas, Prof Dewar with UPRU colleague Ms Vanessa Watson analysed the ways in which the proposed legislation would not only inhibit what is referred to as "positive urbanisation", but significantly reverse this process.

Any legislation which is going to have an impact on urbanisation should take into account several characteristics at the very heart of how to urbanise "positively", say the UPRU experts.

They advise that legislation seek to promote these bottom-line characteristics:

- Maximum generation of urban opportunity
- Facilitation of the provision of shelter
- Promotion of security of tenure
- Enhancement of investor confidence
- Promotion of a positive climate of urbanisation.

The Group Areas Amendment Bill fails in respect of all of these, in UPRU's analysis.

Prof Dewar points out that people are attracted to cities not only in the hope of finding shelter, but in order to experience economic, social and cultural opportunities.

Failure

Failure to secure these opportunities does not, though, discourage people, as ongoing urbanisation in South Africa shows all too well. And when one asks why, the primary reason behind increasing urbanisation is revealed: The absence of opportunity and the means of survival for people in their areas of origin, notably in South Africa's case, the homelands.

In respect of generating urban opportunity, the key lies in a city's intensity of development in combination with the degree of integration of different urban activities and the ability of different parts of the city to re-inforce each other.

"Currently, the physical development of our cities is based on an ethnic of separation," says Prof Dewar.

His eye for urban analysis breaks it down: Separation of residential areas from work and commercial areas; separation of high income groups from low income groups; separation of different races and cultures from each other.

Quote

PROFESSOR Dave Dewar: "If we cannot create a climate which encourages people to take control of their environments and futures, the task of creating a positive urban society will prove insurmountable. The effect of the proposed Bills will be to do exactly the opposite."

THE Urban Problems Research unit of the University of Cape Town is staffed by Professional Architects and town planners. Their concern is primarily the promotion of "positive urbanisation" in South Africa where rapid urbanisation is accepted as a fact of life. Managed correctly, there is, in their view, positive potential in this swing to the cities. Mismanagement, the resulting urban crisis would create irreversible problems and affect generations to come. The Government's package of new Group Areas legislation sabotages all positive potential, they argue.

the largest possible scale. (In Cape Town alone, the present estimated housing shortage is between 83 000 and 162 000 units).

"In our opinion, the Bills being considered will do exactly the opposite and will directly result in an exacerbation of the housing crisis."

Scale

Large scale displacement of people living in the "wrong" group area will be a consequence of the proposed legislation. In recent years, inadequate provision of housing for coloured and black people in conjunction with a surplus of white accommodation has resulted in a 'logical and positive response to the housing problem. Blacks and Coloureds have moved into white accommodation."

Now, evicting hundreds of families from their homes and sending them back to their "own" areas will greatly increase the pressure on already grossly overcrowded areas, says Prof Dewar.

This movement will also have the effect of increasing the cost of accommodation, of increasing exploitation of those who are desperate and of inflating the price of houses in the townships.

Private sector investment by way of renting will be discouraged and due to various changes in zoning procedures envisaged in the legislation, land for urban use will be made available at a much slower rate than before.

Creating the positive urban environment of the future is also impossible without security of tenure. Prof Dewar points out that only where people feel

secure about the property they occupy, do they undertake improvements, maintain the property with care and contribute willingly to the upkeep of their areas.

Other urban implications flow from this: If people feel secure they invest for their families in education and training; studies show social deviance and crime are effected by security levels.

"One central effect of the Group Areas

Amendment Bill will be to cause massive insecurity for all those living in the 'wrong' area," says Prof Dewar.

Investor confidence is next on UPRU's list of those fundamental characteristics which will be negatively effected by the legislation.

For there to be positive and rapid growth, the private sector has to be involved, says Prof Dewar. In addition to the constraints already mentioned in that the

'Fragmented cities breed suspicion, mistrust'

availability of land for development will be retarded, the possibility of lengthy freezes of property and large scale state expropriation of areas effected by a change in Group Areas status will greatly discourage private investment in

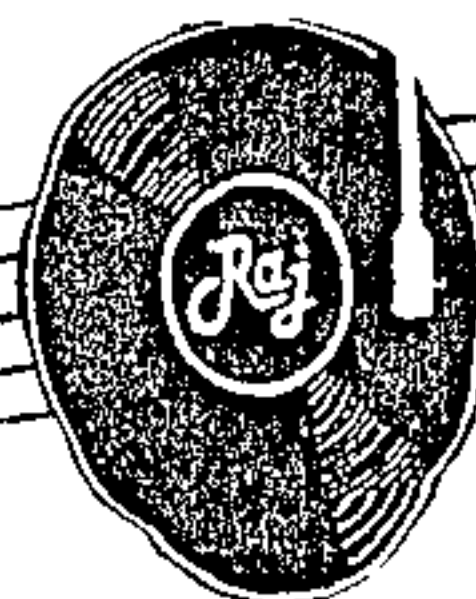
both new housing and in the maintenance of existing accommodation and infrastructure.

Creating a "positive climate" for urbanisation is the last cardinal characteristic identified by UPRU for healthy urban growth.

Toys For Joy



Mrs LOUIS Nel, vice-chairman of the South African National Council for Child and Family Welfare (right), at the launching of Toys For Joy — a campaign to collect old and new toys for the underprivileged children. Pictured are (from left) Mr Eric Ellerines, managing director of Ellerines, Ruan Schoeman, Sharleen Cowling, Tebogo Mokoena and Mshidisi Letuka. The launch was held in Johannesburg recently.



MUSIC BY MAIL

89 Victoria Street, Durban 4001
Telephone (Orders): (031) 306-3003
PO Box 2893, Durban 4000

MAIL ORDER: Please send R5.00 (five) Deposit per LP or Cassette
GST & Postage will be added, prices SUBJECT TO CHANGE WITHOUT NOTICE

LIONEL RICHIE — WANDERING STRANGER	R14.95	LOVE POWER, O'JAYS, MELBA MOORE, VARIOUS, FREDDIE JACKSON	R15.95
LIONEL RICHIE — PENNY LOVER	R14.95	RICHARD GROOVE HOLMES — THAT HEALING FEELING	R12.95
LIONEL RICHIE — DEEP RIVER WOMAN	R14.95	NAJEE — FUSION, NAJEE'S HOME	R15.95
SAY YOU SAY ME	R14.95	DAN SIEGAL — FEELING HAPPY, FUSION	R21.95
LIONEL RICHIE — COLLECTION, SWEET LOVE, ENDLESS LOVE	R14.95	HAROLD MELVIN — ALL BECAUSE OF A WOMAN	R13.95
THE COMMODORES — CLASSIC, JESUS IS LOVE	R14.95	HAROLD MELVIN — IF YOU DON'T KNOW ME BY NOW	R13.95
THE TEMPTATIONS — REUNION	R12.95	MANHATTANS — KISS AND SAY GOODBYE	R13.95
STEVIE WONDER — HOTTER THAN JULY	R16.95	RAY CHARLES — BORN TO LOVE ME, NO STRANGER	R12.95
STEVIE WONDER — SONGS IN THE KEY OF LIFE	R19.95	RAY CHARLES — IF YOU EVER CROSS MY MIND	R13.95
THE TEMPTATIONS — A SONG FOR YOU — MEMORIES	R 9.95	MIRIAM MAKEBA — A PROMISE	R12.95
THE TEMPTATIONS — MASTERPIECE	R 9.95	MIRIAM MAKEBA — COUNTRY GIRL, PATA PATA	R12.95
MARVIN GAYE — GREATEST HITS	R14.95	MIRIAM MAKEBA — KING CORN, CUCK SONG	R12.95
SMOKEY ROBINSON — ONE HEART BEAT	R14.95	MANHATTANS — NO GOOD IN GOODBYE	R12.95
SMOKEY ROBINSON — GREATEST HITS	R17.95	DOBBIE GRAY — FROM WHERE I STAND	R18.95
HUGH MASEKELA — SKOKIAAN, AFRICAN SUMMER — LEE RITENOUR — GUITAR	R10.95	DOBBIE GRAY — LOVE'S TALKING	R17.95
THE TEMPTATIONS — TOGETHER AGAIN, LATEST	R15.95	JOYCE SIMMS — ELEGANT GIRL	R12.95
GROVER WASHINGTON — REED SEED	R11.95	JOYCE SIMMS — I'M READY FOR LOVE	R15.95
GROVER WASHINGTON — COME MORNING	R12.95	ANDRAE CROUCH — NO TIME TO LOSE, OH IT'S JESUS	R16.95
GROVER WASHINGTON — INSIDE	R12.95	THE TEMPTATIONS — TRULY FOR YOU, TREAT HER LIKE A LADY	R15.95
HERB ALBERT MEDLEY — SWING	R 8.95	RUSTY BRYANT — FIRE EATER	R 8.95
LOW SWEET CHARIOT	R 8.95	LEE OSCAR — MY ROAD, OUR ROAD	R12.95
KU SHOOZ — I CAN'T WAIT	R 5.95	GEORGE BENSON — IN YOUR EYES, IMPORT	R16.95
BARRY WHITE — LET ME LIVE MY LIFE	R12.95	THE STYLISTICS — THE BEST OF JIMMY WITHERSPOON — BLUES	R 8.95
LOVING YOU	R12.95	AROUND THE CLOCK	R19.95
MILLIE JACKSON — ROSE COLOURED GLASSES	R12.95	TEDDY BENDERORAS	R19.95
SHIRLEY BROWN — WOMAN TO WOMAN	R11.95	JOYCE SIMMS — COME INTO MY LIFE	R19.95
ISAAC HAYES — I STAND ACCUSED, MOVEMENT	R11.95	FREDDIE JACKSON — LATEST — DONT LET LOVE SLIP AWAY	R19.95
MANUKU — YAKHAL INKOMO	R12.95	AL GREEN — LOVE & HAPPINESS	R13.95
BROOK BENTON — I LOVE HER, WINDS OF CHANGE	R14.95	CURTIS MAYFIELD — NO PLACE LIKE AMERICA — SO IN LOVE	R14.95

- Our prices are very low
- We have easy finance
- You'll get better value for your money

PHONE TODAY (012) 348-9516
or (011) 980-4109
or (011) 938-5878



Deadlock: Hendrickse, Heunis meet tomorrow

ARGUS
29/8/88

By TOS WENTZEL
Political Correspondent

THE leader of the Labour Party, the Rev Allan Hendrickse, is to meet the Minister of Constitutional Development, Mr Chris Heunis, tomorrow to discuss the constitutional deadlock.

Announcing this today, Mr Hendrickse said he was not prepared to compromise.

The Labour Party has demanded the scrapping of the Group Areas Act. Mr Hendrickse said he had not proposed a list of residential areas which must be opened, as had been reported earlier.

Mr Heunis said today that his door was open if Mr Hendrickse wanted to talk.

Meanwhile, the constitutional impasse may take a new turn this week after the Labour Party has examined ways of retaliating following the National Party's actions in the Assembly last week.

The party is considering changing the rules of the House of Representatives to pass its own version of legislation which would amount to the scrapping of the Group Areas Act.

Way opened

The National Party, by changing the Assembly rules to prevent the other two Houses playing a role in legislation passed by it, has opened the way to similar action by the Labour Party.

The rules providing for a joint committee of all three Houses of Parliament were agreed to by all of them.

The NP last week unilaterally changed the rules to turn the group areas legislation and related Bills into "own affairs" measures to be dealt with by a

committee appointed from only the one House.

Some Labour MPs want the Representatives to also "go it alone" on the rules.

The party has made it clear it will have nothing to do with the present legislation short of scrapping it.

Asked about the possibility of the other Houses of Parliament using procedural changes similar to those of the Assembly to open coloured areas to other groups, Mr Heunis said this was a legal question he could not deal with.

However, his political answer would be that something like that was possible in terms of the present proposals being rejected by the Representatives and the Delegates.

Mandela: Coetsee over staged release

By TOS WENTZEL
Political Correspondent

THE Minister of Justice, Mr Kobie Coetsee, today declined to react to a report that there may be a plan for a staged release of Mr Nelson Mandela.

The report said there was persistent speculation about this in government circles.

Mr Coetsee said today the report was "speculative" and he could not comment on it.

He said it was "obvious" that Mr Mandela was having the best treatment, and that it would be ensured that this was the case until he recovered.

He emphasised that the lat-

Troops leave Angola

The Argus Correspondent

PRETORIA. — The last of the troops stationed in Angola are due back into Namibia tomorrow in the

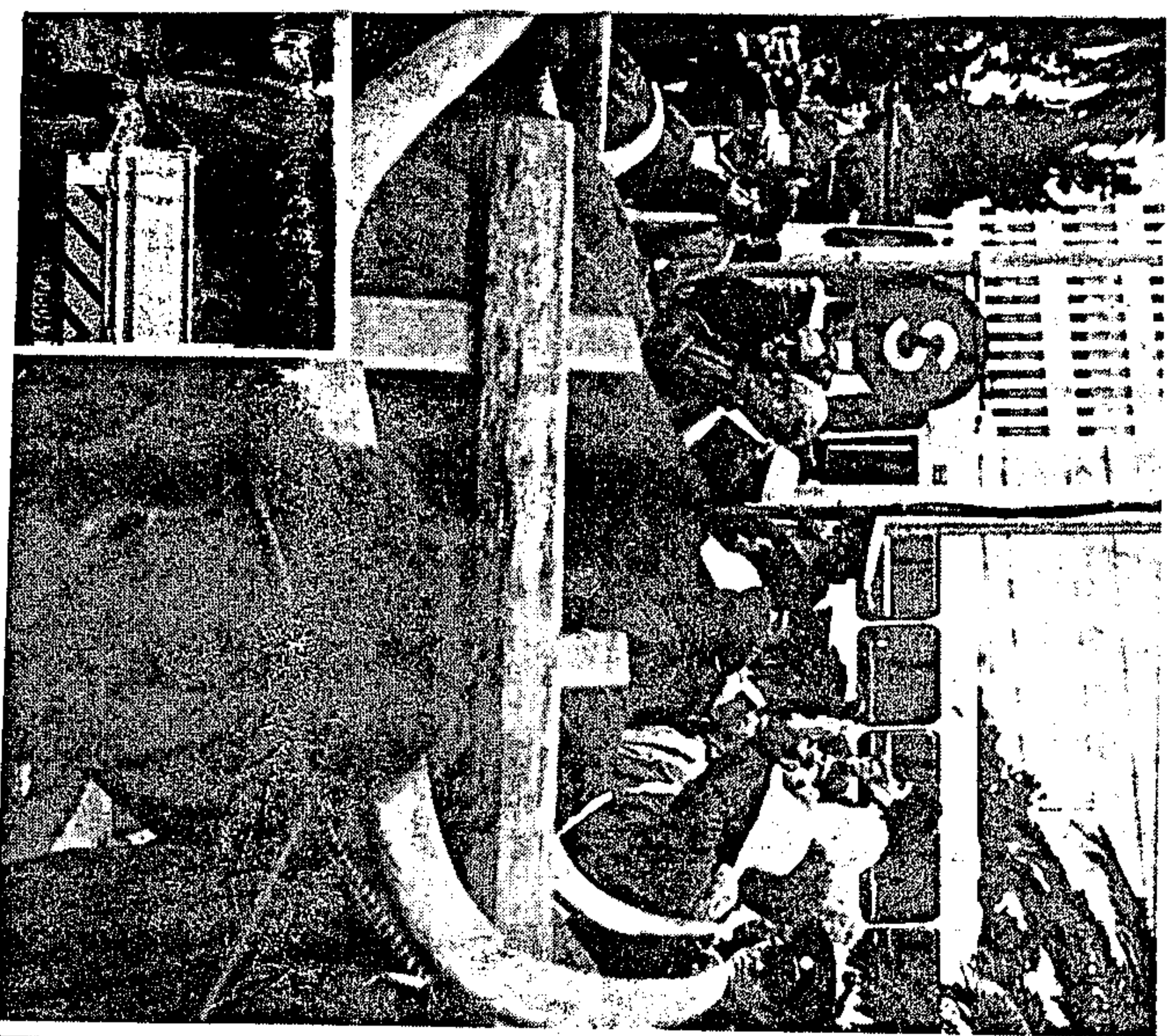
CRISIS



WEEK

CRIT TINTS 29/1/88

IN OVER TREK OXEN



Tricameral system faces chaos on bills

By ANTHONY JOHNSON

THE battered tricameral system could be plunged into total procedural chaos if the Indian and coloured Houses this week decide to follow the government's example and bend the rules to suit their own political ends.

The crisis bedevilling the boycott-ridden institution is likely to come to a head on Friday at the joint session for all three Houses which the government has unilaterally ordered.

Steamrollered

President Botha is expected to read the riot act to rebellious MPs — the Conservative Party is the only opposition party still debating contentious group areas, slums and squatter control legislation — and order both the House of Representatives and the House of Delegates to consider the measures within two weeks.

If these two Houses still refuse to deal with these measures, they will be referred to the President's Council and steamrollered into law well in advance of the crucial municipal elections in October.

However, should these Houses decide to take a leaf out of the government's book and unilaterally suspend rules they deem inconvenient and substitute others, they could precipitate a procedural nightmare that

could render the already hugely complex tricameral system virtually unworkable.

There has also been speculation that the Labour Party (LP) might opt for passing a separate bill abolishing the Group Areas Act in coloured areas.

But a key player in the constitutional drama, LP leader Mr Allan Hendrickse, has declined to reveal his battle plan.

Meanwhile, the LP's national executive committee decided at the weekend to consider a Supreme Court challenge "with or without the support of other opposition parties" into the government's decision to unilaterally treat "general affairs" bills as "own affairs" legislation to help steamroller unpopular measures into law. The NEC also passed a resolution "condemning the unwillingness of Mr Chris Heunis (the Minister of Constitutional Development) to enter into negotiation with the LP".

'No stalemate'

However, according to the Minister of Information, Dr Stoffel van der Merwe, a "cut and dried stalemate" does not yet exist between the LP and the government. Talks were still taking place albeit at a "slightly lower level" than that of leadership.

Although many members of the NP caucus are deeply concerned about both the *kragdadige* (hardline) content of bills currently before Parliament and the methods resorted to to get them on the statute book, Dr van der Merwe is adamant that the latest impasse should "not be seen as the ultimate crisis".

Most whites want group areas to stay

29/8/88
B/Day
80
BRUCE ANDERSON

THE retention of group areas, in one form or another, was still preferred by about 71% of SA's whites, a Mark en Menings survey showed in Rapport yesterday.

However, the survey, which was compiled in the last two months, also showed that legislation before Parliament which envisaged the creation of certain "open areas" had the support of almost 60% of whites.

Some 42% of the representative sample of 2 000 whites polled in the survey said they were in favour of proposed enforcement clauses in the legislation which allowed for the imposition of higher fines and stronger eviction measures.

The clauses are aimed at people who live in a group area designated for a population group other than their own.

The survey showed that just under half of NP supporters and more than 82% of CP supporters were in favour of the enforcement clauses.

Rapport said the survey was significant in view of President P W Botha's statement last week that he was prepared to hold a referendum to test white opinion on the issue of separate living areas. He estimated that 80% of whites would be in favour of group areas.

NP decision creates 'serious precedent'

THE House of Assembly's unilateral decision to treat the controversial Group Areas Bills as an "own affair" would create a serious precedent, PFP constitutional affairs spokesman Nic Olivier said yesterday.

He said the action would give all three Houses of Parliament the power to do the same with future legislation, making

DIANNA GAMES

the functioning of a three-chamber system impossible.

Olivier was commenting on the motion passed in the House of Assembly

80
● To Page 2

NP vote on Bills creates 'serious precedent'

last week that allows for the Bills to be processed in terms of rules for own affairs legislation instead of as joint affairs.

He said such a move effectively meant the power was removed from the other two Houses to effect changes in legislation through joint sittings.

But the precedent this had created could also be used against the House of Assembly.

He said this precedent was far more important than the legality of the move, which has been raised in several quarters as a matter which should be taken to court.

Olivier said he was in some doubt

80
● From Page 1
B/Day
29/8/88

about the outcome of legal action on the matter.
The Bills would still have to go before the House of Representatives and House of Delegates, which could then either accept or reject them or refuse to consider them.

In the event of the Houses refusing to consider them, they would be deemed after two weeks to have rejected them. The matter would then be referred to the NP-dominated President's Council for a final decision and, said Oliver, the objection of the two Houses would most likely be overruled anyway.

State of a specific criminal case. Such cost could, however, relate to the following items:

- Case record
- 2 Assessors
- Subsistence and travel allowance for judge and assessors
- Witness fees and expenses (for the State)
- Man hours of judge and state personnel apportioned to the case.

Mr D J DALLING: Mr Chairman, arising out of the hon the Minister's reply, was any money spent by the State in funding the defence of the accused persons in the case?

The MINISTER: Mr Chairman, not by the Department of Justice.

Mr D J DALLING: Sir, the hon the Minister has not answered the question. Was any money expended by the State?

The CHAIRMAN OF THE HOUSE: Order! The hon the Minister has replied to the question as regards his portfolio.

The MINISTER: Mr Chairman. Apart from the items I have mentioned that could be either allocated or apportioned to this case, nothing else has been expended by the Department of Justice.

Peter Kaye-Eddie: contravention of Group Areas Act

*9. Mr F J LE ROUX asked the Minister of Justice:†

- (1) Whether a criminal case, particulars of which have been furnished to the Minister's Department for the purpose of his reply, was heard in the Benoni regional court earlier this year; if so, (a) who was the accused and (b) what was the gravamen of the charges against him;
- (2) whether the case has been disposed of; if so, what was the outcome thereof;
- (3) whether the case was postponed at any stage; if so, (a) on whose instructions and (b) at whose request;
- (4) whether representations for the postponement of this case were received from any persons or bodies; if so, (a) from whom or from what bodies, (b)(i) to whom were these representations made and (ii) what was the nature thereof and (c) why was the case postponed?

HOUSE OF ASSEMBLY

†The MINISTER OF JUSTICE:

- (1) to (4) I had enquiries made at the Attorney-General and according to him it appears from the case record that Peter Kaye-Eddie is standing trial on a charge of contravening section 26(1) of the Group Areas Act, 1966 (Act 36 of 1966). The case record is a public document and should the hon member require any other information he is at liberty to approach the Clerk of the Court, Benoni, in this regard. The number allocated to the case record is Benoni SH 282/88.

Beer: evasion of GST

*10. Mr C J DERBY-LEWIS asked the Minister of Finance:

- (1) Whether he or his Department has been informed of and/or received any complaints about alleged general sales tax (GST) evasions involving beer purchased GST-free in Rosslyn near Pretoria for business undertakings in Bophuthatswana and subsequently transported to South Africa for sale at reduced prices; if so,
- (2) whether he has taken any steps in this regard; if not, why not; if so, (a) what steps and (b) when;
- (3) whether he will make a statement on the matter?

The MINISTER OF FINANCE:

- (1) The Inland Revenue Branch of the Department of Finance is aware of such malpractices.
- (2) In terms of regulations made in July 1987 under the Sales Tax Act, 1978, as amended with effect from 1 August 1987, liquor traders from neighbouring states may no longer take possession of liquor in South Africa free of sales tax. It is only where liquor sold in South Africa is delivered or consigned by the seller to the purchaser's address outside South Africa and proof of such delivery or consignment is kept by the seller, that the sale of such liquor is exempt from sales tax. Whenever reports of malpractices in that regard have been received by Inland Revenue, an investigation has been launched, resulting to date in payment of well over R1 million in sales tax and penalty being claimed

from the liquor traders concerned. Further investigations are still in progress.

- (3) In regard to liquor which is exported from South Africa and then finds its way back to sales tax in respect of the importation into South Africa of such liquor. However, the lack of clearly defined borders and border control measures such as between some of South Africa's neighbouring states makes effective enforcement of the provisions of the Sales Tax Act extremely difficult. This is a problem which is receiving consideration in the drafting of legislation with a view to introducing the value-added tax recently announced by the Government.

Mr C J DERBY-LEWIS: Mr Chairman, arising from the hon the Minister's reply, does he have any idea how much has been lost in GST revenue to date as far as that contravention is concerned?

The MINISTER: Mr Chairman, we obviously do not know how much has been lost, otherwise we would have retrieved it.

Springs: assault of Black person

*11. Mr C J DERBY-LEWIS asked the Minister of Law and Order:

- (1) Whether, with reference to his reply to Question No 1, standing over, on 14 June 1988, the South African Police on the East Rand have conducted any further investigations in connection with the alleged assault of a Black person in a street in Springs by a group of White persons; if not, why not; if so,
- (2) whether any forensic laboratory tests have been carried out to establish whether evidence of any type of blood was found on the pavement stones at the spot where the alleged assault took place; if not, why not; if so, (a) when and (b) with what results?

†The MINISTER OF LAW AND ORDER:

- (1) Yes.
- (2) Yes.
 - (a) 16 June 1988.
 - (b) The pavement stones which were pointed out to the South African Police and on which blood was alleged to be present, were forensically ex-

amined by the South African Police. The examination of these stones indicated no traces of blood.

Mr C J DERBY-LEWIS: Mr Chairman, arising from the hon the Minister's answer, I would like to ask him whether the SAP could find any facts whatsoever either to support the allegations or to verify the accompanying photograph contained in the propaganda based on a report in the *Springs and Brakpan Advertiser* of 8 January 1988, issued on behalf of the NP, the advertisements widely placed in newspapers by the hon member for Springs on behalf of the NP, used to defame the CP during the by-election campaigns.

The CHAIRMAN OF THE HOUSE: Order! The hon member is making a speech. That is not allowed. [Interjections.]

Mr C J DERBY-LEWIS: Mr Chairman, further arising . . .

The CHAIRMAN OF THE HOUSE: Order! There is nothing further arising. I put Question No 12.

†Mr J J NIEMANN: Mr Chairman, on a point of order: After you gave your ruling with regard to the hon member Mr Derby-Lewis, he said that it was "disgraceful". I take it that that was a direct reflection on the Chair, and I ask you to give your ruling in this connection.

†The CHAIRMAN OF THE HOUSE: I did not hear the hon member say that. Did the hon member say it?

†Mr C J DERBY-LEWIS: Mr Chairman, I was speaking to my colleague next to me; it was not meant for the House. [Interjections.]

Mr J J NIEMANN: Mr Chairman, on a point of order: Even if the hon member addressed it to his colleague next to him, he nevertheless spoke loudly enough for me to hear him say it was "disgraceful".

†Mr A L JORDAAN: Yes, we all heard him say that!

†The CHAIRMAN OF THE HOUSE: Order! Did the hon member say it with the intention of casting a reflection on the Chair?

†Mr C J DERBY-LEWIS: Mr Chairman, I was referring to this colleague of mine, as I said before. [Interjections.] That is a lovely choir!

HOUSE OF ASSEMBLY

Controversial slums legislation tabled

30/8/88

PARLIAMENT — The controversial Slums Bill, which regulates the occupation of premises and provides for confiscation of property and fines of up to R4 000, was tabled in Parliament yesterday.

The Bill, which will be read a second time today, would repeal the Slums Act of 1979 and Section 16 of the Influx Control Act of 1986.

Sapa reports that a local authority could make regulations:

- To prevent or prohibit overcrowding or the use of premises it regards as unhealthy or unfit for

human habitation:

- For the supervision and licensing of premises or of rooms occupied by more than one family;
- To determine how many people may occupy premises;
- The separation of men and women in premises;
- The conduct, cleanliness, cleaning, drainage, lighting and ventilation of any premises and the provision in those premises of backyard space, air space, floor space, facilities for the storage of food, water supply, washing facilities

and latrines; and

- Fees for licensing of premises.

In terms of the Bill, a local authority should take measures to prevent or remove any "nuisance" — defined as any condition which, in the local authority's opinion, constitutes a threat to the health or safety of the occupants of any premises, adjacent premises or a member of the public.

The Minister would also be permitted to request the removal.

The local authority could also

remove the nuisance and the owner would have to pay expenses, failing which it could confiscate and sell the property.

It could also serve notice on an occupier, giving him not less than 60 days to vacate premises.

If a local authority failed to perform any duty assigned by the Act after the Minister told it to, he could perform the act and demand payment of expenses from the local authority. — Sapa.

CONFUSION IN DURBAN

SOWETAN, Tuesday, August 30, 1988

Urban Foundation appeals to Govt on proposed prevention of illegal squatting law

DURBAN SQUATTERS BILIE

THE Urban Foundation has called on the Government to abandon the Prevention of Illegal Squatting Amendment Bill and instead to encourage the retention and upgrading of informal shelter as part of a national housing policy.

The organisation estimated that more than 10 million people could be affected by the Bill, arguing that the preservation and upgrading of shelter was a national priority and Government should build on informal settlement, not destroy it.

Presenting the recommendations made to the Parliamentary Standing Committee handling the Bill, the Urban Foundation called for a "housing tribunal" — along the lines of the industrial court — to be set up to deal with disputes between people whose rights were affected by a proposed or existing informal settlement.

Mr Sam van Coller, managing director of the Urban Foundation, said the organisation had made detailed written and oral submissions to the Parliamentary Committee and made available its relevant research findings and its analysis of the Bill.

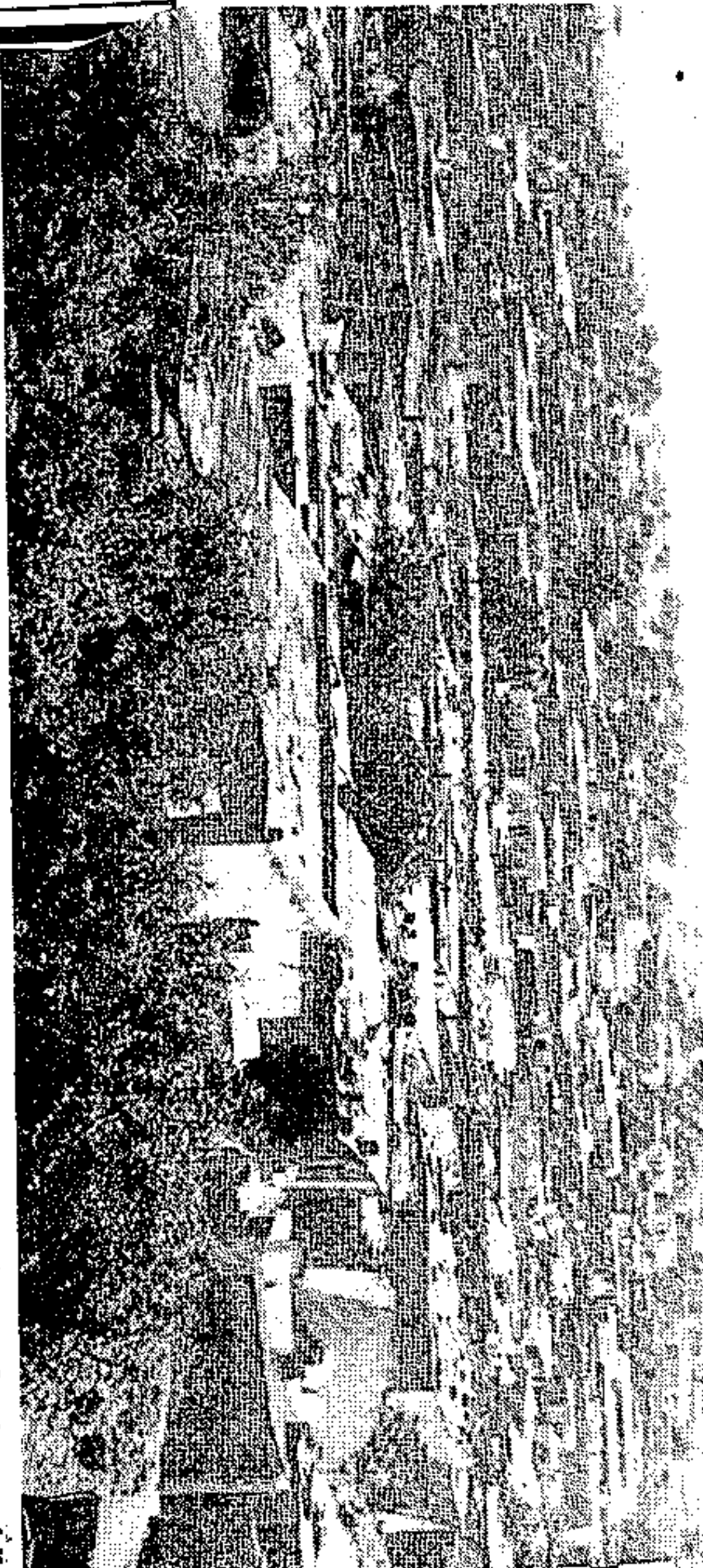
SOWETAN CORRESPONDENT

The recommendations on how informal settlement should be handled had "in the interests of correct procedures" not been made public until now.

He said the Bill had been debated in Parliament and references were made to some of the foundation's proposals. The foundation had felt it necessary to make public its full set of proposals so that any discussion was seen in the proper context.

The alternative approach recommended by the foundation was presented by Ms Ann Bernstein, policy director of urbanisation.

She said international experience had shown that there were three options in managing informal settlement: Coercion, "turning a blind eye" with no positive Government intervention, or accept-



"INFORMAL settlements like this one should be upgraded and not destroyed."

ing informal settlement as part of the national housing policy.

The third approach was recommended by the Urban Foundation.

Ms Bernstein said for Government policy to have a positive approach towards informal settlement as a form of housing delivery and city growth, did not mean advocating a policy of state neglect.

South Africa's total annual housing requirement in 2000 was estimated at 400 000 units. This year the private sector hoped to deliver 35 000 urban units. In

1986/7 financial year the public sector had built 9 000 new urban units.

Because of the huge backlog and housing shortage, there was serious overcrowding in townships, with up to 17 people sharing a house.

This also led to backyard shacks, garages and outbuildings being used for housing, informal settling in or near townships and a movement into formal accommodation in "white" group areas.

One out of every five South Africans in urban areas relied on informal settlements for housing, and a major policy change to housing was needed to avoid the invasion of land by groups of people.

People lived in shacks because there was no formal housing available, or because they could not afford formal housing.

Sixty percent of urban blacks could not afford the most modest housing. Accepting informal housing would lead to existing informal settlements being assessed and, where appropriate, authorised and upgraded.

was happening.

On Friday the Department also placed responsibility on the Natal Provincial Administration.

But Mr Peter Miller, member of the Natal executive committee, rejected the responsibility saying the province had "neither the money

nor the finance".

Mr Burrows said today it was "absolutely vital that the squatters be informed where the promised land and the Government has an obligation to ensure the safe transport of the squatters to the new land and this must happen immediately.

GOVERNMENT confusion over thousands of homeless Durban squatters continued yesterday giving further impetus to growing opposition to the Prevention of Illegal Squatting Amendment Bill.

The Government was under fire yesterday for the manner in which it was handling the 3 000 Durban squatters evicted from private land last week and for pressing ahead with the controversial anti-squatting legislation.

Mr Roger Burrows MP, Natal Progressive

Federal Party leader, said yesterday that what was happening in Durban was a microism of what would happen if the Government pressed ahead with the legislation which spread responsibility even further.

Meanwhile despite Department of Development Aid assurances that alternative land had been made available to the Durban squatters had not been met.

There was no immediate response from the Department yesterday on queries about what

86

M645 30/8/88 (80)

Assembly approves harsh new Areas Bill

Act inflates coloured, Indian house prices

By **MAGGIE ROWLEY**
Business Staff

SCRAPPING the Group Areas Act could knock up to 19 percent off the value of homes in coloured and Indian-designated areas, according to a study by an independent research and survey firm, Real Estate Surveys (RES).

The study, believed to be the first systematic market research into the factors that determine house prices in South Africa, found that coloured homeowners pay, on average, 19 percent more for an existing middle-class house than they would if they were white.

RES director Mr Irwin Rode said this was ironic as it meant these homeowners would be hit financially if the Group Areas Act were to be abolished. The selling value of their homes would drop by this percentage.

SUBSTANTIAL

"Up to now anecdotal evidence has suggested that middle-class homeowners in coloured and Indian areas pay up to 30 percent more for an existing house than would be the case if they were white.

"To the best of our knowledge we now have the first empirical evidence to test this theory. The results show that there is indeed a substantial difference between what coloured and white people pay for the same type of house."

For example, Mr Rode said, a house between 10 and 20-years-old, measuring 150 square metres with five square metres of covered stoeps on a plot of 1000 square metres in a middle-class suburb, would have sold for R94 000 in a white suburb in May 1988. The same house would have fetched R112 000 in a coloured area.

SLOWER GROWTH

"A sad implication of the premium paid by homeowners in coloured areas is that as the Group Areas Act is phased out, the premium of 19 percent will disappear, implying at best a slower growth for these owners' most valuable asset.

"At worst, the premium could disappear over a short period of time. That is, house prices in coloured and Indian areas could drop by about 19 percent."

By **TOS WENTZEL**
Political Correspondent

THE House of Assembly has dealt with the controversial Group Areas Amendment Bill.

The House completed debate on the measure yesterday.

The other two Houses have declined to deal with it and other Bills dealing with group areas.

The meeting between Labour Party leader Mr Allan Hendrickse and the Minister of Constitutional Development, Mr Chris Heunis, takes place against this background this afternoon.

Mr Hendrickse said today he did not know what they would be talking about now that the Assembly had passed the Bill.

OFF-HAND

When the meeting was arranged at the weekend it was meant to be about the Bill. The Labour Party wants the main Act to be scrapped.

Mr Hendrickse has in the past indicated that the party also wants to talk to the government about constitutional changes.

When Mr Heunis treated their attempts to meet him on this in an offish way, they started blocking legislation in the parliamentary standing committee on constitutional matters, starting with the Constitution Second Amendment Bill.

This provides for an increase in the number of parliamentary constituencies and for blacks as Ministers or Deputy Ministers, even though they will not be MPs.

A joint session of the three Houses on this Bill has been called for Friday.

"NO ELECTION"

Mr Hendrickse said today he could not yet say what his party's stand on this would be. A caucus meeting would be held on Thursday.

Meanwhile MPs are dismissing a suggestion that Friday's session could have something to do with President Botha planning to call a general election.

Nationalist MPs said today there was no such speculation in their ranks.

There would not be enough officials and security personnel available to have parliamentary and local elections at the same time in October.

There would have to be a re-delimitation of parliamentary seats first as the present delimitation was outdated.

● See page 4.

Slums Bill link with 'apartheid' regretted

AK665
31/8/88

Parliamentary Staff

GOVERNMENT and official Opposition speakers lamented the connection created between the Slums Bill and the three Group Areas Bills.

The Minister of Public Works and Land Affairs, Mr Pietie du Plessis, said in the Assembly that it was "a pity to drag this legislation into the so-called group areas trilogy, thereby making it an apartheid affair".

Mr Jan van Eck (Ind Claremont) had, for example, tried to give the Bill "racial grounds" by harking back to District Six.

Mr C B Schoeman (CP Nigel) said it was "a pity" that the Urban Foundation had coupled the legislation — "which has nothing to do with the Group Areas Act" — to the contentious Group Areas Bills.

The CP has opposed the Free Settlement Areas Bill (the first of the Group Areas Bills which was debated in the Assembly last week) because it provides for "open areas".

The CP has also opposed the Group Areas Amendment Bill because the promised "teeth" which were to be given the legislation have been pulled

with application of the measure now being at the Minister's discretion.

The CP, however, supported the Slums Bill because there was a need to update the legislation. The CP also supported the proposal in the Bill that slums control be more in the hands of local authorities.

Mr du Plessis said the Bill repealed the Slums Act of 1979 to replace it with simplified and more practical procedures for the prevention and clearance of slums.

The greatest difference between the old Act and the new legislation was that there would no longer be a slum-clearance court. Slum-declaration was now a matter for local authorities.

The Bill was referred back to the standing committee for consideration of amendments put by the Progressive Federal Party.

The PFP did not take part in the debate as its members have refused to be party to all matters proceeding under a suspension of parliamentary rules which was engineered by the National Party last week in the face of the boycott by the houses of Delegates and Representatives.

ANNOUNCE A FIRST IN FAX

Breaking rules 'immoral, tragic'

By DALE LAUTENBACH, Parliamentary Staff

THE Conservative and the Progressive Federal parties opposed another government move to suspend the rules of Parliament as "immoral" and "tragic".

Speaking in the House of Assembly yesterday, CP Chief Whip Mr Frank le Roux said it was "immoral" of the government to unilaterally break rules agreed to by a joint committee of the three houses of the tricameral system.

Leader of the House Minister F W de Klerk said the suspension was necessary if the Assembly was to continue its business — "to do its job" — in the absence of the houses of Delegates and Representatives which have both refused to deal with legislation in this short session.

Mr de Klerk proposed suspending certain parliamentary rules in order that the Income Tax Amendment Bill could be read a second time during this sitting. Ordinarily, there must be a longer passage of time between the first and second reading of a Bill.

The alternative to suspending the rules was for the Assembly to "pack up and go home".

"Is that what you want?" said Mr de Klerk.

"Scrap this stupid legislation," interjected PFP MP Mr Jan van Gend, referring to the group areas trilogy which had caused the boycott in the other houses.

"Stupid in who's eyes? Yours?" said NP MP Mr A Fourie, also interjecting.

Mr van Gend: "Yes, and in the eyes of the whole world."

PFP MP Professor Nic Olivier opposed Mr de Klerk's proposal saying it was a "tragic day" when the government had to suspend rules agreed to by all three houses. The move was a "symptom" of the problems inherent in the tricameral system.

Responding to allegations made by Mr de Klerk last week that he, Professor Olivier, and PFP parliamentary leader Mr Colin Eglin had "meddled" in the affairs of the houses of Delegates and Representatives and influenced their recent decision to boycott debate, Professor Olivier said he was not so arrogant to presume he could influence other people against their will.

It was his function to reveal implications from a legislative point of view and anyone could ask him to do this. Neither he nor Mr Eglin had tried to influence the decisions of another party.

Mr de Klerk's proposal to suspend the rules was carried by an NP majority.

e
ne
che
ubre
id p
road
ad
om
ated
nstr
w
mill
i-mi
for
ng,
ent
xist
oul
ze
the
ing
gal
eas
wer
oat
apa

Hendrickse to seek solution

80
3/1/88

THE Labour Party leader, Mr Allan Hendrickse, and the Minister of Constitutional Development and Planning, Mr Chris Heunis, will try to reach a compromise today to break the deadlock between the House of Representatives and the government.

They spent nearly three hours yesterday trying to settle a misunderstanding which had arisen over whether Mr Hendrickse had offered to negotiate a deal over a "list" of areas to be declared "open" in exchange for the party's support for the government's legislation on group areas amendments and the establishment of free settlement areas.

After issuing a joint statement saying they had settled the matter of semantics of whether a "list" existed, Mr Hendrickse said he and Mr Heunis would tackle the "broader issues" around the conflict between them.

He said he was "cautiously optimistic".

The Labour Party, which as majority party had adjourned business in the House of Representatives until Friday, considered any previous offers of a compromise, including that of a list of areas, as having been rejected by the government and which would have no further part in these negotiations. He said he had made an offer to Mr Heunis "in the interests of progress" during June, in spite of the Labour Party congress decision not to accept less than the total scrapping of the Group Areas Act.

Heunis 'apology'

Political Staff

THE Minister of Constitutional Development and Planning, Mr Chris Heunis, yesterday effectively apologized to the leader of the Labour Party, the Rev Allan Hendrickse, for remarks he made on discussions between the two.

Mr Heunis had denied that a discussion took place during which Mr Hendrickse submitted a list of residential areas which he wanted open as a condition for negotiation on the legislation.

"After discussions between Ministers Heunis and Hendrickse, Minister Heunis confirmed that a discussion on the Group Areas legislation between Ministers Heunis and Hendrickse took place on June 15 and that Minister Hendrickse had made certain proposals.

"In view of today's discussions, Minister Heunis accepts that his initial information as conveyed to him was incorrect and his comments on this information accordingly fall away."

SAPA Times 1/9/88
80

'Total integration to the highest level' Rights issue for free areas

HOUSE OF ASSEMBLY. — The logical consequence of the introduction of mixed voters rolls and non-racial management bodies for free settlement areas was total integration up to the highest level of government, Dr Willie Snyman (CP Pietersburg) said yesterday.

He said in Second Reading debate on the Local Government in Free Settlement Areas Bill that the CP would vote against the Bill as it affected the very root of the sovereignty and community life of "our people".

It was a sword hanging over the head of every white residential area in the country.

The overriding question was who was going to govern whom.

No self-respecting population group would allow itself to be forced into situations that it found unacceptable, he said. — Sapa

HOUSE OF ASSEMBLY.

— Legislation providing local government rights to residents of open areas was a logical consequence to measures paving the way for the establishment of free settlement areas, the Deputy Minister of Constitutional Development and Planning, Mr Roelf Meyer, said yesterday.

He said CP members were not addressing the representation issue, but relying on "one slogan speech after another". — Sapa

Assembly passes third race bill

Political Staff

Cape Times 11/9/80

THE third of the trilogy of Group Areas bills was accepted by the House of Assembly yesterday — with the PFP and National Democratic Movement walking out at the start of the proceedings.

The Local Government Affairs in Free Settlement Areas Bill which makes provision for people in open areas to exercise their voting rights at municipal level, was passed by 111 votes 20.

Mr P W Botha, will now have to instruct the other two Houses to debate the bills.

In terms of the Constitution, the State President can request that the other Houses meet to "dispose" of the legislation within 14 days.

Should they fail to assemble, they will be deemed to have rejected the bills.

Whether the House of Representatives will sit at this stage would seem to depend on the outcome of talks between the Labour Party leadership, and the government.

Either way, the bills are going to be rejected, and Mr Botha will then send them to the President's Council for a decision.

Inasmuch as the council has a National Party majority, it is virtually certain that they will be accepted and become law.

The three bills were passed by the House of Assembly, after the government decided to utilize own affairs rules for the three bills which actually affect general affairs.

Showdown between Govt and Labour due

By David Braun,
Political Correspondent

CAPE TOWN — A showdown is due this afternoon in the confrontation between the Government and the House of Representatives.

With time running out as Parliament comes to the last day of its short session tomorrow, key issues remain unresolved. Among these are:

- The deadlock over group areas legislation. It appears that

no compromise is likely at this stage. Both the Government and the House of Representatives' ruling Labour Party are taking hard-line stances on irreconcilable positions. The Bills are being forced through, with only the Assembly debating them, and the Government will rely on the President's Council to approve them for the State President's signature.

- Proposed constitutional amendments to extend the term of the Assembly and to increase

the number of seats in Parliament to provide for a new delimitation. Hard bargaining on these issues is expected this afternoon, but a major trade-off may be needed to win the Labour Party's co-operation.

- The Labour Party is seeking firm commitments from the Government on further constitutional reform as well as reassurances on the procedures of Parliament, following the Government's manoeuvre in the last

few days to pass "general affairs" Bills under rules intended for "own affairs" legislation.

Top-level talks between the National Party and the Labour Party were at the make-or-break stage today. Labour leader the Rev Allan Hendrickse and the Minister of Constitutional Development and Planning, Mr Chris Heunis, were scheduled to meet for the third consecutive day late this afternoon.

● See Page 4M.

BACKDOWN ON GROUP AREAS

CMT Tim P

2/9/88

80



Political Staff

IN A dramatic development last night, government backed down on the controversial Group Areas legislation, agreeing to send all three bills back to the joint standing committee.

In return the Labour Party (LP) has agreed to participate in the tricameral system and debate five bills this afternoon.

The latest development after several hours of negotiation last night, ranks as a major victory for the LP — and an humiliating defeat for the National Party which has seen its tricameral creation brought to a virtual halt during the past two weeks.

There is now speculation that State President Mr P W Botha may opt for a referendum on the whole issue of Group Areas.

Mr Botha stated that he was prepared to do this when he addressed the Natal NP Congress last month, and it is possible he may announce this today.

The LP walked out of the House of Representatives last week in protest against government moves to press ahead with the Group Areas Bills and bludgeon them on to the Statute Book via the President's Council.

The House of Assembly used own affairs rules and orders to pass five bills which are general affairs, in order to be able to introduce amendments without going back to the joint standing committees where the legislation could have been delayed or blocked by the LP.

In addition to the three Group Areas Bills passed by the Assembly this week, the government has also agreed to withdraw the Prevention of Illegal Squatting Amendment Bill and the Slums Bill.

The Group Areas Bills withdrawn are the Group Areas Amendment Bill, the Free Settlement Areas Bill and the Local Government Affairs in Free Settlement Areas Bill.

Amended forms of these bills will now be introduced and discussed by the standing committees from September 19 and Parliament will reconvene on September 26 when they will be debated at a joint sitting of all three Houses.

While agreeing to participate in today's joint debate, the LP has made it clear it will not support any facet of the Constitutional Second Amendment Bill.

The bill, scheduled for debate today, and which will empower the State President to appoint a black to the cabinet and create extra parliamentary seats in all three Houses, needs the support of the LP if it is to become law.

The NP needs the bill

To page 3

From page 1

Group Areas backdown

CMT PNB 2/9/88

In a joint statement last night, Mr Chris Hennis and the Rev Allan Henricks said agreement had been reached on how to deal with the legislation which the House of Assembly had considered during the current session.

While the LP's acceptance that it will meet to debate the five bills this afternoon does not mean it will accept any of them, it does indicate that "Parliament will function in the

The five bills are the National Roads Amendment Bill, the Constitution Third Amendment Bill, the Moutse (Validation of Actions) Bill, the Usury Amendment Bill and the Income Tax Amendment Bill.

Also present last night were the leaders of the major parties in the House of Delegates. They will consult their respective caucuses on last night's agreement and will then decide on the proposals.

Resistance alert on GA, squatter Bills

THE enactment of the Group Areas (GA) and Squatting Bills this week could be followed by widespread civil disobedience and resistance, speakers at a Five Freedoms Forum conference warned yesterday.

The conference, which focused on the three Group Areas amending Bills, the Prevention of Illegal Squatting Bill and the threat it posed to Johannesburg was addressed by Idasa director Van Zyl Slabbert, Johannesburg CBDA chairman Nigel Mandy, business consultant Christo Nel, Transvaal Rural Action Committee worker Joanne Yawitch and Actstop spokesman Cas Coovadia.

Slabbert and Coovadia predicted spontaneous opposition to the enforcement of the punitive clauses in the Group Areas Amendment and Illegal Squatting Bills could precipitate non-violent civil disobedience.

They quoted the scrapping of influx control and the final official recogni-

ELSA BÉ WESSELS

tion of Crossroads as examples where resistance, amounting to civil disobedience, forced legislative compliance.

Legalised squatting was the only solution to SA's housing crisis. Government had to realise squatting was not a problem but the solution to urbanisation, Slabbert said.

Recognising the clout of the business sector, delegates resolved to call on businessmen to react against the proposed enactment of the Bills by providing legal and other forms of assistance to employees who were affected by the Bills.

Property owners were called on to grant non-punitive leases to black tenants in white group areas.

Nel said SA would never prosper and the business community could not survive as long as separate group areas were maintained.



Areas Bills crisis defused after ⁸⁰ hard bargaining

By TOS WENTZEL
Political Correspondent

THE constitutional crisis has been defused for the present, but no long-term solution is in sight.

Party caucuses were meeting today to assess the latest situation after the agreement between the Labour Party and the government to have the present set of Group Areas Bills scrapped.

Having won this from the government, the Labour Party has agreed to return to the tri-cameral system in Parliament in a joint session starting on September 26 to consider amended Bills.

Better perception

Mr Allan Hendrickse, leader of the Labour Party, said today that the government now had a better perception of the Labour Party's attitude. This was after three days of hard bargaining.

In the agreement, a quid pro quo for Labour ending its boycott of Parliament is the fact that the new legislation will be considered at a joint session of the three Houses.

The government has also decided to hold over until next year the Constitution Amendment Bill. This measure increases the number of parliamentary constituencies and provides for black Ministers or Deputy Ministers.

Order paper

At a joint session of the three Houses today the Bill was not introduced, but it is on the Assembly's order paper for September 26.

The government is not sure whether it will have the support of the Representatives and Delegates for this measure. As it deals with entrenched clauses in the constitution it has to have the support of all Houses and cannot be forced through with the help of the President's Council.

Dr Andries Treurnicht, Leader of the Opposition in the Assembly, said a cat-and-mouse game was being played with the party. Yesterday it had been told that the group areas legislation was finally through.

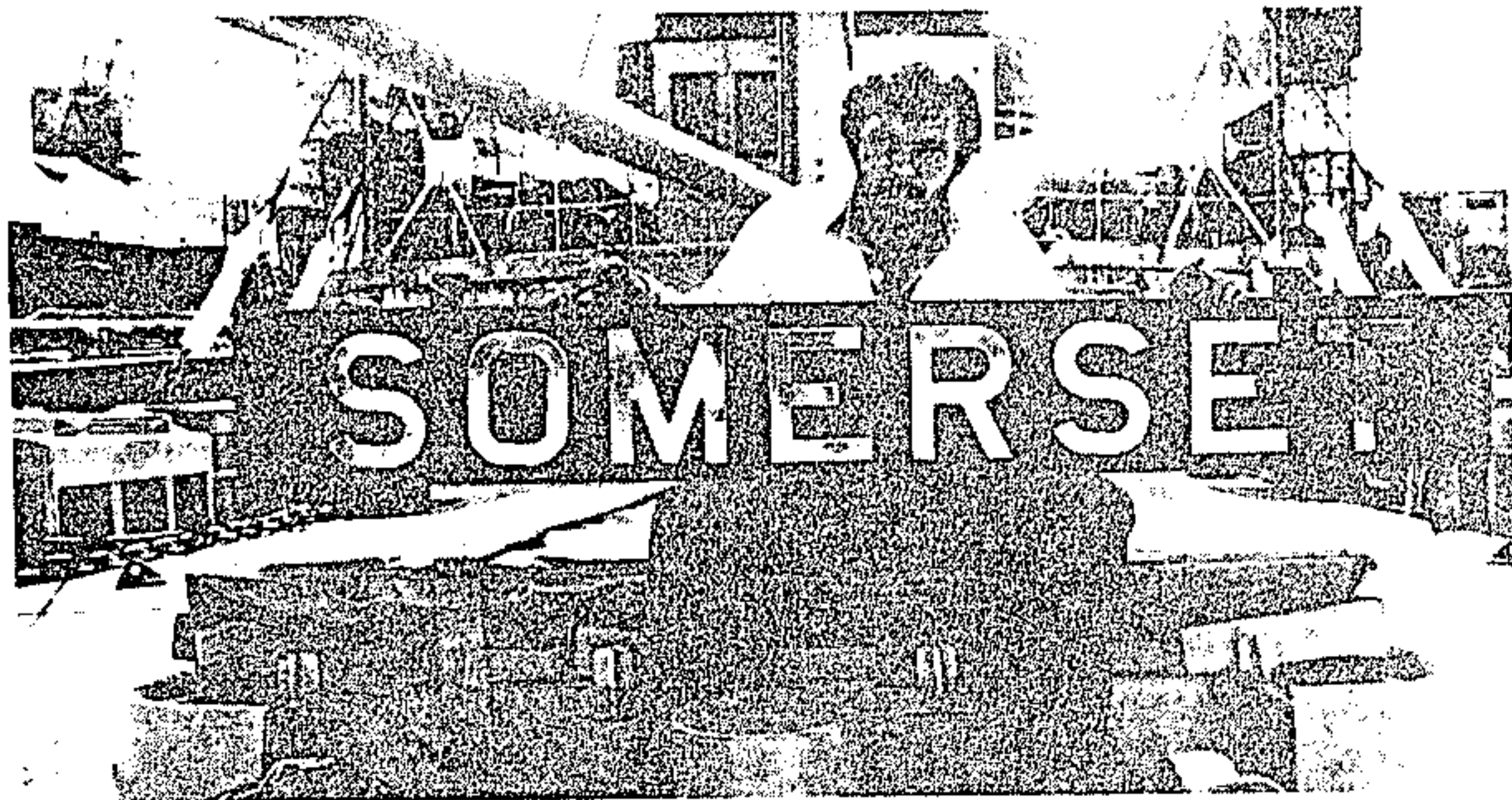
Mr Colin Eglin, parliamentary leader of the Progressive Federal Party, said it was a partial but a significant climb-down for the government.

Mr Wynand Malan, leader of the National Democratic Movement, said the government had clearly gone too far and the fact that it had backed down demonstrated the power of protest within the system.

Present at yesterday's meeting were Mr Hendrickse, Mr Chris Heunis, Mr Miley Richards, leader of the House of Representatives, Mr F W de Klerk, leader of the House of Assembly, and Mr R P Meyer, Deputy Minister of Constitutional Development and Planning.

Amended Bills will be considered by joint parliamentary committees in the week of September 19.

The Bills in question are: the Group Areas Amendment Bill, the Free Settlement Areas Bill, the Local Government Affairs in Free Settlement Areas Bill, the Prevention of Illegal Squatting Amendment Bill and the Slums Bill.



Picture: LEON MÜLLER, The Argus

HISTORY AFLOAT: The old boom defence vessel SAS Somerset, given to the Cultural History Museum in Cape Town's Victoria Basin today. Mr Tom Graham, curator of the SA Maritime Museum, gives the ship's nameplate a final spruce-up.

Meningitis cases increasing: 'Get immediate treatment'

By MICHAEL MORRIS
Staff Reporter

POTENTIALLY fatal meningitis is on the increase in the Peninsula and doctors warn that anyone showing symptoms must seek immediate treatment. Children are particularly vulnerable.

So far this year, 23 of the 186 people to contract the disease in greater Cape Town have died.

Of the 181 cases notified during the whole of last year, 21 died.

Cape Town City Council's health department has recorded 94 cases and 10 deaths to the end of August this year, compared with 86 cases and seven deaths for the whole of last year.

The Regional Services Council health department reports 92 cases and 13 deaths so far this year against 95 cases and 14 deaths last year.

The figures may drop slightly during summer, but doctors expect cases and the death toll to rise steadily over the next few years before dropping off in keeping with a cyclical pattern, evident over past decades.

Cape Town medical officer of health Dr Michael Popkiss and acting RSC medical officer of health Dr Stewart Fisher say there is no need for alarm, but urge people to be aware and to seek treatment immediately if they show symptoms of meningitis.

These are high temperature, headache, a stiff neck and a rash.

Dr Fisher said: "The increase in the number of cases is part of the normal cyclical variation that occurs from time to time.

"The last upswing was in the late 1970s. It reached a peak around 1979 and dropped to its lowest level in 1985. It looks as if it's beginning to increase again."

Dr Popkiss said that in the Cape Town municipal area 30 people died out of 232 cases in 1978 and there were 17 deaths out of 347 cases in 1979. The previous peak was in 1967.

Notifiable meningitis is caused by the meningococcus bacteria carried in the nose and back of the throat.

Coughing, sneezing or exhaling can release the infection which is borne by droplets of

moisture. The most common, milder form of meningitis is a viral infection.

The potentially fatal bacterial meningitis is the next most common.

Dr Popkiss said: "It affects all classes and races and the carrier rate is quite high."

In any sample of 1 000 people there were at least 100 carriers who did not necessarily show symptoms, but could pass it on.

Prompt treatment was necessary because the disease had a very short incubation period.

Wounded wife alive

Argus Bureau

PORT ELIZABETH. — Mrs Marcia Gouws, a victim in what is believed to be a family killing, was alive when her Perseverance home exploded in a ball of fire.

A post-mortem examination of the bodies of Mr Gerhard Gouws, 53, Mrs Gouws, 45, and their children Gerhard, 15, and Melanie, 6, indicated that Mr Gouws and Gerhard died before the blaze.

Captain Bill Dennis, police

liaison officer for the East Cape, said although Mrs Gouws was shot in the head with a small-calibre handgun, she was alive at the time of the explosion.

The remains of Mel were so severely charred it could not be determined when she died.

Captain Dennis said wound in Mr Gouws's head consistent with a right-hand man having fired the shot himself.

WEEKEND Argus

SA blonde gallops ahead

IN your favourite weekend newspaper tomorrow:

- The pretty blonde South African who has qualified as a jockey in America.
- The man whose job is do nothing.
- All the weekend's sports and racing.
- A chance to win R200 000 jackpot.
- Another stick-a-pic clue R30 000 worth of furniture.

SM 2/9/78

CP votes against mixed areas

Legislation providing for the creation of mixed-race residential areas, was read a second time yesterday after the House of Assembly divided, with the Conservative Party voting against it.

The Progressive Federal Party was absent from the chamber in accordance with its decision last week to withdraw from debate and voting on the Free Settlement Areas Bill and other Group Areas Act-related legislation.

In a statement of voting intent for the CP, Mr Moolman Mentz (CP, Ermelo) said his party was opposing the measure because it amounted to a clear departure by the National Party from the principles of separate resi-

dential areas for different race groups, set out in the Group Areas Act in 1966.

Mixed areas to be established in terms of the Bill would inevitably lead to mixed schools and government at higher bodies than the third tier.

The established rights of people living in areas to become open were being ignored and compensation to be paid out to those objecting was unsatisfactory.

Speaking on behalf of the National Party, the Minister of Constitutional Development and Planning, Mr Chris Heunis, said the Bill represented "one of the most important steps in terms of the process of adaptation, which forms part of stability". — Sapa.

THIRD WORLD SA . . .

by FRANS ESTERHUYSE
Political Staff

THE pet schemes of South Africa's political planners are going to be swept aside by Third World social and economic forces beyond their control.

It is already happening — and South Africans should brace themselves for an emerging scenario totally different from the future envisaged by most of the whites.

This is the message from an appraisal of current trends by two specialists in the fields of market research and advertising.

Their findings and challenging predictions are set out in a new book, *Third World Destiny*, launched this week by Human and Rouseau Tafelberg.

The authors are Nick Green, managing director of the market research company Marknor, and Reg Lascaris, managing director and co-founder of the advertising agency Hunt Lascaris TBWA.

They studied events and forces in the South African marketplace and found realities altogether different from those usually seen in the political arena.

South Africa, they say, is already in the Third World and will be more so in coming years when vast changes can be expected as a result of rapid population growth, unstoppable urbanisation, grow-

ing illiteracy and other factors beyond the control of legislators and bureaucrats in government.

The authors foresee social and economic catastrophe unless South Africans come to terms with the realities of their new world.

"With our population predicted to top 100-million before 2025, with the ranks of the illiterate and semi-literate swelling by the day, today's structures just cannot cope," they write. "We strongly doubt if any rigid structures will stand the strain."

"And therein, ironically, lies our hope for the future — the fact that rigidity is so obviously the wrong feature to depend on in our Third World country. Scrap the rigid structures and you lay the basis for new prosperity."

They believe the Government has recognised this and has begun to dismantle some of its top-heavy, unproductive structures.

"It may mean renouncing 40 years of closet socialism, but it will have to be done. Regulations and controls will not have to be amended — they will have to go altogether."

The authors cite the Group Areas Act — now at the centre of a major political storm — as a case in point. The Government's move towards "easing the conditions and tipping toward a semi-solution" is not bold enough, they say.

"Bureaucracy will find itself steamrollered by urbanisation at this rate. South Africa's

THE NEW REALITIES FACING THIS COUNTRY



Nick Green and Reg Lascaris

ca's major cities already have their 'grey areas' where racial residential mixing is a fact and where legality and reality are poles apart.

"Urbanisation, even in its early stages, is bending the rules and the structures. So get rid of the regulations now. They are crumbling anyway."

"No politician or bureau-

crat willingly forfeits the power of control and patronage. Perhaps not even a crisis suffices to make him see sense: perhaps it takes a catastrophe. We're facing one of those right now . . .

"Pragmatism and common sense will have to take over. Once that happens we will not only see residential regu-

lations go, but with them scores more laws, controls and boards.

"The whole convoluted apparatus which has put an authoritarian straitjacket on our Third World population will have to be dismantled. Then we will see vigour and vigorous economic growth. . . . And South Africa's im-

pending social and economic catastrophe will begin to recede."

by black Cameroon, for example — a country with a continuing commitment to individual enterprise.

Keith Marsden, adviser to the World Bank, puts this black state in a group of four high-growth countries in an analysis of 17 nations and their performance during the period 1962-82. South Africa was not among the 17.

According to Marsden's study, controls check growth while freedom encourages it.

"And smart nations like Cameroon stay successful because they recognise this truth," the authors say.

They note that Taiwan has become one of South Africa's most important trading partners. It is a major economic force — "yet a generation ago it was a down-at-heel Third World state."

In Taiwan 38 000 small companies produce three quarters of its exports.

"No wonder we have no fear of black, brown or yellow models. They work. The British and American models, so dear traditionally to white South Africans, may yet be radically amended by the British and Americans themselves."

In their concluding assessment the authors say: "The market is telling us there is more to like than to loathe in the new Third World South Africa. Political idiosyncrasy can plunge us all into chaos, may-be for years. But that can be avoided with flexibility and

ment's decentralisation policy seem to have 'falled totally' to channel black numbers and job opportunities in the direction favoured by the ideologues.

"New measures would also be hopeless against this Third World flood. Even if a new generation of political die-hards did try to arrest the drift, interventionist policies by government — any Government — would have no chance in the long run of preventing urbanisation."

Not even a "last white, right-wing fling with a platter-hand power base" would succeed in stopping the tide.

According to some estimates more than 8-million people will be without work by the year 2000 — even if the country could keep economic growth above 3 per cent a year.

THIRD World characteristics already evident in South Africa include the "bureaucracy blight", crime, overcrowding, poverty, "maniacal" road users and litter louts.

The authors hasten to add that "Third World does not mean third rate" and that it does not necessarily mean South Africa is heading for "Banana Republic status". There are other Third World examples which give rise to optimism — such as Brazil and certain countries in Africa. The authors say "white" South Africa is put to shame for insight."

H I mass of ... which started on March 22

NP 'sold out' to Labour Party — CP

CAPE TIMES 3/9/88 80

Political Staff

THE National Party yesterday suffered a barrage of taunts from the Conservative Party in the wake of Thursday night's "agreement" with the Labour Party during the debate on a government motion that Parliament resume in three weeks' time, for a joint sitting on the group areas bills.

The motion was eventually passed, and Parliament will meet for a third session on September 25.

Yesterday morning's joint sitting was devoted entirely to tributes to the retiring secretary of Parliament, Mr Attie de Villiers.

There was no mention of the Constitution Second Amendment Bill on the Order Paper and the Bill, providing for the appointment by the State President of a black to the cabinet and for the creation of extra seats, has apparently been dropped for the time being.

When it reconvenes, Parliament will debate the group areas trilogy of bills, plus the Slums Bill and Prevention of Illegal Squatting Amendment Bill, which will come before the joint standing committees the previous week.

The Labour Party is expected to reject all five

Political Staff

THE parliamentary leader of the Progressive Federal Party, Mr Colin Eglin, gave notice yesterday that he will introduce a motion of no-confidence in the cabinet, when Parliament resumes on September 25.

Mr Eglin said he was introducing the motion in view of:

- the inept and damaging way in which the government had handled important political and constitutional issues, and

- the incalculable harm which the government's policies and actions were doing to the economy of the country.

bills, and they will then be referred to the President's Council for a decision.

Effectively, this means that they will be on the Statute Book before the municipal elections on October 26.

During the debate in the House of Assembly yesterday, the CP contended that the NP had sold out to the Labour Party, while the government maintained that Thursday's agreement

was a triumph for consensus politics.

The CP's Chief Whip, Mr Frank le Roux, said the government had "lost" to the Labour Party and that the Rev Allan Hendrickse was now ruling the country.

He said Mr F W de Klerk had suspended the rules of Parliament to get the group areas legislation through but then "Baas Hendrickse spoke" — he was ordered to withdraw the word "Baas".

Mr Casper Uys (CP Barberton) said that power was "now in the brown skin" predicting that the voters would take their revenge on the government on October 26.

The Minister of Constitutional Development and Planning, Mr Chris Heunis, said the National Party had not lost. The fact was that the Constitution had won.

The stick among the Group Areas carryots

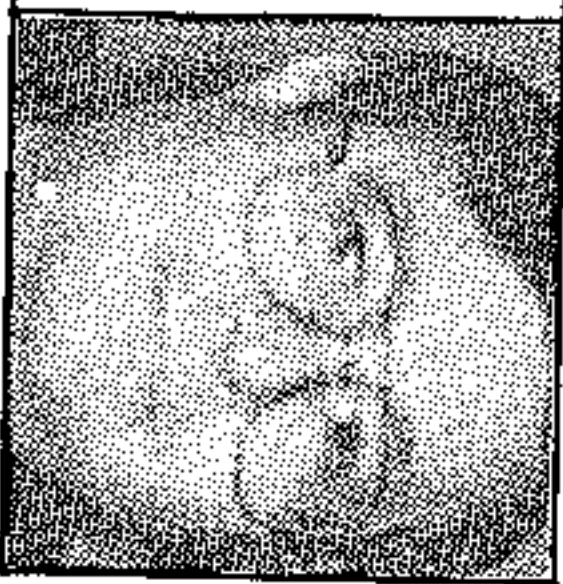
200 Times 4/10/76

THE recent introduction of new Group Areas legislation has caused a furor that will surprise only those ignorant of the devastating impact of its predecessor, the Group Areas Act of 1950.

There can be few laws in South Africa's history that have caused as much bitterness as this Act, impacting on literally thousands of lives. Particularly in the Cape, with its longer tradition of residential intermixture between coloured and white, the Group Areas Act has left an enduring legacy of anger and despair.

by **Gavin Lewis**

Director: Research and Programmes at the South Africa Foundation



200 000 people may be liable for eviction if the terms of the Bill are strictly applied. To gauge the likely impact on black opinion one only has to look at what happened in the past.

While the National Party did not invent the concept of residential segregation in South Africa, in the Group Areas Act of 1950 they applied it with the clinical efficiency of the social engineer.

Destruction
For many people District Six remains the most visible symbol of this destruction wrought on entire communities.
Now the spectre of renewed mass expulsion of people on the grounds of colour is raised once again in the Bill before Parliament. This time the Group Areas Amendment Bill aims at individuals, not whole communities.
Nevertheless, estimates are that between 100 000 and

The measure particularly affected coloured people in the Cape, for the reasons already mentioned. Entire long-established communities were indiscriminately dispersed into new mass housing estates, frequently of numbingly uniform design, and which for many years lacked (and in some cases still lack) basic amenities such as libraries, post offices and shops.

These removals also greatly added to the expenses of transport to the workplace.
There were less obvious costs, too. Many of the new houses were too small to accommodate the traditional extended family. Fragile

community support ties built up over generations, which had helped sustain the poor, the elderly, the young and the unemployed, were snapped.

The consequence has been greater poverty, rising crime rates and deep alienation especially among the young. Those who doubt the negative impact of the Group Areas legislation in the 1950s and 1960s have only to examine the Government's Theron Commission Report of 1976, which sets out the anger and bitterness that ensued in some detail.

Shortage

We are still living with the consequences of the law. In recent years a chronic black housing shortage, combined with rising urbanisation and an emergent black middle class, has led to a steady percolation of blacks into white group areas.

This is of course particularly apparent in the relatively lower-rental, higher-density suburbs. The new proposed legislation represents an attempt on the part

of the Government to accommodate and to control this fact.

Thus the Free Settlement Areas Bill establishes mechanisms whereby certain areas can be declared "open" to all races. The accompanying Local Government in Free Settlement Areas Bill allows for racially mixed, albeit largely powerless, local government bodies for open residential areas.

Both, therefore, represent a fundamental departure in principle from the core apartheid fundamentals — residential and local government segregation. However flawed, therefore, these measures are reformist in nature and must be welcomed.

It is the third Bill, the Group Areas Amendment Bill, that is the stick that accompanies the carrots. It provides for the stricter enforcement of the Group Areas legislation against those living "illegally" in the "wrong" group area i.e. blacks in white areas.

Although the Bills have been amended to provide for ministerial discretion in the enforcement of eviction orders on "illegals", the essential thrust of the Bill remains unchanged. On legal, moral, economic and political grounds it must therefore cause profound concern.

It is not surprising, there-

fore, that the Bill has helped provide a major constitutional crisis, including a walkout by the coloured House of Representatives. Their constituents, of all people, still bear the scars of the last round of racially inspired evictions.

Similarly, a wide range of private-sector bodies, such as the South Africa Foundation and the Urban Foundation, have publicly expressed their grave concern at the implications of the Group Areas Amendment Bill. South Africa cannot afford the levels of polarisation the enforcement of this measure will inevitably cause.

Failure

Internationally, the impact will be to revive demands for the further isolation of, and the imposition of stricter sanctions on, South Africa. The proposed legislation flies in the face of both morality and common sense. It will fail to resolve the underlying causes of the black influx.

Finally, if the precedent of the Group Areas Act is anything to go by, the damage done in a whole range of areas is likely to be incalculably great.

● Dr Lewis is author of a history of "coloured" politics in South Africa, *Between the Wire and the Wall*.

RESS

TV
more
money

licenses are being
the SABC has their
blacks are receiving
live coverage of big
sys fed canned stuff.
ou already know the
hardly had any sport
took up much of the
pposed to be meant
laying Bloemfontein
pick of the NSL's
ekend, we had to put
rogance!
on the box. Not the
SABC can shove it.
share of TV licence
ve want. - William

eds

80
**Act is scrapped it's black
versus govt response**

shows whites not swamped when
, Windhoek, Mafikeng went 'open'

did not
change
lucation,
id local
ence in
as quick
govern-
id local
are.
bridge
indhoek,
regation
led, seg-
ducation
es is as
was in
ay only
unicipal
ols were
987.
the de-
ies and
ccurred
idental
of the
ation.
e ar-

gues, however, that the pro-
cess may turn out different-
ly in South Africa's major
cities if the Group Areas
Act were repealed.
In Mafikeng and Wind-
hoek pressure from black
suburban residents for open
facilities was reduced by the
fact that the distance be-
tween the suburbs and seg-
regated facilities in the
townships was smaller than
in South Africa's large
cities.
Settlement in the suburbs
was largely limited to
wealthier black people,
many of whom could afford
to use private, non-racial fa-
cilities.
The researcher points out
that in South African cities
distances to township
schools are far greater, and
many new black residents
would not be able to afford
the fees of private schools.
Moreover, black resi-

dents living illegally in
white areas in South Africa,
who have to defend their
right to remain in these
areas, are more organised
and more used to acting col-
lectively than those in
Windhoek and Mafikeng.
Pickard-Cambridge pre-
dicts that residential deseg-
regation in the major cities
of South Africa will lead
black settlers in the suburbs
to demand adequate facili-
ties.
The outcome will depend,
however, on the degree to
which black residents can
exert pressure, and the gov-
ernment's response to this.
The study shows that in
Harare, Windhoek and Ma-
fikeng the government and,
to a lesser extent, private
employers, retained some
influence over the pace and
form of desegregation after
repeal.
"In each case, control of

the allocation of subsidies,
decisions about racial access
to services, such as educa-
tion and other housing and
land use policies, enabled
the authorities to continue
to influence the desegrega-
tion process."
The study also shows that
black settlement patterns in
the three cities after deseg-
regation were similar.
"In the early stage the
most popular areas for new
black residents were the
central business districts,
with their proximity to jobs
and facilities, and the sub-
urbs closest to the black
townships. Living in these
suburbs enabled black resi-
dents to retain access to
township schools (in cases
where white suburban
schools remained segregat-
ed) and to live closer to
friends in the townships.
Property prices in these sub-

urbs were also generally
lower," according to *Shar-
ing the Cities*.
Few black people who
could afford housing in up-
per-income areas chose sub-
urbs where they expected to
encounter hostility. Black
people also tended to avoid
suburbs where resistance
could be expected from
white neighbours, and thus
avoided some of the less ex-
pensive suburbs situated
closer to the townships.
"This suggests that de-
segregation is unlikely to
bring a flood of black resi-
dents into white suburbs."
Thus in South Africa, in
all probability, she says,
"the process will affect dif-
ferent suburbs differently
and will be determined by
the choice which new black
residents make, based on
their needs."
Sharing the Cities is
available from the Publica-
tions Department of the
South African Institute of
Race Relations, PO Box
31044, Braamfontein, 2017,
at R10,06.

New pressure on Govt to soften group areas

By Esmaré van der Merwe,
Political Reporter

Political parties to the left have urged the Government to loosen up group areas legislation in the light of a newly released opinion poll which found that almost 60 percent of whites favoured the provision for open residential areas.

The Progressive Federal Party, National Democratic Movement and Independent Party say bold governmental leadership is necessary to implement this mandate for group areas reform.

In an opinion poll among 2 000 whites, the research company Marken Meningsopnames found that about 25 percent of the respondents favoured the abolition of group areas legislation.

About 71 percent of the respondents preferred group areas in some or other form — 44,6 percent supported the proposed changes to group areas legislation while 26,8 percent wanted no change to the existing legislation.

NDM leader Mr Wynand Malan said the findings indicated the majority of whites favoured a liberalisation of the legislation while accepting that this form of control would have to be scrapped at some stage.

"The Government should reflect that intention if it wants majority support. After that, the nitty-gritty of how group areas can be scrapped can be negotiated."

Mr Malan said the 40 percent who favoured some reform would immediately accept the Government's leadership.

That was illustrated by the public's opinion of the abolition of mixed marriages legislation. Before the scrapping, about 80 percent of whites said the Mixed Marriages Act should not have been scrapped, but only about 20 percent objected once the law was scrapped.

Confusion

"If the Government would indicate its intention to do away with group areas legislation in an orderly way, it would have the support of at least 75 percent of the population," Mr Malan said.

PFP spokesman Mr Tiaan van der Merwe said the poll showed a degree of confusion and inconsistency about what people wanted.

"This is understandable, given the Government's own uncertainty, the present state of division and lack of leadership in the field of group areas."

He said confusion would be increased if the proposed legislation was to be enacted.

"On the one hand, the Government gives its official blessing for the creation of mixed areas, while, on the other, it creates legislation in terms of which the same kind of mixing in other areas will be punished very severely."

Mr Van der Merwe said although the PFP would make a mistake if it gave its political blessing to "anything short of the right thing", it would support steps to scrap group areas laws gradually.

IP leader Dr Denis Worrall said the statistics were encouraging to those who wished to see group areas legislation and other discriminatory laws abolished.

"The great tragedy is that President P W Botha and his government do not provide the leadership which the circumstances call for."

No big changes in substance

Withdrawn bills back in Parliament

80

Political Staff

FOUR of the five bills — including the Group Areas trilogy — withdrawn by the government last week were tabled in Parliament yesterday, with a number of technical changes.

The fifth bill was tabled on Monday.

The bills were withdrawn, despite having been debated and passed by the House of Assembly, following an agreement with the Labour Party.

In terms of the Rules and Orders of Parliament, the bills could only be withdrawn if amendments were to be made.

There are no major changes in terms of the substance of the bills.

Commenting on the tabling of the Group Areas Act Amendment Bill, PFP spokesman Mr Tiaan van der Merwe said the bill had not been changed in any significant way, reflecting the insensitivity of the government to all the opposition, pressure and argument advanced over the past few weeks.

The government, he said, had been prepared to risk the collapse of its own constitutional system for "what

are essentially some very ugly racist laws".

He said that judging by the contents of the new versions of the bills, there was no indication that the government was interested in change.

"Judging by their performance and the contents of the bill, their political positioning seems to be closer to the Conservative Party than it has ever been since the split in 1982, while the style of government leadership is spineless and without direction."

Mr Van der Merwe expressed the hope that all persons and institutions which had protested so vigorously in the past would redouble their efforts in the next few weeks.

The five bills will now be discussed at joint standing committee level in 12 days' time, after which they will be debated at a joint sitting of all the Houses, on September 25.

The Labour Party has made it clear that it will not support any change to the Group Areas Act, and is therefore virtually certain to reject all five bills, which means they will then be sent to the President's Council, which will decide on whether they should become law.

Little change to four Acts

Political Staff

CAPE TOWN — Four of the five Acts, including the group areas trilogy withdrawn by government last week, were tabled in Parliament yesterday, with a number of technical changes.

The fifth Bill was tabled on Monday.

The Bills were withdrawn in spite of being debated and passed by the House of Assembly after an agreement with the Labour Party.

In terms of the Rules and Orders of Parliament, the Bills could only be withdrawn if amendments were to be made. There are no major changes in terms of the substance of the Bills.

Commenting on the tabling of the Group Areas Act Amendment Bill, PFP spokesman Tiaan van der Merwe said that the Bill had not been changed in any significant way reflected the insensitivity of government to all the opposition advanced during the last few weeks.

Government had been prepared to risk the collapse of its own constitutional system for "what are essentially some ugly racist laws".

80
Blaam
Habs

Bills go through

80
7/9/88

Group areas bills are not changed

THE five controversial Bills, including the group areas trilogy, which led to the recent constitutional crisis have been re-published virtually unchanged.

The Bills are the Group Areas Amendment Bill, the Slums Bill, the Prevention of Illegal Squatting Amendment Bill, the Free Settlement Areas Bill, and the Local Government Affairs in Free Settlement Areas Bill.

The five Bills have been republished without any change in the original forms.

The Bills will now go to the Joint Parlia-

mentary Standing Committee on Constitutional Affairs in two weeks time prior to the special month-end parliamentary sitting.

It was announced last week after the agreement on the end of the boycott to the parliamentary legislative programme reached by the leader of the Labour Party, Mr Allan Hendrickse, and Constitutional Affairs Minister, Mr Chris Heunis, that amended versions of the Bills would be published.

However Government spokesmen soon indicated that the Bills need not necessarily be changed and any changes would probably be of a technical nature.

The parliamentary standing committee does

have the power to make changes.

Mr Hendrickse yesterday confirmed that his impression had also been that changes would be of a technical nature to allow the resubmission of the Bills to the standing committee.

This was the only way to get around a constitutional problem following the approval of the measures by the House of Assembly.

In the talks between the Labour Party and the Government there had not been any agreement on possible changes.

He said the Labour Party stood firm on its rejection of the group areas legislation and its insistence that the Group Areas Act be scrapped.

In the standing



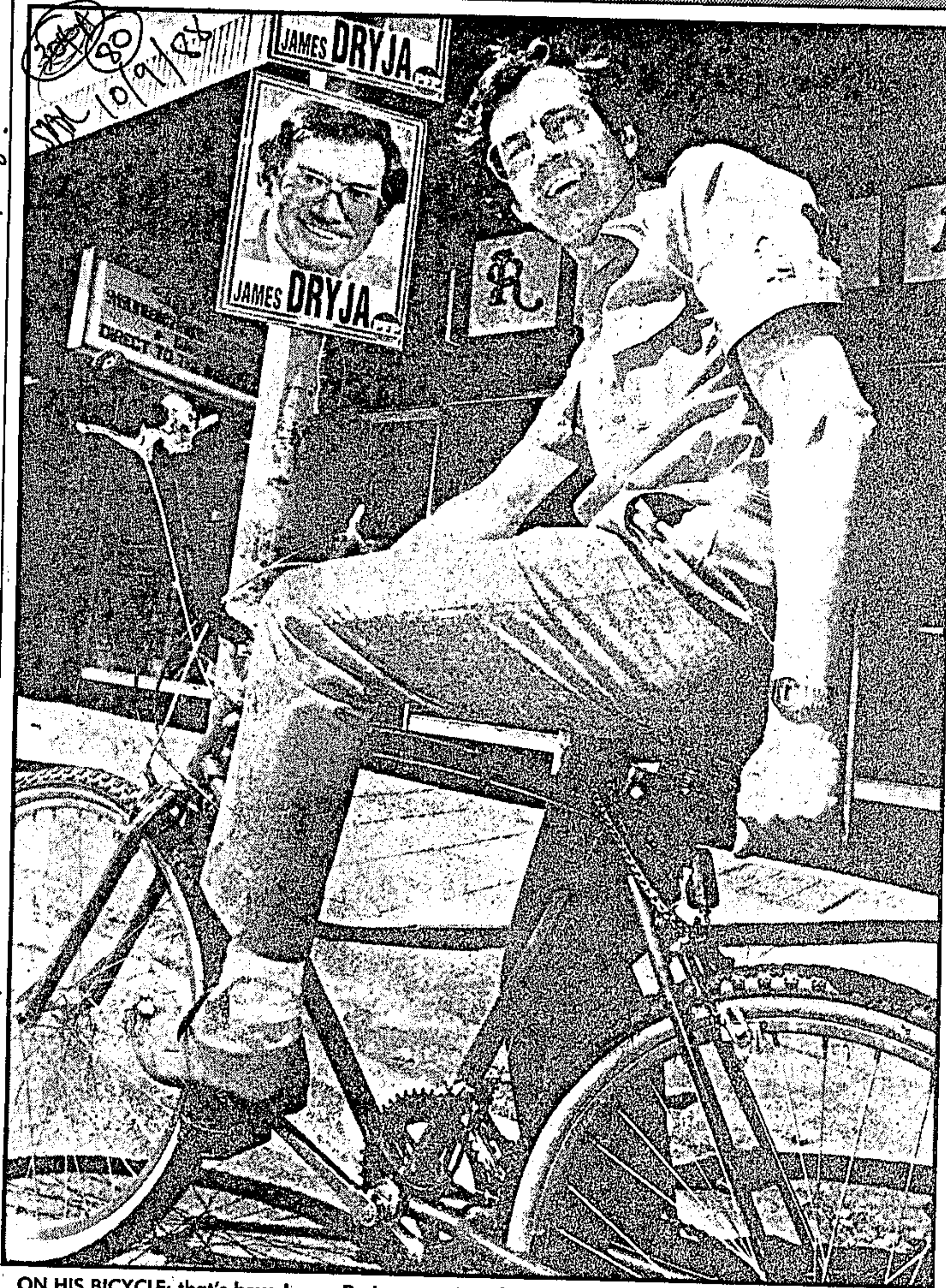
MR Chris Heunis

committee the party would however especially look at amendments to the Slums and Squatting Bills in the light of evidence which had been submitted by bodies such as the Urban Foundation, the Institute of Race Relations and Assocom.

A spokesman for the Ministry of Constitutional Development confirmed yesterday that the changes were "alright and very technical. There is no change to the essence of the Bills.

"The standing committee can however make changes."

Hillbrow 'shows way to future'



ON HIS BICYCLE: that's how James Dryja campaigns for votes in Hillbrow. He says no candidate can change the area's nonracial identity.

●Picture by Karen Fletcher.

A FUTURE non-racial South Africa is being decided in Hillbrow, says Mr James Dryja, PFP municipal candidate for the area.

Minutes before being interviewed by the Saturday Star Mr Dryja had defused a heated exchange between a black traffic officer and a rude motorist.

After the incident he shrugged, saying: "That's Hillbrow. There are so many people living in this densely populated area it makes for lively interaction."

As a personality he seems to embrace the image of the cosmopolitan yet strongly South African essence of Hillbrow.

PAT DEVEREAUX

He grew up in Cape Town's Woodstock and District Six in a working class family and now lives in Hillbrow.

Mr Dryja believes he is totally in touch with his constituency.

"Because of my background I understand whites' fears. They aren't worried about the colour of their neighbours. They are worried about standards of living," he said.

Asked why he decided to get involved in the municipal elections, Mr Dryja said running an independent cinema in the area led to his involvement in the Hillbrow

Traders' Association.

"It became obvious to me that the Government's policies hinder business and residential development so I entered politics."

He endorses the Five Freedoms Forum campaign for "One City, Open City" and believes an end to the Group Areas Act will be in everyone's interests.

There was an attempt to smear his campaign by the publicising of his two-year relationship with a "coloured woman" Miss Gertie du Plessis. But Mr Dryja retorted: "Gertie is more Afrikaans than those who have been condemning our relationship."

led"
said
pre-
ght-
cto-
ned
pen-
up-
ffi-
mp-
ites
her
he
ndi-
po-
We
an
Be-
hed
lay,
to
ere
be-
di-
for
the
acil
aid
the
de
ity

d
n
ion-
next
week
ked
um-
mo-
Ac-
on-
her-
ice-
fen-
said
day
she

3?
10/9/88

Political Correspondent

THE amended Group Areas bills to come before Parliament later this month could have the effect of "converting the whole of South Africa into a battleground of racial prejudice and conflict", the PFP said yesterday.

The party's constitutional expert, Professor Nic Olivier, noted in an analytical memorandum on the trilogy of bills that many of their new provisions would compound the bad elements of the existing Group Areas Act and "make it much, much worse".

Professor Olivier argues that present Group Areas legislation has caused tremendous misery to most South Africans, aggravated many of the existing inequalities in society and been economically counter-productive.

Commenting specifically on the Group Areas Amendment Bill, he states that it will now become "totally unwise and unthinkable" for a landowner to allow people of the "wrong" group to occupy his property. This is

Mr. Tom's 16/8/88

Group Areas bills will turn SA into a 'battlefield' *PO*

not only because of the heavily increased penalties but also because the landowner runs the risk of having his property sold — and possibly having to forfeit the income derived from the sale.

If, as the bill intended, landowners themselves took steps to eject illegal occupants in areas like Hillbrow, "the effect will be to have a substantial number of (flat and other) buildings unoccupied and standing empty, with possible financial ruin for the landowners".

Equally devastating would be the effect on the tenants, who would run the "dire risk" of being ejected without the provision of alternative housing, resulting not only in widespread suffering but an increase in overcrowding.

Squatters to meet Heunis



Delegates from squatter camps, community organisations, trade unions and research bodies met at the weekend to formulate a national policy on squatters and to elect a delegation to meet the Minister of Constitutional Development and Planning, Mr Chris Heunis.

By Shehnaaz Bulbulia *SRK 19/9/88*

A delegation of squatters will meet the Minister of Constitutional Development and Planning, Mr Chris Heunis, this week to expose the plight of shackdwellers and protest against the implementation of the Group Areas Bills.

"The Slums Act, Group Areas and Illegal Squatting Acts must be abolished and more suitable land should be released and low-income homes built for the homeless," said Mr Pheelo Mofokeng, national general secretary of the Isolumzi People's Union (IPU), at a meeting yesterday.

The IPU called on the private sector to assume immediate responsibility for addressing the economic needs of the disadvantaged, of which shelter was a priority. Mr Mofokeng said the major obstacles in most "shack cases" were unemployment and low incomes.

Banks and financial institutions, he said, usually required security as a condition to provide loans so that the borrower would be in a position to pay the high interest charges on the loan.

"How can a low-income grouping qualify? Other shackdwellers are single parents, pensioners, the disabled and immigrants who are disqualified to be in the cities."

Hundreds of squatters, including representatives of various community organisations, research bodies and national trade union federations were present to formulate a national policy on the issue.

Mr Mofokeng said while they supported the Government's decision to abolish influx controls, the land policies served to retard the freedom of movement and accommodation for black people.

The union had initiated the "House Our People Campaign" to organise and represent the homeless and assist with legal advice. It would also publicise their plight.

The aim of the campaign was to convert emergency camps into proper dwelling sites.

"While we support that apartheid cannot be reformed we refuse to wait until it is totally dismantled," he said.

Mr John Turnbull, of Lawyers for Human Rights, said the Bills needed to be stopped before they were passed by Parliament.

"The prevention of these Bills is the hardest task and can only be achieved through the unity of the entire community. When P W Botha went to Crossroads to open a training centre it was only done out of the recognition of the permanence of the community," he said.

Fresh talks aim to break deadlock on Areas trilogy

19/9/88 80

Political Staff

RENEWED negotiations between the government and its tricameral system partners start again today with little chance of breaking the deadlock over the trilogy of Group Areas Bills.

Two parliamentary committees meet in Pretoria to discuss the package of legislation which would, among other things, see a clampdown on group areas contraventions, the creation of open areas and stricter measures against of squatting and slums.

The Labour Party and the majority alliance in the House of Delegates have already said they would not support toughening of the Group Areas Act and want the legislation repealed.

Land shortage

They are opposed to the legislation creating open areas because the principle is created that each own-affairs administration would have to decide whether it wanted to open the areas under its control.

The Indian and coloured politicians have argued that this is unfair because there is already a land shortage for the two groups, while the whites, with most of the land, would retain exclusive areas.

The Labour Party leader, the Rev Allan Hendrickse, has emphasised that his party will not support the legislation in spite of reaching agreement with the government that it would consider the Bills in committee.

Broader base

Meanwhile, six Labour Party MPs are likely to be expelled from the party this week following their defiance of a ruling that they should not stand for management committees in next month's election.

The party's national executive committee believes that others, not MPs, should be on the committees to broaden the party's leadership base.

The rebel MPs maintain that their local supporters want them to continue on the management committees. They say important work in socio-economic upliftment of the coloured people is done at this level.

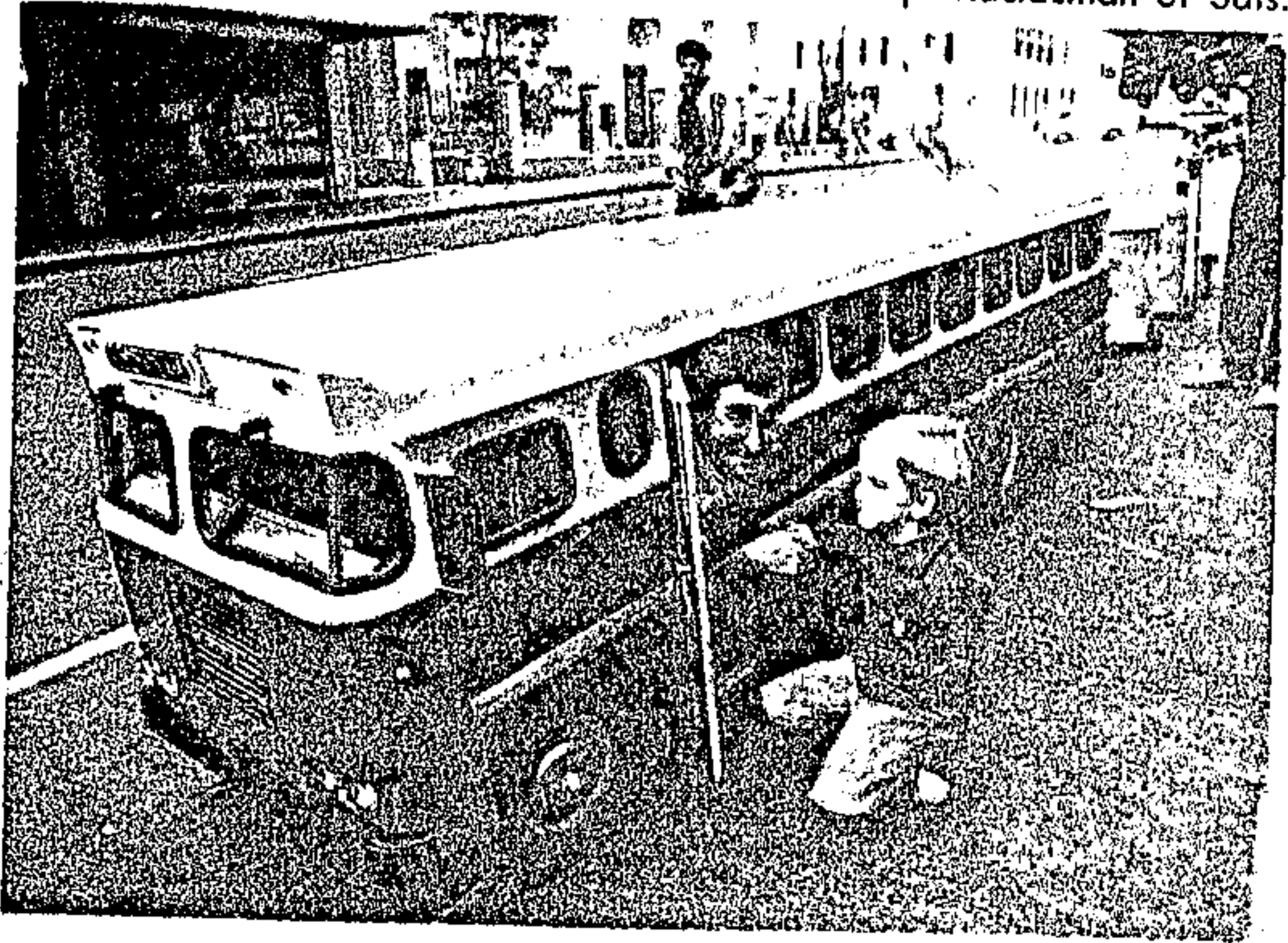
Mr Miley Richards, deputy-leader of the party, said today that if some of the rebels' supporters decided to follow them out of the party it would be "just too bad".

A final decision would be taken at a meeting of the party's executive when Mr Hendrickse returned this week from abroad.



Picture: DOUG PITHEY, The Argus.

SPRING MARCH: Shoppers had a surprise on Saturday when Keep the Cape in Shape took to city centre streets for its annual Spring March. Above: "Blikkie" who led the procession, project co-ordinator Sakeena Higgs, left, dustman Mr Cassiem Patel, and a group of schoolchildren prepare to join the march. Below: This miniature railway bus, built by SA Transport Services apprentices and used in the procession, was a hit with Michael Thorne, 6, who meets "driver" Philip Maclachlan of Sats.



Picture: PETER STANFORD, The Argus.

Lebanese Christians reject accord
BEIRUT. — Lebanese Christians have rejected an apparent agreement between the United States and Syria to support a pro-Syrian candidate to succeed President Amin Gemayel. — Sapa-Reuter.

De Kock well after operation

Proposed Bills 'not as urgent as homes'

80

Political Reporter

The Progressive Federal Party's main objection to the five proposed Bills on group areas, slums and squatting was that they had been introduced before adequate measures had been taken to provide people of colour with land on which they could settle, Mr Peter Soal, PFP MP for Johannesburg West, said yesterday.

The joint standing committees handling the five Bills meet in Pretoria this week.

HOUSING BILL

Proposed laws such as the Squatting Bill, the Slums Bill and the Group Areas Amendment Bill should be replaced with a housing Bill and a new approach to the seven million people living in unacceptable conditions.

"We need to identify land and make site and service schemes available on a massive scale in order that the millions of our fellow black South Africans can be given security of tenure.

"They need this security so that they can be allowed to get on with their lives; provide for their families and educate their children rather than having to schlep back to some squatter camp each evening to reconstruct a cardboard-and-plastic shelter the authorities have destroyed during the day," Mr Soal said.

nd
d.

d
t-
c
y
a
,
r
.
s
t
s
o

Group Areas: Round 2

Mr 645 20/9/88

Government reissues trilogy of Bills with only slight, technical changes

By TOS WENTZEL, Political Correspondent

So

THE trilogy of group areas Bills as well as measures dealing with squatting and slums went before joint parliamentary committees this week and a deadlock situation developed right away.

The coloured and Indian members of the committee and the PRP representatives stood by their rejection of the group areas measures.

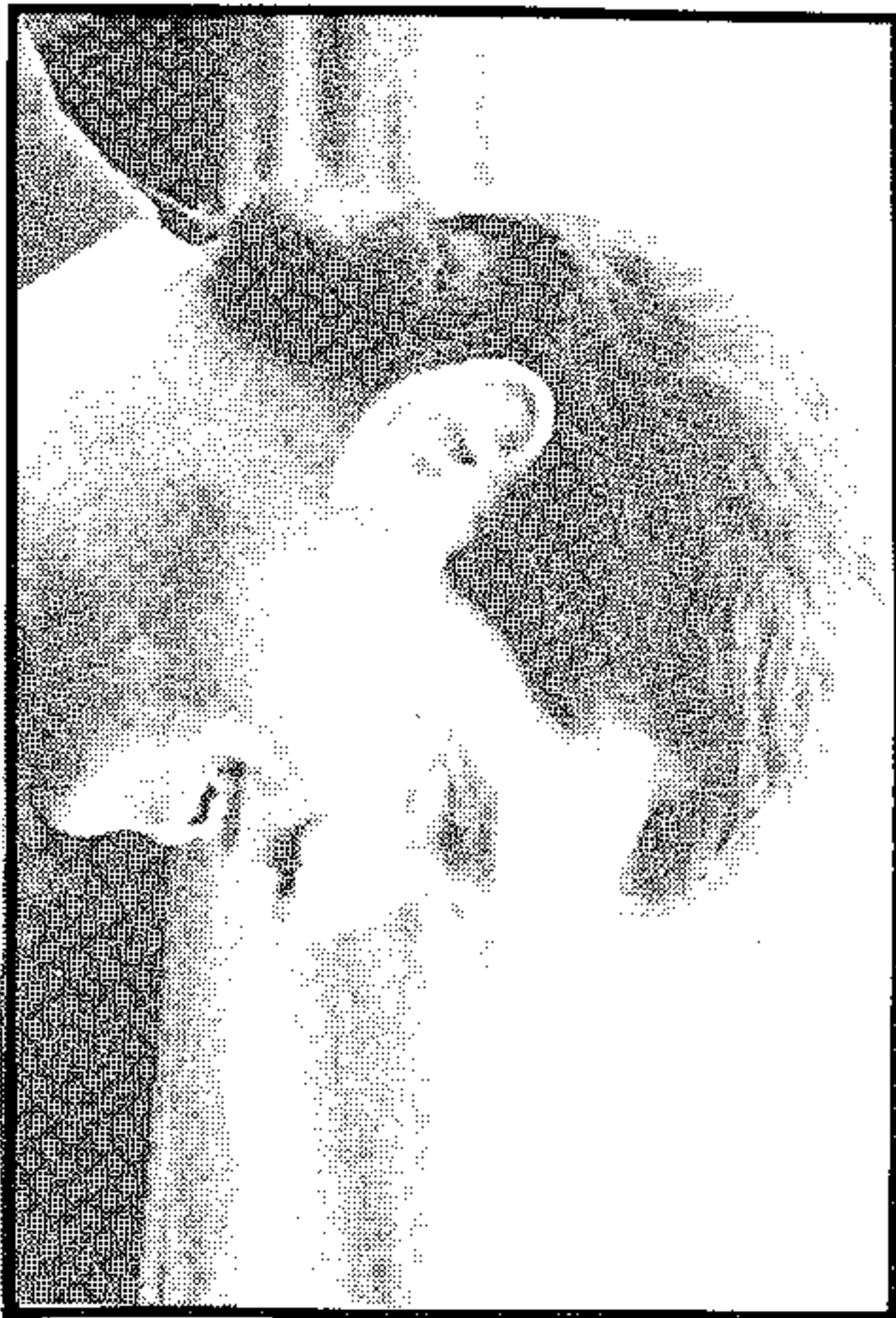
Next week a joint session of Parliament will deal with the measures.

This follows a dispute between the government and the House of Representatives and the House of Delegates which led to these Houses declining to deal with the measures.

The Bills — the Group Areas Amendment Bill, the Free Settlement Areas Bill, the Local Government Affairs in Free Settlement Areas Bill, the Prevention of Illegal Squatting Amendment Bill and the Slums Bill — have been reissued with only slight, technical changes.

In the committee amendments can be proposed, but the Labour Party has made it clear that it will not deviate from its stand that the Group Areas Act must be scrapped. The Representatives and the Delegates have, however, at least agreed to deal with the Bills this time.

In an analysis of the group areas Bills, Mr Nic Olivier,



The Deputy Minister of Constitutional Development handling group areas, Mr Roelf Meyer, who is likely to pilot the reissued Bills.



Mr Nic Olivier, MP . . . compounding all the bad elements of the existing Act.

nominated MP of the Progressive Federal Party and head of its research department, warned that the new Group Areas Act would compound all the bad elements of the existing Act and make it much worse.

Among other things the Bill increases existing penalties and makes it possible to have properties sold where landlords have allowed the law to be broken.

Dealing with the effects and implications of the proposed amendments relating to the illegal holding or acquisition and occupation of property contained in the new Bill, Mr Olivier said it would now become unthinkable for a landowner to allow people belonging to the "wrong" group to occupy his property.

This was not only because of the heavily increased penalties but also because he ran the risk of having his property sold and possibly, under certain circumstances, of having to forfeit the income derived from the sale.

Mr Olivier said that, although there might have been exploitation by some landlords, at least they provided housing for many people who otherwise would have been without a roof over their heads.

The amending Bill hoped,

or presumed, that because of the increase in penalties and what might happen in the case of properties illegally occupied the owner himself would eject such illegal occupants.

If this were to happen on a large scale in areas such as Hillbrow, the effect would be to have many buildings uncoccupied with possible financial ruin for the landlords.

It was theoretically possible that the government might declare such areas free settlement areas but until this happened the sword would hang over the landlords and their tenants.

Apart from the hardship caused by tenants being ejected, it would increase overcrowding in other areas. There was no real scarcity of housing for whites.

The government was by-passing and nullifying the decisions of the courts that people could be ejected only when alternative accommodation was available. (Some provision for ministerial discretion has been made in the new measure.)

Mr Olivier said in his analysis that the new Act increased and strengthened the authoritarian tendency in South Africa's public life.

The government seemed to be unaware that, although it might come up with more,

draconian legislation, in the long run economic laws and essential human needs would dominate.

The administrative procedure provided for in the Bill would probably have the effect of greatly facilitating the persecution of people who had contravened its provisions.

People of colour who had moved into white areas or had used various stratagems to overcome the legal disabilities about the acquisition of property in such areas would be particularly affected.

The fact that it was now the Minister and no longer a magistrate as was originally provided for who could exercise these powers in an administrative capacity did not materially remove the basic objections to the system and the procedure.

The possibility of a criminal prosecution, especially considering the huge increase in penalties in addition to the action taken by the Minister, made these provisions even more objectionable.

People living with a convicted person could be ejected without notice.

Referring to the Free Settlement Areas Bill, Mr Olivier said it was in the main white group areas, or places within white group areas, that would have to be pro-

claimed if there were to be change in any meaningful way. Application of the Group Areas Act had largely and disproportionately benefited whites.

But, considering the conservative composition of the white Ministers Council and the government's attitude to own affairs and separate community life for each race group, this development was unlikely.

Racial and colour prejudice was not confined to whites and in view of the tremendous shortages in housing in some coloured and Indian communities, there might be a negative reaction on their part to having their areas opened indiscriminately to other groups.

In the case of the Local Government Affairs in Free Settlement Areas Bill, where a system along the lines of the management committees was proposed, Mr Olivier said the inference was that people who preferred to live in such an area must accept that their local government body would carry the "stigma" of not being a fully fledged municipal authority.

These provisions of the Bill would have the effect of further generating opposition to the creation of free settlement areas.

Those who were cynically inclined might feel that they were designed to have this effect, Mr Olivier said.

ARGUS 20/9/88

Group Areas Bills are again rejected

Political Correspondent

THE trilogy of Group Areas Bills has once again been rejected by all parties except the National Party in deliberations in the parliamentary standing committee on constitutional development and planning.

The rejection yesterday, on the first day of a sitting of the committee in Pretoria, followed the recent constitutional deadlock and a subsequent agreement between the government and the Labour Party to consider the measures again.

The three Bills, including the Group Areas Amendment Bill, were republished with only slight, technical changes.

The Labour Party, the Progressive Federal Party and the Indian parties stood by their rejection of the Group Areas Act and their demand for its scrapping.

The Conservative Party has also signified its rejection, but for different reasons.

In a standing committee on environmental affairs the Slums Bill was rejected by all groups except the National Party and at a meeting of the committee tomorrow the same is expected with the Prevention of Illegal Squatting Bill.

The Bills will now go before joint sessions of the three Houses of Parliament.

After they have been rejected the government will have to force them through by means of the President's Council.

In the five-day session starting on Monday the Representatives and Delegates will at least consider the measures along with the Assembly while previously they refused to deal with them at all.

● Group Areas: Round 2, page 11.

80 8/10/87 23/1/88

Home truths about group areas

GEORGE SYMONS

WHATSOEVER government decides to do about the Group Areas Act, the inescapable fact is that it will not be possible to restore residential apartheid to most of the areas where it has broken down.

Grey areas have evolved in Johannesburg's Mayfair and Hillbrow, and in other towns and cities. If government persists in its efforts to create a new minefield of law in an attempt, at best, to stop the spread of these areas and at worst to eliminate them, the grave risk is that the law is going to suffer an even greater erosion of respect than has already happened.

An old law that falls into disuse has a quaint aura of respectability but a new law that is ignored, cannot be enforced and holds social consequences which the public finds unacceptable, destroys the dignity of all law. Government has three broad options:

- Take the courage of past conviction and enforce the law as it stands
 - Take courage in the widely held belief that there is an enormous fount of goodwill among people of different cultures and, in one bold stroke, scrap the legislation; or
 - Take the twisting and devious path and try to be all things to every voter.
- It is common cause, I believe, that

the first of these options is just not an option at all. Both the remaining possibilities involve the recognition of mixed areas. In the end it will merely be a question of trying to control the rate of progress to free ownership of all property, subject only to the ability to pay the price and the discipline of public health and building by-laws.

What will the effect be on the property market of legalising free settlement areas? It is a truism that every interference with the freedom of the market creates a distortion in the value system. The property market has no special feature that absolves it from this. The current limbo it finds itself in has a direct influence on property values.

If "grey" areas are to be permitted, where will they be? Will the controls and local option mechanisms be clear and simple, or convoluted and bureaucratic — ripe fruits for the sharp dealers, traps for the unwary, legal minefields and litigants' delights? Will the rules be draconian — but justified as being necessary "to trap exploiters?"

Runners of an impending Group Area proclamation for the Indian

group — a wealthy segment of the population — drove prices up in Mayfair. "To avoid the cost of commuting from Lenasia to my place of business in the city is worth paying R100 000 more than the property is worth," an Indian businessman told me. "Time saved, the reduced actual cost of future transport, plus personal safety represents a very good return on that R100 000."

The average price at which Mayfair properties were transferred in the first six months of each calendar year from 1982-1987 (with the volume of transfers in brackets) are:

1982.....	R36 452 (146)
1983.....	R50 638 (102)
1984.....	R81 405 (90)
1985.....	R92 486 (72)
1986.....	R68 56 (68)
1987.....	R87 028 (118)

What must not be ignored are the effects of the Rent Control Act, (at one stage almost every residential property in Mayfair was controlled),

the "roll-back" of rent control and the availability and cost of mortgage loans, but, I submit, these factors took a back seat to the effects of the Group Areas Act.

Why 68 transfers in Jan-June 1986 and 118 in Jan-June 1987? Look at the names of the purchasers as listed in the Record of Transfers. An inordinate number of (Pty) Ltds and CCs will be noted in the latter period. Could they be "nominee owners?"

Why the price drop from 1985? I submit that the dominant factor was that the scarcity value was being discounted by the affected community on the rumour that there was to be a rethink on the Group Areas Act, and that the market was going to be partially normalised.

So quo vadis grey areas? There are variables that need to be written into the equation. Public health regulations will need to be given clearer definition in order to address the "stigmification" of multi-unit residential buildings.

Notwithstanding this, the legalisation of occupancy by the currently "illegal" inhabitants of the areas affected will reduce the exploitation they suffer at the moment. The ex-

ploited have no (or very little) redress because they are occupying premises at the whim of almost anybody. Giving the consumers, whose urgent needs require satisfying, the legal status necessary to enable them to become legal tenants will stabilise the investment return to property owners in the flatland areas.

In single unit residential areas, the relaxation of the Group Areas Act might initially tend to cause a reduction in sale prices in suburbs like Mayfair, because more properties are likely to go on the market.

But it must be remembered that the white group tends to be overhoused while others, particularly the black group, will suffer acute accommodation problems for a long time yet.

In a normal property market, in a colour blind society — should that Utopia ever come to pass — we would still be faced with a grave housing shortage. Nevertheless, to quote Margaret Thatcher: "If you free things up, you'll get the fundamental decency — you'll get the fundamental standards."

GEORGE SYMONS is vice-chairman of the Southern Transvaal branch of the Institute of Estate Agents.

Treurnicht's stayaway

Now it's a Conservative Party (CP) boycott. In a clear snub to President P W Botha, CP leader Andries Treurnicht will not attend next week's joint parliamentary debate on the revised amendments to the three Group Areas Bills. Treurnicht let it be known that he was too busy to go to Cape Town.

"P W Botha may have spare time in which he is prepared to be shunted around by the (coloured) House of Representatives (HoR).

Dr Treurnicht has a busy programme," CP spokesman Clive Derby-Lewis told the *FM*.

Hundreds of MPs, Cabinet members and their entourages are preparing to go south for the debate; but as a step on the road to reform it looks set to become a damp squib.

The second session of this year's parliament ended in near chaos a month ago when the National Party (NP) withdrew the original amendments after a week-long "debate" which the Progressive Federal Party (PFP) and Wynand Malan's National Democratic Movement (NDM) boycotted. Next door the HoR and the Indian House of Delegates also suspended participation.

Government was forced to change the parliamentary rules to debate the Bills as "own affairs" — and to eventually bulldoze them through the President's Council, if it came to that. It didn't: sanity prevailed for a while and the Bills were withdrawn. Even NP MP Albert Nothnagel spoke of a constitutional crisis.

Constitutional Affairs Minister Chris Heunis spent many hours with Labour Party (LP) leader Allan Hendrickse attempting to resolve the deadlock. Hendrickse at last agreed to a joint debate, but only after a constitutional amendment dealing with delimitation was also withdrawn.

Angry scenes followed in the House of Assembly when on the last day of the sitting, House leader F W de Klerk announced the withdrawal of the amendments and the calling of next week's session. Treurnicht has no ideological advantage in attending — the opposite is probably true, and he will doubtless be keeping busy preparing for the October 26 local elections.

The revised amendments dealt with by the joint standing committee this week will offer nothing new. "Technical . . . rather than cosmetic changes," says acting LP leader Miley

Richards. "I need a magnifying glass to see the changes."

So who won the skirmish between the NP and the LP? Richards feels it was a victory for his party: "We have convinced government to agree to a joint debate. Until now we were only able to address these sensitive issues to a broader audience. Now we will sit opposite government when discussing the Bills."

The strategy of Hendrickse and the LP is clear. "Not a damn will we vote for the amendments," says Richards. "We will use the opportunity to show that it is immoral for important amendments such as the Group Areas Bill to be referred to the President's Council (PC) — it means that issues which are sensitive to us will be decided by a nominated body. It also shows government's power basically resides in the PC. This is a movement away from democracy."

Hendrickse and many of his party members have personally suffered tremendously under the provisions of the Group Areas Act. Next week's joint debate provides them with an opportunity to try to reach out to the hearts and minds of the few moderates left in the NP. Those Nats can prepare themselves for sorrowful tales of the

heartaches and disruption of family life which have been caused by one of the pillars of SA's apartheid laws.

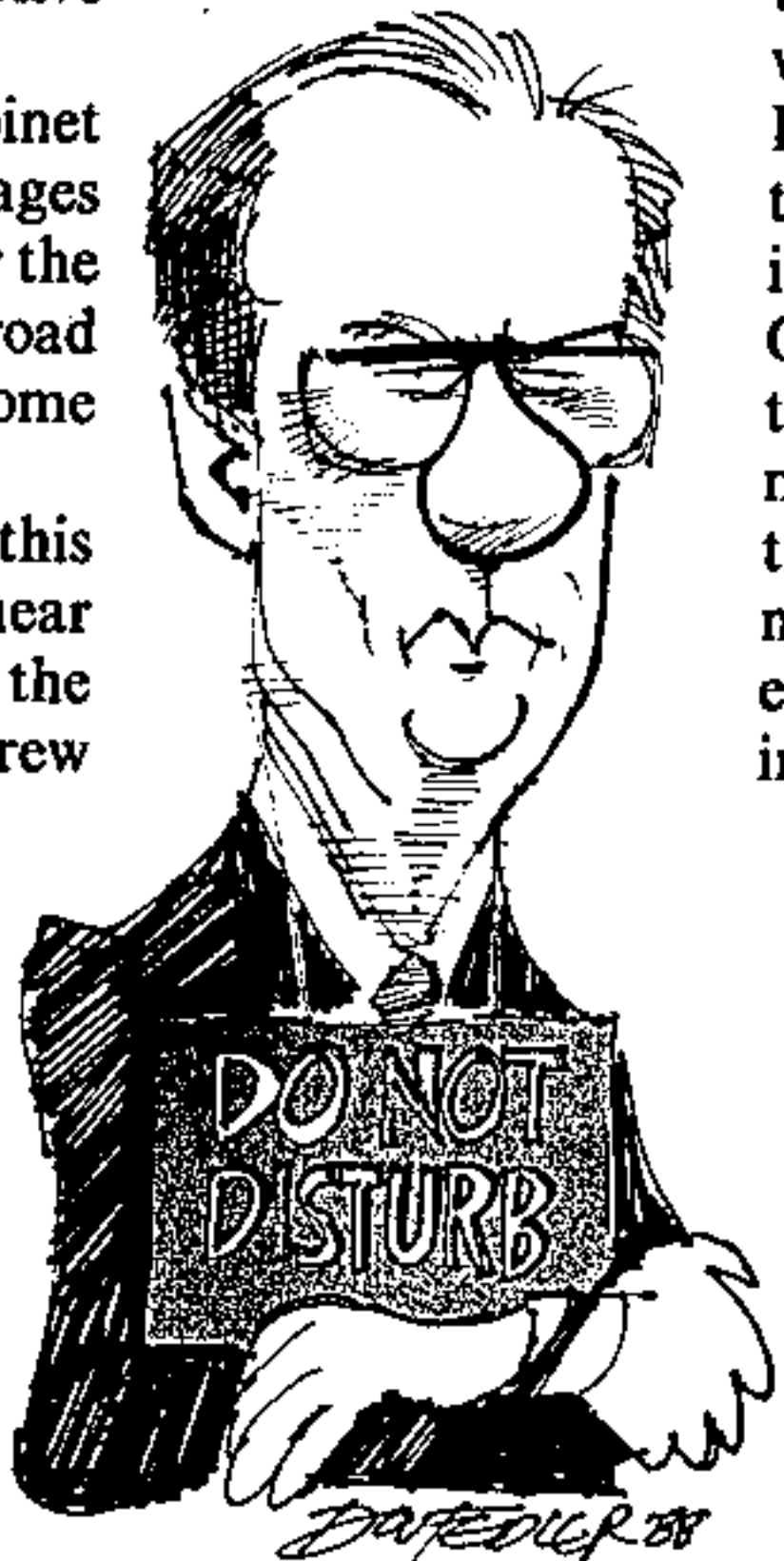
Next week's debate will also be of immense importance to the LP's future participation in the tricameral system. "It certainly will influence our decision on participation which will be dealt with at the LP congress in Bloemfontein in December," says Richards.

Richards dismisses Treurnicht's reasons for not attending the joint session: "Nonsense. These are important political matters. Treurnicht is busy selling his partition policy and I would have expected him to use this opportunity to address the issue."

So nothing will really be new next week except the participation of the LP (and the PFP and the NDM), who will oppose the amendments. So will the CP — for its own reasons.

Heunis and his deputy Roelf Meyer will most probably deliver the same speeches. "Reform is taking place across all spheres of SA life. That is why we believe that reform in all the different fields should be synchronised and seen as a whole," said Heunis during last month's session. Yes, well . . .

In any case, it looks as if the Bills will have to be referred to the PC by Botha — and SA will be another step away from democracy. ■



Government haste over group areas seen as a scandal

ARBUS 93/19/88

80

By the Black Sash urbanisation working group

THE amendments to the Bills on group areas, squatting and slums have not made these measures acceptable.

The unseemly haste of the government in its efforts to rush the Bills into law, at great expense and against the wishes of the vast majority of the people, is a scandal.

Many organisations countrywide have declared their opposition to the Bills.

Some principles established by the new measures are at variance with standards of good government and natural justice as well as human rights.

● The new squatting and group areas laws provide that an accused person has to prove he is not guilty of an offence.

People should be presumed innocent until they are proved guilty.

Bad government

● The new slums and group areas measures give the Minister power to decide about evictions or what constitutes a "nuisance".

Ministerial discretion and opinion make for bad government. Official actions which affect the rights of individuals should be subject to public scrutiny and should be tested in the courts.

● The new squatting and group areas laws will make criminals of millions of homeless people who are simply not able to avoid breaking the law because there is nowhere else for them to live.

Fair legal systems enable people to abide by the laws governing the country.

● The same laws make it very difficult for people to have access to the courts.

Laws should allow people access to the courts so that each party's case can be heard and impartial judicial reason and discretion can be applied.

● The laws provide for enormous fines and prison sentences which are excessive, unreasonable and unjust.

The punishment should fit the crime!

● The new squatting laws permit the breaking down of people's shelters and homes.

It is a basic human right that people should have shelter. People's present accommodation should not be destroyed and they should not be forcibly removed unless a better and acceptable alternative is available.

● The new laws provide for removal of people.

Legislation to deal with the accommodation crisis should not destroy viable communities and social and economic networks merely to try to force residential segregation on racial grounds. Legislation should encourage the development of what people have managed to make for themselves.

● The new slums law is negative. It authorises the destruction of basic shelter in a situation of extreme housing shortage.

Slum squatting legislation should promote the upgrading of existing accommodation where feasible and the improvement of urban government.

● The new slums law provides for unrealistic and severe regulation of accommodation standards through licensing and other controls.

Such high standards will prove impracticable, costly and unenforceable given the acute shortage of housing. A result of this will be that not even basic safety and health standards will be able to be maintained.

The new Bills are the tools of the "orderly urbanisation policy". This scheme has been devised to control the settlement of black people in the urban areas, but is not confined to these areas alone. Black people farming on white farms, often for generations, are liable to be identified as squatters and evicted.

Blacks — the greatest number of people who are homeless — still have nowhere they can lawfully live. The new laws would break down their shelters and cause social chaos and insecurity for everyone. It is no protection to say the laws would be applied selectively.

Potential sinkhole

The land which has been identified for black residential use in the Pretoria-Witwatersrand-Vereeniging area is:

● Too little;

● Not all suitable for residential settlement because an estimated 40 percent of it is a potential sinkhole area;

● Too far away from where people work; and

● Going to prove very expensive to develop and will be beyond the means of most homeless people to buy or rent.

The reason that all the people now deemed to be living in the "wrong" places must move is again to try to apply racial segregation — costly, painful, against the natural way in which urbanisation and metropolitan development occurs, and ultimately futile.

For decades a common sight was large yellow trucks filled with pass-law offenders picked up off the streets to join the sausage-machine process of the courts while families and employees would try to locate their whereabouts.

Invalids unattended

Countless others were carted off again and again out of shack settlements, often leaving children and invalids unattended. People were endorsed out of the urban areas and despatched to rural areas where they were deemed by officials to belong, only to return to the cities where they had their homes, work and families.

Periods spent in jail waiting trial, fines, imprisonment — repeated over and over!

That 40-year circus was a failed exercise in keeping black people out of the urban areas of South Africa. The grim cost was millions of rands, millions of people's misery and hardship and a bitterness that will be engraved in the historic consciousness of black people for generations to come.

For decades forced removals have chartered scars across parts of the country — remember names like Limehill, Morsgat, Dimbaza, Sada, Lady Selborne, Stinkwater, Eersterus, Charles-town, Fingo Village? — as the government sought to cram 86 percent of the country's population on to 13 percent of the land.

The cost? Millions of rands to the country, irreparable bitterness of millions of people, despair and destitution for many. The toll on the land as a result of vast overcrowding in rural areas is a price future generations will pay.

If the new laws are passed, the stage is set for another tragic process which will not succeed in keeping the poor from the cities but will cause human suffering on a vast scale — and will impoverish the country.

SP

CHUCK OUT GROUP AREAS ACT - CALL

THE Government should be courageous enough to take one decisive step next week and repeal the Group Areas Act completely, the president of the South African Institute of Race Relations, the Reverend Stanley Mogoba, said in Johannesburg yesterday.



REV Stanley Mogoba

Delivering his presidential address to the Institute's members, he said that the 20th century had at long last caught up with the Government. To recognise this it needed to "chuck out the Group Areas Amendment Bill, the Slums Bill, and the Prevention of Illegal Squatting Amendment Act."

"I say to the Government: repeal the Group Areas Act. Repeal it now, because you cannot enforce it or its amendments."

Mr Mogoba was speaking on the eve of next week's special parliamentary sitting called to break the political deadlock over the legislation.

He called on the Government to "Con-

sign all these Bills to the dust-bin, and seize the opportunity to share in the harvest of the new crop of South Africans that is growing in our cities and towns.

"While you're about it," he added, "repeal the Population Registration Act as well — it serves no purpose in the multi-racial land that is clearly here to stay.

"Take these steps, and the right-wing threat will be like the sound of a pin dropping compared to the clanging cymbals that could be a fanfare of a new era of change and a new chance for peace."

Areas Bills 'violate human rights'

By Jo-Anne Collinge

It is frightening that the Government is introducing emergency type measures into legislation that has nothing whatever to do with State security — such as the Group Areas and Prevention of Illegal Squatting Amendment Bills, says Mr Bill Currin, national director of Lawyers for Human Rights.

In terms of the Group Areas Act, actions to evict people from their homes rested "on the personal opinion of the Minister (of Constitutional Development and Planning) not on judicial discretion" — just as under the state of emergency people could be indefinitely detained purely on the opinion of the Minister of Law and Order, he argued yesterday at a Johannesburg press conference.

POLITICAL DISTURBANCE

Mr Currin expressed the view that the Bills, which will be put before a special sitting of Parliament next week, would more appropriately have been entitled the Violation of Human Rights and Promotion of Political Unrest Bills.

He noted that the Group Areas Bill alone

violated at least 11 of the rights acknowledged in the Universal Declaration of Human Rights and he stated that he believed the measures could not be enforced without promoting political disturbance.

Lawyers for Human Rights is one of a range of organisations which insist that the latest drafts of the Squatting, Group Areas and Slums Bills are no improvement on the originals which evoked a storm of protest and caused a constitutional crisis.

The Black Sash, Actstop, the Transvaal Rural Action Committee, the Witwatersrand Network for the Homeless and the development planning group, Planact, all expressed this view at the press conference.

"It is difficult to imagine any possible justification for the recalling of Parliament, at great expense, to present to it for enactment legislation that is so inhumane and destructive," a conference statement read.

Noting the new powers given to the Minister, the statement commented: "In South Africa most of the homeless and most of those who are living in the 'wrong' places do not exercise any vote which can influence the hold on power of the Minister."

Star 80

23/9/88

Group areas gulf as wide as ever

by FRANS ESTERHUYSE
Political Staff

ON the eve of the joint debate in Parliament on the new group areas legislation the gulf between the government and its political opponents on residential apartheid is as wide as ever.

This is one issue on which the National Party is fighting a lone battle. It has committed itself to the principle of group areas, while its opponents in all three Houses of Parliament refuse to deviate from their demands for scrapping the Act.

Progressive Federal Party analyst Mr Nic Olivier, MP, said this week he strongly doubted whether agreement could ever be reached between the government and opposing parties on the issue of group areas.

The Group Areas Act was one of the most divisive factors in South African society and had caused more bitterness and resentment than any other law.

The PFP believed the Act would have to be scrapped.

Mr Olivier said that in his opinion this need not necessar-

ily be done overnight. The Act could be phased out over a period, but the government would first have to declare its intention to scrap the law — which was highly unlikely while President Botha remained committed to the principle of compulsory residential separation.

The Act distorted the country's economy, was in conflict with the principle of a free-market economy, disrupted the country's population distribution pattern and hampered orderly urbanisation.

Bad elements

In an analysis of the controversial trilogy of group areas Bills, Mr Olivier warned that the new legislation would compound all the bad elements of the existing Act and make it much worse.

Labour Party leader the Rev Allan Hendrickse said through a spokesman that his party had not deviated from its demand for scrapping the Group Areas Act and remained as strongly opposed as ever to the new legislation.

There could be no compromise.

Dr J N Reddy, leader of Solidarity and of the majority alliance in the House of Delegates,



Mr Nic Olivier

said: "As far as Solidarity is concerned we remain totally opposed to the Group Areas Act and insist that it must be scrapped. We are, therefore, not interested in any amendments."

He believed this was also the viewpoint of the alliance.

Dr Reddy said the lives and social patterns of people had to be regulated by the people themselves. He saw no prospect of any agreement with the government.

The Act was responsible for "tremendous pressure" of land requirements and for a huge housing backlog.

Conservative Party chief whip Mr Frank le Roux, MP for Brakpan, said the chances that the CP and the government would reach agreement would be "remote" for as long as the government "continues in the direction of concessions."

Mr le Roux said the CP believed the government was moving towards the abolition of the Act.

Stricter

"We stand for making the Act stricter and for applying it effectively in respect of all population groups."

In the face of adamant opposition, government spokesmen are taking a stonewall stance in defence of group areas, claiming that most people want racial separation — or "differentiation" — in residential areas.

The Deputy-Minister of Constitutional Development and Planning, Mr Roelf Meyer, has defended the Act in these terms: "Rather than see the Act as a measure of legal sanction, it should be seen as an expression of intent to maintain a certain lifestyle.

"It is indicative of a way of life rather than a measure to combat a social ill."

Group Areas: Round Two

By NORMAN WEST
Political Correspondent

88/6/57
S.M. 15

THE political clash over the Group Areas Act which nearly wrecked the tricameral Parliament goes to round two when Parliament reconvenes tomorrow.

Labour Party leader the Rev Allan Hendrickse said yesterday he was looking forward to a face-to-face confrontation tomorrow with the National Party and the Conservative Party on the trilogy of contentious Group Areas Bills.

He also criticised the intended absence from the debate of CP leader Dr Andries Treurnicht.

"But I will, in any case, let rip tomorrow and dish it up to the Nats and their CP 'agterryers' in full force.

"As far as the Group Areas Act is concerned, my party sees no difference between the NP and the CP."

The Bills were withdrawn after both the House of Representatives and the House of Delegates boycotted Parliament in protest against them.

Defied

The short session of Parliament begins, meanwhile, with yet another party split. Carter Ebrahim, controversial former Minister of Education in the House of Representatives, stormed out of a Cape Peninsula meeting of the LP on Friday.

His move followed the expulsion of six LP MPs who defied a party order to withdraw from the October 26 municipal elections to give others a chance to fill positions at local government level.

Guilty until proven innocent

Mandatory eviction may have disappeared from the Group Areas Amendment Bill — but it remains a central feature of the latest draft of the Prevention of Illegal Squatting Amendment Bill.

Critics insist that the Bill, which so offended at first presentation, remains intact with devices to make eviction easier by excluding the courts and by undercutting almost all defences against unlawful eviction.

The Bill retains procedures for magistrates to order summary demolition of shacks and for committees to determine who should be cleared out of rural areas.

Only those who are employed on farms will be exempt from eviction. The Transvaal Rural Action Committee believes that this means that some 3 million rural dwellers will be vulnerable to removal.

The Bill deals with the control of informal dwellings, covering two broad areas, which Legal Resources Centre attorney Mr Geoff Budlender has described as elements of "prohibition" and "reprieve".

It is the "prohibition" section, which deals with criminal conviction and various routes to eviction, which has raised the outcry — and which has remained virtually unchanged despite criticism.

The "reprieve" elements provide for "transit camps" and the eventual development of formal residential areas from recognised squatter camps.

The prohibitive effects of the Bill are far stronger than those contained in the present Act, which was last significantly amended in 1977:

● As in the old Act, squatting is a criminal

Mandatory eviction remains a central feature of the Prevention of Illegal Squatting Amendment Bill. What is more, critics maintain that the new Bill will also undercut almost all means of defence against unlawful eviction.

offence. In addition, in the Bill the accused is presumed guilty until proven innocent. Instead of the State having to show that the accused is on a piece of land without lawful reason and without permission, the accused will have to prove the opposite.

● Conviction carries an automatic eviction order (in the past the court had a discretion whether to evict) and a penalty double the old one — up to R2 000 and/or one year.

● There is a specific provision that an appeal will not have the effect of suspending ejection and demolition orders.

● Summary demolition, a feature of the old Act, is retained in the Bill and reinforced by a severe restriction on court interdicts to prevent unlawful demolition. In the past the courts could halt a demolition if its unlawfulness was shown. Now applicants will have to prove the threatened demolition is both unlawful and prompted by bad faith. Even if officials act beyond their powers, it will be almost impossible to stop them.

● The powers of magistrates to order forcible removals are increased in the Bill. Not only may local authorities and police apply to magistrates to issue orders, even where premises are occupied with the permission of the owner, but the grounds on which the order may be issued are totally unspecified. In the past the requirement was that

the presence of those to be removed must endanger health or safety. This proviso has been eliminated.

● Power to remove people from farms vests not with the courts but with committees to be appointed by an administrator. The composition of these committees remains unspecified.

● If after an inquiry a committee finds non-employees are occupying homes it must order their ejection, regardless of whether the owner of the farm wishes this to occur. Commentators believe that this section poses a huge threat to the families of farm workers.

Maximum penalties

● The ejection must be effected by the farmer within 30 days of issue of the order. He is not bound to give the ejected persons any notice and he may be fined as much as R10 000 and/or imprisoned for as long as five years if he ignores the committee's eviction notice. While the owner has a right to appeal against a committee notice, the affected farm dwellers do not and face maximum penalties of R2 000 and/or one year in jail for failure to leave.

Government spokesmen have repeatedly asserted that the Squatting Bill is to ensure "orderly urbanisation". That leaves a huge question mark against the provision affecting farm dwellers.

Critics in the churches, political organisations and human rights groups insist that forced removals in rural and urban areas are part of a hidden agenda — and that provisions just as draconian as the measures that were thrown out with the pass laws in July 1986 may soon be back in force.



The Prevention of Illegal Squatting Amendment Bill . . . a giant step back to the age of forced removals?

Slums Bill draws new criticism

The redrafted Slums Bill, which will be discussed at this week's special parliamentary sitting, has evoked much adverse comment. Critics claim that it is vague, could be used for racial discrimination and is out of step with Third World urban planning.

The Slums Bill tabled during the last sitting of Parliament conferred vast powers on the State and local authorities to order action to remedy hazardous health conditions in buildings — and granted no rights to occupiers of premises under investigation.

Redrafted for this week's special sitting of Parliament, the Bill makes some concessions to tenants but still stands in sharp contrast to the old Slums Act where the criteria for determining what constituted a "public nuisance" were much clearer.

The new Bill allows tenants living in a building which is judged by the local authority to be a "nuisance" to appeal against this finding. Their first course of appeal is to the local authority and their second to the Minister, who may reverse the decision.

The latest draft also gives the owner of a building an increased period of 60 days in which to remove the "nuisance" on his property.

Various administrative proceedings relating to the serving of notices have also been tightened up.

'Merely the trappings'

But Mr Barry Adams of the Legal Resources Centre maintains that the new Bill has merely achieved "the trappings of due process".

Like others, he levels the central criticism that the Bill still fails to define objectively what a "nuisance" is.

While the old Act set out concrete standards against which the medical officer of health could consider what constituted a "nuisance", the new measure allows local authorities and the Minister much wider scope. A "nuisance" is anything that a local authority or the Minister concerned decides is a threat to health or safety.

One of the grounds in the existing Act for deciding whether a building is a "nuisance" is that of overcrowding. A remedy for such nuisance is obviously to reduce the number of occupants.

The occupiers are entitled to sort out among themselves who should leave the building to restore it to an acceptable level of occupancy. The Bill makes no such provision. The occupiers, it appears, are simply subjects of the procedure.

Hand strengthened

Another feature of the latest draft of the Bill is that it strengthens the hand of the Minister to intervene wherever he considers that a local authority should act but fails to do so.

Organisations of tenants and professional planners believe that ostensibly "neutral" slums provisions are likely to be used in a racially discriminatory way — for instance against "illegal" black tenants in "white" Hillbrow.

Planact, a group of development planners, notes that the Slums Bill is wholly negative and centred on control. Nowhere does it make provision for upgrading. Nowhere does it acknowledge the enormous value of old housing in accommodating the poorer people of South Africa's urban centres.

The legislation is so badly out of step with Third World urban planning, Planact concludes, that it can only be seen as part of the strategy of forced evictions and demolitions.



Special procedures . . . Minister Heunis will have final say.

Evictions — the Minister will decide

The Group Areas Amendment Bill, the Prevention of Illegal Squatting Amendment Bill and the Slums Bill, which sparked a constitutional crisis last month, come before a special sitting of Parliament this week. Extra-parliamentary critics are adamant that the redrafted Bills remain totally unacceptable. Will they satisfy the Houses of Delegates and Representatives? **JO-ANNE COLLINGE** highlights the more controversial facets of the Bills.

Eviction under the Group Areas Act will not require prior criminal conviction in a court of law if the amendments contained in the latest version of the Group Areas Amendment Bill are enacted.

Special procedures for the eviction of tenants by order of the Minister of Constitutional Development and Planning, Mr Chris Heunis, have been retained in the third draft of the Bill, which comes before a special sitting of Parliament this week.

Lawyers believe it will be almost impossible to institute court action to overturn the Minister's decision. They add that although the person under investigation has a right to put his or her case, the final decision on eviction rests solely on the opinion of the Minister.

A Ministerial eviction order must be preceded by an inquiry into ownership and/or occupancy of premises. The inquiry is an administrative, rather than a judicial, procedure.

The Minister is not compelled to evict even if he is satisfied the law is being broken. He also has a discretion as to whether he will give a period of notice (of up to three months) or evict immediately.

This procedure replaces earlier provisions for a magistrate to inquire into alleged transgression of the Act.

It gives the Minister a degree of discretion that the magistrate would not have had in terms of the first draft of the Bill. The earlier version drew cries of outrage when it made eviction a mandatory consequence of a tenant being found to be in transgression of the Group Areas Act.

But, lawyers point out, conferring virtually unfettered powers on the Minister is no substitute for judicial procedure.

Lawyers for Human Rights director Mr Brian Currin and the Legal Resources Cen-

tre's Mr Geoff Budlender have both branded the resort to such Ministerial powers as evidence of "emergency-type thinking" in the making of the ordinary law of the land.

Where there has been a criminal conviction the Minister will also be the final arbiter on whether eviction is to be superimposed on any other penalties.

Previously such discretion rested with the magistrate or judge, and in accordance with the landmark Govender judgment, they were obliged to refrain from eviction if (among other things) the convicted tenant had no alternative accommodation.

Furthermore, criminal conviction will be made easier as the accused will be presumed guilty until proven innocent. In the past, the Group Areas Act — in accordance with widely accepted precepts of justice — made the reverse presumption.

Illegal occupation

In addition, proposed penalties which have been described as more fitted to crimes of violence have been retained in the latest draft. Compared to those presently applicable, they have increased dramatically. The maximum is now R10 000 and/or five years — as against the present R400 and/or two years.

The provision for the State to attach and sell property is extended to cover premises which are occupied, held or acquired in contravention of the Bill. In the old law this was not a consequence of illegal occupation, only of illegal ownership.

Organisations like Actstop and the Durban Housing Action Committee insist that the accompanying Bills providing for mixed or "free settlement" areas will not relieve the housing situation. Families from racially disadvantaged groups will still be compelled to break the Group Areas Act to keep roofs over their heads.

Labour rebels to back streets bills

APC 7/01/85
26/9/85
PO

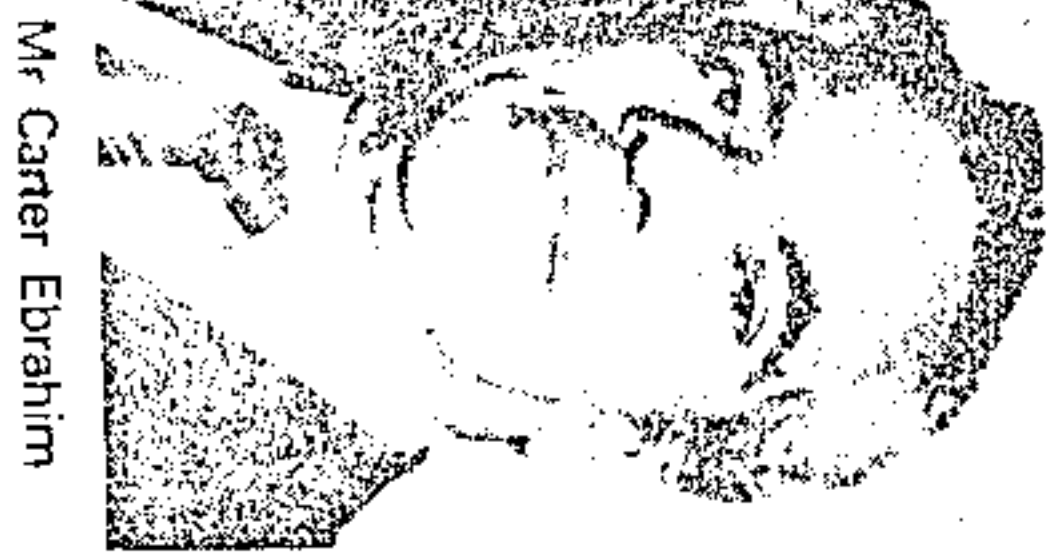
By ANTHONY JOHNSON
Political Correspondent

REBELLION within the Labour Party gained force at the weekend and last night the conservative breakaway faction was poised to become the official opposition in the House of Representatives.

And in another shock move, the rebels disclosed last night that they planned to support two of the government's controversial trilogy of Group Areas bills which will be debated from today at a specially convened week-long session of Parliament. These are the Free Settlement Areas Bill and the Local Government within Free Settlement Areas Bill.

The rebel faction, comprising largely Western Cape MPs, had swelled to nine by last night — two more than the United Democratic Party which is currently the official opposition in the House.

The nine are: Mr Carter Ebrahim, Mr Anders Johannes, Mr Chris Swartz, Mr Vernon Sass, Mr Collie Koeberg, Mr Hansie Christians, Mr Nic Isaacs, Mr Gysie Swartz and Mr Johnny Johnson.



Mr Carter Ebrahim

Mr Ebrahim, former Minister of Education and the spokesman for



Children hurt as bus hits bridge

Staff Reporter

THIRTY-SEVEN people — all but one of them school children — on a fund-raising outing were injured at the weekend when the bus they were travelling in collided with a low railway bridge in Wittebome.

The top deck of the bus was extensively damaged, a City Tramways spokesman said yesterday. He said a full inquiry would be conducted.

The bus was on private hire and not operating on a normal bus route when the accident happened at about 8pm on Saturday night.

A parent of one of the children involved, who asked not to be named, said yesterday the children, from Vista High School, were travelling from Cape Town to Wynberg for a fund-raising function.

A police spokesman said 37 people had been injured, but had suffered only "scratches and bruises". They were taken to Victoria Hospital and were all discharged by 9am yesterday morning.

More blasts but no-one hurt

JOHANNESBURG — Blasts rocked Durban and East London at the weekend. No one was hurt.

Labour

back

Cape Town
26/9/88

PO
[Handwritten scribble]

By ANTHONY JOHNSON
Political Correspondent

REBELLION within the Labour Party gained force at the weekend and last night the conservative breakaway faction was poised to become the official opposition in the House of Representatives.

And in another shock move, the rebels disclosed last night that they planned to support two of the government's controversial trilogy of Group Areas bills which will be debated from today at a specially convened week-long session of Parliament. These are the Free Settlement Areas Bill and the Local Government within Free Settlement Areas Bill.



Mr Carter Ebrahim

The rebel faction, comprising largely Western Cape MPs, had swelled to nine by last night — two more than the United Democratic Party which is currently the official opposition in the House.

The nine are: Mr Carter Ebrahim, Mr Andries Johannes, Mr Chris Swartz, Mr Vernon Sass, Mr Collie Koeberg, Mr Hansie Christians, Mr Nic Isaacs, Mr Gysie Swartz and Mr Johnny Johnson.

Mr Ebrahim, former Minister of Education and the spokesman for the group, said last night: "Our numbers already indicate that we can become the official opposition."

While the rebels planned to stand as independents for the present, Mr Ebrahim said, "the formation of a party could well be a natural development and a consequence of our stand (on the Group Areas Act)".

All parties in the tricameral Parliament (except the National Party), have rejected the bills outright, with a number of parties staging a boycott of Parliament last month in protest.

Mr Ebrahim, who was chairman of the LP's Cape Peninsula region, resigned from the party at the weekend to show his "solidarity" with six MPs expelled for refusing to obey a party directive not to make themselves available for election to the management committees in the October elections.

The six are Mr Sass, Mr Koeberg, Mr Christians, Mr Isaacs, Mr Swartz and Mr Johnson.

Mr Ebrahim's walkout was followed by that of the MP for Heideveld, Mr Johannes.

The rebel group, which spent most of yesterday in a strategy meeting, said last night that the breakaway group had been joined by Mr Swartz, the MP for Daljosophat (Paarl).

There was speculation in LP circles yesterday

Cape Town 26/9/88
80 *[Handwritten scribble]*

From page 1

that Mr David Curry, the Minister of Local Government, Housing and Agriculture in the House of Representatives, could be the next to join the conservative breakaway faction.

Mr Curry, who is on an overseas trip, is seen as the main champion of "own affairs" administration in the party and is one of the party MPs who has circumvented the leadership's ban on MPs participating in mancom elections by having his wife stand for the October 26 poll.

It is understood that the party hierarchy is far from upset by the loss of the nine members which will bring the combined opposition to 15. There are 85 seats in the House of Representatives.

Meanwhile, the Labour Party will hold a caucus meeting this morning to plan its strategy for the five days of joint debate on five bills, among them the Group Areas trilogy.

The LP's tactic will probably be to launch an all-out attack on the government, focusing on the suffering caused by the passing of the Group Areas Act.

The LP in Natal decided at the weekend to continue to participate in the tricameral system at parliamentary and provincial level.

● Debate on bills resumes in Parliament today — Page 7

To page 2

Debate on bills resumes

CME Times
26/9/88

80

Own Correspondent

JOHANNESBURG. — The three houses of Parliament sit today in a specially convened short session further to debate the highly contentious three Group Areas bills.

If passed, the bills effectively will tighten control of the acts involved and extend the powers of officials who police them.

The bills were withdrawn recently after both the House of Representatives and the House of Delegates boycotted Parliament in protest against them.

Government was forced to change the parliamentary rules to debate the bills as "own affairs" which effectively removed from the House of Delegates and House of Representatives the power to effect legislative changes through joint sittings.

The bills have been amended since they were first proposed but, say groups opposed to the Group Areas

Act, the changes do not make the bills better than they were, and in some respects make them worse.

The bills look set to render thousands more people homeless by broadening the definition of "squatter", and give the Minister of Constitutional Development and Planning sweeping powers which cannot be challenged in court, and allow for summary confiscation of landlords' properties.

The first of the bills to be discussed today is the Group Areas Amendment Bill which imposes severe new penalties for contraventions of the Group Areas Act from R400 to R10 000 and from two years' jail to five years. It also shifts the onus to a person in contravention of the act to prove they are innocent.

If the bills are rejected again by the majority of the parties — as reports to date indicate they will be — the measures are expected to be referred to the President's Council for approval.

GROUP AREAS BILL -

More powers for Minister?

THE revised version of the Group Areas Amendment Bill proposes to give the Minister of Constitutional Development and Planning the same arbitrary powers as those of the Minister of Law and Order — he can evict people at his discretion.

This was said by the national director of Lawyers for Human Rights, Mr Brian Currin at a Press conference at the weekend.

The conference was

hosted by the Witwatersrand Network for the Homeless following the publication of the third revised version of the Group Areas Amendment Bill.

Mr Currin said the ver-

sion made provision for wide arbitrary powers to the Minister, Mr Chris Heunis, who would use discretion whether to evict those blacks who contravened the Act.

"The Minister can

eject people without a court order. These powers are similar to those of Mr Adriaan Vlok who can order the detention of any person in terms of the state of emergency.

"Such a person does not have any recourse to the courts of law in terms of the state of emergency," Mr Currin said.

currin
26/9/88

80

Heunis names 14 possible open areas

the proposed Free Settlement Areas Board.

Other areas he mentioned as possible open areas were:

- In the PWV area — part of Mayfair, the Diepsloot area near Sandton, an area near the Development Bank in Midrand and the Ironsyde-Waterdal area adjacent to Sebokeng;
- District Six and Lower Woodstock in Cape Town; and
- Fairview, west of the white suburb of Walmer in Port Elizabeth.

The controversial measure, the first to be considered in the special short sitting of Parliament this week, has been rejected by all parties except the Nationalists, the three-man NDM and nine breakaway LP independents.

Heunis denied the legislation was being introduced simply to deal with a few "problem areas".

Inquiries in government circles later indicated that the places mentioned by

80 27/9/88
B/daty

● From Page 1

Heunis did not constitute a "final list", but was an indication of the sort of approach government wanted to adopt.

The boundaries of the areas mentioned would still have to be ascertained by the board, and all inhabitants of the areas, as well as the local authorities, would have to be consulted.

The Hillbrow and adjoining Johannesburg areas, which are heavily populated by blacks, will have to be dealt with by the local authority.

It is understood that several applications to open these areas have already been received by government in anticipation of the measure being approved.

It seems property developers will have a large say in how the area will be developed and what sort of accommodation will be available, as they will be financing the development.

Heunis names possible open areas

CAPE TOWN — Two of the country's greatest "heartache" areas — Durban's Block AK and Cape Town's District Six — where established communities were ripped apart by forced removals — could be among the first "open" areas.

And it appears government wants to move as fast as possible on investigating the feasibility of opening several other metropolitan areas to all races.

Constitutional Planning and Develop-

80 B/daty
Political Staff 27/9/88

ment Minister Chris Heunis yesterday named 14 areas in different parts of the country — including parts of Hillbrow, Doornfontein and Joubert Park in Johannesburg; and Maryvale, Mariannhill and Harrison Flats in Natal — which could "conceivably" be considered by

● To Page 2 →

Woolworths might face GAA charge

enforcement of the Act.

A spokesman for the Wynberg court said: "A docket was opened and it has been submitted to the Attorney-General. He will consider the merits of the matter, and if there are any representations from the complainants or the accused, these will be taken into account."

The spokesman said several letters of complaint had been submitted.

The day Woolworths Stellenbosch branch manager Tsukudu moved to Claremont from Guguletu, a neighbour, A W H Wiles, called the police.

Wiles, an English immigrant, admitted he was behind moves to put pres-

sure on the Tsukudu family.

He said he objected to racial mixing. "I have seen what has happened in Britain and America and I do not want it happening in Claremont."

Tsukudu, a Sotho, said he was sorry Wiles objected to his family living next door. He had not met Wiles but was willing to do so to see if they could come to "an understanding".

Woolworths human resources manager Andrew Wilson said the company had no comment. — Sapa.

10-27/88
GAA
● From Page 1

Woolworths might face GAA charge

CAPE TOWN — The Attorney-General has been asked to consider prosecuting Woolworths under the Group Areas Act (GAA) because it bought a house in white-zoned Claremont for a senior black staff member.

Several neighbours welcomed Tisetso Tsukudu and his family when they moved into the house in Laurier Road in July, but police opened a docket when

others complained.

The matter was referred to the Wynberg Magistrate's Court and then to the Attorney-General.

The case has arisen in one of three city council wards being contested by CP candidates who hope to win votes in the municipal election by promising strict

● To Page 2 →

Hendrickse says his party will be heard

Labour forces further Group Areas delay

CAPE TOWN — The Labour Party last night put a spanner in the Government's constitutional works again by introducing new tactics to seriously retard the passing of the controversial Group Areas legislation.

The move came towards the end of the debate on the Free Settlement Areas Bill at a joint sitting of the three Houses.

Parliament has been called especially to deal with the Bills and a fourth draft law affecting illegal squatting this week.

The Labour Party announced yesterday evening that it and the majority coalition of the House of Delegates would now not be voting for the four Bills. They would continue to use the debate on the legislation as a public platform to put their views across, but they would delay the passing of the legislation by refusing to vote for it.

The Bills are: the Free Settlement Areas Bill, Local Government Affairs in Free Settlement Areas Bill, Group Areas Amendment Bill and the Prevention of Illegal Squatting Amendment Bill.

The effect of Labour's latest delaying tactics will be that the Government will not be able to pass the four Bills by referring them directly to the President's Council for a decision at the end of this week, when it was originally expected that the House of Representatives and House of Delegates would vote against them.

Instead, the State President will now have to give the House of Representatives and the House of Delegates 14 days' notice to vote on the legislation.

If they have not disposed of the legislation by the end of that period, in terms of the Constitution, they

may be deemed to have been rejected by the two Houses and only then may they be referred to the President's Council.

Labour's tactics therefore mean a further delay of about two weeks in the passing of the legislation.

Worse than that for the Government, however, is that the latest setback is likely to be a severe embarrassment for it with only a few weeks to go before the municipal elections.

The Minister of Constitutional Development and Planning, Mr Chris Hennis, told Parliament that the parties in the other two Houses had given their word that they would take part in the debate on the Bills and that they would vote.

Mr Hendrickse said last night: "We will boycott when it suits us and we will play along when it suits us." He said that normally the Labour Party could only debate the Group Areas Act separately in the House of Representatives, with the Deputy Minister of Constitutional Development and Planning present.

Taking a stand in the joint debate meant that for the first time, National Party and Conservative Party members could hear what the LP was saying and where they stood.

The Conservative Party is likely to make much propaganda out of the latest development as it warned earlier this month that the Government, by making a deal with the Labour Party which had resulted in this week's session, had succumbed to "Baas Allan".

Many will resist change — rebel MP

Although it was ideologically attractive to call for the scrapping of the Group Areas Act, there would be serious resistance in important sectors of all population groups, Mr Carter Ebrahim (Independent S Cape) said yesterday.

Speaking in support of the Free Settlement Areas Bill, he said he represented nine former Labour Party members who would stand as independents as an interim measure.

"And I assure you there are more where we came from," he said. One reason for the group's existence was its dissatisfaction with the Labour Party attitude of indiscriminate rejection of legislation.

Mr Ebrahim said the Bill deserved support. "Thousands of people are eagerly awaiting the leg-

LP joining debate to 'destroy apartheid'

The Labour Party was not participating in this week's joint parliamentary debate in order to discuss free settlement areas but to see the beginning of the total destruction of apartheid and the Group Areas Act, said Mr Milley Richards yesterday.

Speaking directly after Minister of Constitutional Development and Planning Mr Chris Hennis at the start of yesterday's debate on the Free Settlement Areas Bill, Mr Richards challenged the Government to apologise for the debate on these contentious Bills which took place during the last short session of Parliament in the House of Assembly only.

The Government should admit that the debate, which took place without the Houses of Representatives and Delegates and with only the National and Conservative parties participating, was a mistake.

The LP could not reject the idea of free settlement areas as such, said Mr Richards, "but the whole of South Africa should be a free settlement area". The LP was taking part in this week's debate "to make South Africa more acceptable to the world".

isolation." He said they were people who had fallen foul of the Group Areas Act, living in desperation in premises where they were regarded as illegals. They were also people who had married across colour lines and could find nowhere to live, and people who wished to exercise their God-given right to freedom of association.

A finding of the President's Council was that not all communities were ready to move away from the Group Areas Act.

Mr Ebrahim said people were too ready to overlook the fact that after 40 years of the Act, whites, blacks, coloureds and Indians had developed substantial vested interests in their group areas and would strongly resist its sudden removal.

Responding to an interjection by a LP member that the National Party was behind the group of independents, Mr Ebrahim said the trouble with the LP was that they believed that the NP was omnipotent.

"They don't believe that their own people are capable of thinking for themselves," Sapa.

Heunis names possible open areas

By David Braun,
Political Correspondent

Constitutional Development and Planning Minister Mr Chris Heunis yesterday named several areas countrywide that might be investigated as free settlement areas.

He did this when introducing the Free Settlement Areas Bill, which will provide for the legal creation of multiracial districts.

Mr Heunis stressed that these were merely "potential areas". Because of the "sensitivities and complexities involved" it was not possible to forecast proclamations, and all investigations would be subject to "support of the local communities".

The areas include, in the PWV area, Hillbrow, parts of Doornfontein and Joubert Park, a part of Mayfair, and the Diepsloot area west of Midrand.

Elsewhere in South Africa, they include District Six in Cape Town, Fairview in Port Elizabeth and Durban's Maryvale area adjoining Westville.

It has been known for some

years now that the Government has been in favour of "opening" Hillbrow and parts of Mayfair for residents of all race groups.

Thousands of people of colour have moved into Hillbrow illegally over the past decade and the Government has privately conceded that the Johannesburg flatland suburb has become "irretrievably integrated".

The same has applied to parts of Mayfair, Joubert Park and Doornfontein.

The Diepsloot area between Johannesburg and Pretoria is a site of land earmarked for new urban development.

Its siting next to the Development Bank is intentional as it will be supposed to accommodate the scores of TBVC diplomats seconded to Secosaf, the international organisation created by South Africa and the four independent homelands to co-ordinate multi-lateral development and projects.

The Government hopes Diepsloot will become a prestige multiracial area where upper-income blacks can own and live

in top-grade housing.

In a later development, Mr Heunis's deputy, Mr Roelf Meyer, said the areas named were not the only ones that could be opened to all races, nor was it the case that all the places named would necessarily become open areas.

He said that the reason Mr Heunis had made the announcement was to give an indication in broad terms of what a person might expect once the Free Settlement Areas Bill became law.

Asked why no area in the Free State had been identified as a candidate for opening, Mr Meyer said the department was operating on the principle of satisfying the needs of people.

"This is the line we've taken so far."

He repeated the Government's stand that government schools in free settlement areas would be for one "community" only, and that if a mixed community wanted a mixed school, it could establish a private school that would be funded partly by the State.

Crisis in Parliament

By PATRICK CULL
Political Staff

THE Labour Party last night threw the tricameral system into yet another crisis when it refused to vote on the Free Settlement Areas Bill after more than seven hours of debate.

And a defiant Labour Party leader, the Rev Allan Hendrickse, told a news conference: "We will boycott when it suits us. We will play along when it suits us."

The latest impasse came late yesterday afternoon at the end of a long debate on the first of the trilogy of group areas bills when the Labour Party walked out and was followed by the United Democratic Party and all the members of the House of Delegates.

Fourth session

The effect of yesterday's walkout is once again to halt the passage of the bills and force President P W Botha to instruct the other Houses to meet within 14 days of a given date to vote on the bills.

And that means an unprecedented fourth session of Parliament.

Mr Hendrickse said last night that the LP would refuse to vote on the other bills scheduled to be debated this week and he was not prepared to give any guarantee that the party would vote even if instructed to do so. Should they do this, they will be deemed to have rejected the bills.

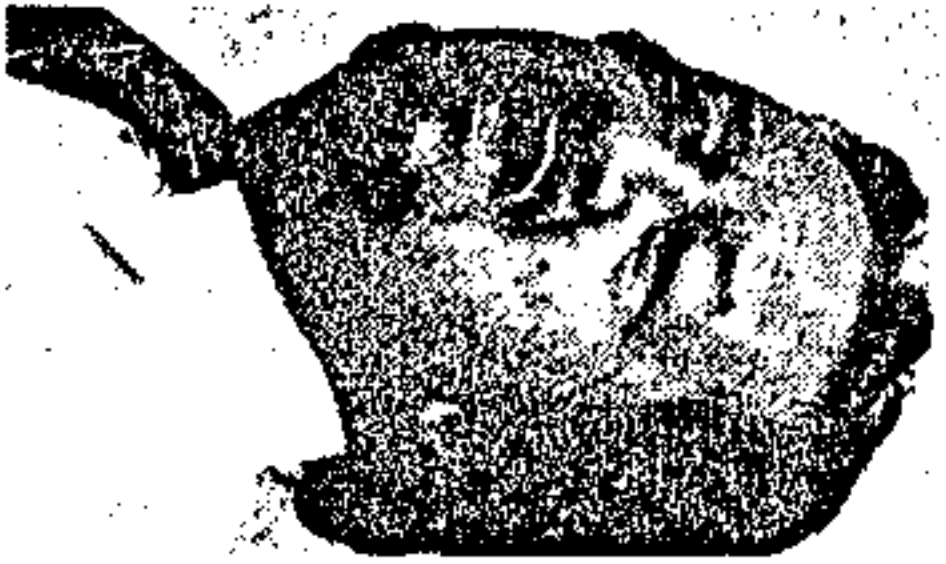
That means they will go to the President's Council — but 14 days later than Mr Botha had hoped to send them there and with less chance of getting them on the Statute Book before the October 25 municipal elections.

And that is what Mr Botha desperately wants.

Defiant LP refuses to vote on areas bill



Mr Nothnagel



Mr Hendrickse



Mr Chris Heunis



Mr Peter Mopp

A clearly annoyed and distressed Mr Chris Heunis, who was replying to the debate when the LP led the walk-out, accused the LP of breaking their word.

They had undertaken to dispose of the business, he said.

Not so, said a totally unrepentant Mr Hendrickse, questioning just how Mr Heunis could talk about honour in a situation and under a system which did not really recognize the viewpoint of other people.

Mr Hendrickse said the LP wished to show its utter rejection and disgust at the proposed group areas legislation.

"We are taking this step as another means to show just how strongly we feel."

Explaining the overall strategy, Mr Hendrickse said the LP had decided

to participate in the joint debate to be able to address National Party and Conservative Party members directly on the issue.

"Not to vote is to demonstrate to the people outside that we are going to stand firm on our utter rejection of the legislation."

Members of the House of Representatives used yesterday's seven-hour debate to express their abhorrence of group areas legislation, said Border MP Mr Peter Mopp, stating that the basis of the Group Areas Act was "the white man's fear and the white man's greed".

"These laws which you passed to protect your pigmentation will not stand the test of time."

The reality of South Africa, he said, was a state of emergency in which any organization outside Parliament was

effectively banned. People were now being taken off the street and locked away.

Addo MP Mr Peter Hendrickse said there was little difference between the NP and CP. Both believed in the group concept and apartheid — the difference was in the implementation.

The NP was going ahead with group areas legislation — which was apartheid, which in turn was a heresy. "It is evil and cannot be amended."

The CP also lashed out at the government, with Ermelo MP Mr Moolman Mentz stating that the Free Settlement Bill meant the beginning of the end of the Group Areas Act.

The end of the act, he said, would lead to racial mixing and conflict.

Defending the bill, the Transvaal leader of the NP, Mr F W de Klerk, said the bill provided a practical way to resolve the differences between those who wanted separate residential areas and those who wanted mixed areas.

Injustices

It was, he said a give-and-take solution which took cognizance of the reality of mixed areas.

The NP MP for Innesdal, Mr Albert Nothnagel, said there had been injustices since the time of Jan van Riebeeck and it was now time to try to right them. He appealed to the CP to turn away from the past and build a South Africa of the future.

Today the joint sitting will debate the Local Government Affairs in Free Settlement Areas Bill which makes provision for how people in open areas will vote at third-tier level.

With the LP having opted for confrontation and the NP clearly on the defensive, it could be an acerbic and bitter debate.

District Six, 89 Open in

CPC

Travis

27/9/88

Bo



By ANTHONY JOHNSON
Political Correspondent

THE government plans to proclaim District Six one of South Africa's first open areas next year — more than 20 years after it began forcing out coloured people from the area.

Senior government sources indicated yesterday that the government would take the initiative in opening up District Six/Zonnebloem/Lower Woodstock as soon as possible.

As a first step, the City Council and residents next to District Six would be consulted by the Free Settlement Areas Board on the desirability of such a move and the precise boundaries of the open area.

It is understood that the BP plan for the development of District Six is not necessarily at variance with the government's thinking on the future of the area.

Other areas

The identification in Parliament yesterday of 13 "potential" open areas by the Minister of Constitutional Development and Planning, Mr Chris Heunis, was characterized as an at-

THE government plans to proclaim District Six one of South Africa's first open areas next year — more than 20 years after it began forcing out coloured people from the area.

Senior government sources indicated yesterday that the government would take the initiative in opening up District Six/Zonnebloem/Lower Woodstock as soon as possible.

As a first step, the City Council and residents next to District Six would be consulted by the Free Settlement Areas Board on the desirability of such a move and the precise boundaries of the open area.

It is understood that the BP plan for the development of District Six is not necessarily at variance with the government's thinking on the future of the area.

Other areas

The identification in Parliament yesterday of 13 "potential" open areas by the Minister of Constitutional Development and Planning, Mr Chris Heunis, was characterized as an attempt to help speed up the proclamation of free settlement areas.

Introducing the Free Settlement Areas Bill at a joint sitting of the three Houses, Mr Heunis said that because of "sensitivities and complexities" involved, it was not possible to forecast in detail which areas could be considered for opening.

However, he said that "a number of potential areas do come to mind", adding that he was sure the proclamation of the previously open area of District Six or Zonnebloem/Lower Woodstock as a free settlement area "would be welcomed by the majority of us".

Other areas Mr Heunis mentioned could be opened — provided there was "adequate support" from the local communities for such proposals — were:

- In the PWV area, parts of Hillbrow, Doornfontein and Joubert Park; a part of Mayfair; the Diepsloot area west of Midrand; an area adjoining the site of the Development Bank in Midrand; and the Ironsde-Waterdal area adjacent to Sebokeng.

- In the Durban area, the area east of the Greyville racecourse (block AK); the Marydale area adjoining Westville; parts of the Marianhill area west of the mission station; and part of the Harrison Flats area.

- In the Port Elizabeth area, the Fairview area west of Walmer.

Government sources noted later that the list of areas identified by Mr Heunis was not exhaustive, but also cautioned that not every area mentioned would necessarily be opened.

They also emphasized that the boundaries for these areas had not yet been finalized.

It is understood that decisions on housing density will be left largely in the hands of developers in areas that are proclaimed open.

No racially integrated state schools will be allowed in open areas, but the government-subsidized private schools

From page 1

will get the nod in certain circumstances.

Opposition MPs noted that no predominantly white areas had been earmarked for possible opening by the government; all neighbourhoods mentioned were already racially mixed or new areas.

The PFP's spokesman on the Group Areas Act, Mr Tian van der Merwe, said the thinking behind free settlement areas was "to make a few concessions here and there and then you can get tough in the application of the Group Areas Act itself, in the vast majority of areas in South Africa".

Mr Heunis said the Free Settlement Areas Bill was based on the principle of freedom of association.

"It is accordingly important that the initiative for proclaiming free settlement areas should in the first instance come from the local communities themselves."

Several opposition parties to the left of the government yesterday

called on the government to declare the whole of South Africa a free settlement area.

The chairman of BP Southern Africa, Mr IJ Sims, said any movement towards the ending of the Group Areas Act and therefore the removal of apartheid was to be welcomed, Sapa reports.

"In our proposals regarding District Six we have been hoping for an opportunity which would enable the community, the Cape Town City Council and the private sector to come together. We still have to analyse and discuss the statement made by Mr Heunis in Parliament and will decide on the next move as soon as that is done," Mr Sims said.

Mr Anwah Nagia of the Hands off District Six Committee said the organization could not give its blessing to "piecemeal change" and called the reopening of District Six "window-dressing" for the government's reform policies.

To page 3

Scrapping of Group Areas will be resisted'

PARLIAMENT — Although it was ideologically attractive to call for the scrapping of the Group Areas Act, there would be serious resistance in important sectors of all population groups, Carter Ebrahim (Independent S Cape) said yesterday.

Speaking in support of the Free Settlement Areas Bill, he said he represented nine former Labour Party (LP) members who would stand as independents as an interim measure.

"And I assure you there are more where we came from," he said.

One reason for the group's existence was its dissatisfaction with the LP attitude of indiscriminate rejection of legislation. The Bill deserved support.

Ebrahim said thousands of people were eagerly awaiting the legislation.

These were people who had fallen foul of the Act, living in desperation in premises where they were regarded as illegals.

They were also people who had married

across colour lines and could find nowhere to live, and people who wished to exercise their God-given right to freedom of association.

Black radical opinion was that black areas should not be open to whites "while capitalism remains".

Ebrahim said an LP poll among coloured people showed that while more than 60% opposed the Act, more than 60% also opposed penetration of their areas by other groups.

□ House of Representatives leader Miley Richards said of the "evil" Act: "If we don't destroy it, it will destroy us."

Population Development Deputy Minister L.T. Landers said the growth and existence of *de facto* desegregated areas was proof of the failure of the Act.

Peter Hendrickse (LP Addo) said his party saw the Bill as an attempt to make coloureds administer something that was totally unacceptable to them. — Sapa.

Huswand.

Department or the State in connection with their election campaigns; if so, (a) in respect of which population groups, (b) on what conditions and (c) what amount per candidate;

(2) whether any such amounts have been paid to candidates; if so, what are the relevant details?

THE MINISTER OF INFORMATION, BROADCASTING SERVICES AND THE FILM INDUSTRY:

(1) I can answer only with regard to The Bureau for Information. The structure of the budget of the Bureau for Information is such that it would be impossible to give financial assistance to any candidate. If any such promises were made at any time by officials of the Bureau, then these would not be in accordance with either the financial regulations or the budget structure of the Bureau for Information and could therefore not be realized. The answer is therefore "No".
(a) to (c) fall away.

(2) Falls away.

SADF: visit to St Lucia

1480. Dr W J SNYMAN asked the Minister of Defence:†

- (1) Whether any members of the South African Defence Force visited St Lucia with four-wheel drive military vehicles between 16 and 20 August 1988; if so, what are the (a) names and (b) ranks of the members concerned;
- (2) whether they visited St Lucia in an unofficial capacity; if so, what was the purpose of the visit;
- (3) whether any action has been taken in respect of these members; if so, (a) what action, (b) when and (c) by whom; if not, why not?

THE MINISTER OF DEFENCE:

(1), (2) and (3) Various members of the SA Defence Force visit the vicinity of St Lucia in the execution of their duties. With the limited particulars supplied by the honourable member it is, however, not possible to reply to the questions.

Huswand.

HOUSE OF ASSEMBLY

†Indicates translated version.

For written reply:

General Affairs:

Necklace murders: sentences

969. Mr P G SOAL asked the Minister of Justice:

How many persons charged with murder resulting from the so-called "necklacing" method were (a) found guilty, (b) sentenced to

	1984	1985	1986	1987	1988* TOTAL
Sentenced to Death	0	8	13	48	32
Executed	0	0	5	4	8
Commuted	0	0	0	0	1
Pending	0	6	6	32	32
TOTAL					101

* The information for 1988 is until 14 September 1988.

The MINISTER OF JUSTICE:

The information furnished is in respect of persons who were sentenced to death for unrest-related offences. Unrest-related offences in this regard includes murder by the so-called "necklacing" method, burning, stab wounds, stoning, terrorism incidents, i.e. bomb attacks, shooting incidents and land mine explosions. The information regarding persons in respect of whom other sentences were imposed, is not readily available in the Department:

Learning Technologies: shareholders

1420. Mr K M ANDREW asked the Minister of Economic Affairs and Technology:

- (1) Whether he will furnish information on the shareholders of Learning Technologies (Pty) Ltd; if not, why not; if so, (a) which attorneys-general, (b) what is the nature of these instructions or directives, (c) (i) to whom and (ii) why were they issued and (d) in respect of what date is this information furnished?
- (2) whether this company has any foreign shareholders?

THE MINISTER OF ECONOMIC AFFAIRS AND TECHNOLOGY:

(1) No. The Registrar of Companies has no information available with regard to shareholders of companies. However, in terms of section 105 of the Companies Act, 1973 each company has to keep a register of members and in accordance with section 113 of the said Act that register shall during business hours be open to inspection by any person upon payment for each inspection of an amount not exceeding twenty-five cents.

(2) Falls away.

Group Areas Act: instructions/directives

1471. Mr S S VAN DER MERWE asked the Minister of Justice:

Whether any attorneys-general have issued any instructions or directives with regard to the Group Areas Act since 1 January 1988; if so, (a) which attorneys-general, (b) what is the nature of these instructions or directives, (c) (i) to whom and (ii) why were they issued and (d) in respect of what date is this information furnished?

The MINISTER OF JUSTICE:

The Honourable Member is referred to my reply to Oral Question No 14 of 23 February 1988. The Attorney-General, Grahamstown has since sent out a directive to prosecutors under his control, drawing attention to his instructions which had been issued in 1985. The information is furnished for the period 1 January 1988 until 31 August 1988.

Group Areas Act: alternative steps

1472. Mr S S VAN DER MERWE asked the Minister of Justice:

With reference to his reply to Question No 308 on 14 March 1988 in regard to alternative steps taken against persons occupying premises in contravention of the provisions of the Group Areas Act, (a) (i) in terms of what statutory

Howard 80

2267

TUESDAY, 27 SEPTEMBER 1988

2268

provisions are summonses issued and (ii) what is the purport of the (aa) summonses and (bb) written notices so issued and (b) (i) who conducts the negotiations referred to in the above reply, (ii) what are the guidelines followed in such negotiations and (iii) who was responsible for the drafting of these guidelines?

The MINISTER OF JUSTICE:

Where the prosecution intends prosecuting an accused in respect of any offence the accused can, in terms of section 54 of the Criminal Procedure Act, 1977 (Act 51 of 1977), be summoned to secure his attendance in court. In this regard the Honourable Member is referred to the provisions of section 3(1) of the aforementioned Act in terms of which attorneys-general have the authority to prosecute any person in the name of the Republic in criminal

proceedings and they may perform all functions relating to the exercise of such authority. The Honourable Member is also referred to my reply to Oral Question No 25 of 17 May 1988 in which the position of attorneys-general in this regard is set out.

Group Areas Act: prosecutions

1473. Mr S VAN DER MERWE asked the Minister of Justice:

- (a) How many persons were prosecuted for contraventions in terms of the Group Areas Act during the period 1 January 1988 up to the latest specified date for which information is available and (b) (i) what was the outcome and (ii) which magisterial districts were involved, in each case?

The MINISTER OF JUSTICE:

(a) (Persons)	(b) (i) (Outcome)	(b) (ii) (Magisterial district)
1	R80 admission of guilt paid	Bloemfontein
1	Guilty. Sentenced to R200 or 60 days' imprisonment suspended for 3 years.	Randburg
2	Guilty. Cautioned and discharged.	Johannesburg
2	Pending	Roodepoot
2	Pending	Roodepoot
2	Pending	Kemptonpark
2	Pending	Johannesburg
2	Pending	Johannesburg
3	Pending	Johannesburg
1	Pending	Pretoria
1	Pending	Benoni
1	Withdrawn	Boksburg
1	Withdrawn	Vereeniging
		23

The period for which the information is given, is from 1 January 1988 until 31 August 1988.

SAP: group areas investigations

1474. Mr S VAN DER MERWE asked the Minister of Justice:

Whether any attorneys-general have provided members of the South African Police Force with documents, letters and/or guidelines for dealing with group areas investigations; if so, (a) when, (b) why, (c) what is the nature of these documents, letters and/or guidelines and (d) by which attorneys-general were they provided in each case?

The MINISTER OF JUSTICE:

The Honourable Member is referred to my reply to Oral Question No 25 of 17 May 1988.

Own Affairs: 

Bus subsidies: amount paid

181. Mr C J DERBY-LEWIS asked the Minister of Education and Culture:

Whether any bus subsidies in respect of school

Howard

2269

TUESDAY, 27 SEPTEMBER 1988

2270

bus services in (a) the Transvaal, (b) the Orange Free State, (c) Natal and (d) the Cape Province were paid over by his Department over the latest specified 10-year period for which figures are available; if so, what amount in each province in each of these years?

The MINISTER OF EDUCATION AND CULTURE:

Yes, subsidies were paid for the transport of pupils:

	(a) Transvaal	(b) OFS	(c) Natal	(d) Cape
1979	*	R682 000,00	R1 421 347,00	*
1980	R8 260 399,00	R881 000,00	R1 598 648,00	*
1981	R7 732 780,00	R1 000 000,00	R1 848 712,00	
1982	R8 992 144,00	R1 128 000,00	R2 035 985,00	R2 450 834,00
1983	R9 363 557,00	R1 388 000,00	R2 302 968,00	R2 809 352,00
1984	R11 159 962,00	R1 396 000,00	R2 444 023,00	R2 740 885,00
1985	R13 772 893,00	R1 376 000,00	R2 561 738,00	R3 166 924,00
1986	R17 813 043,00	R1 384 000,00	R3 137 477,00	R4 445 177,00
1987	R18 959 978,00	R1 414 000,00	R3 958 700,00	R4 931 109,00
1988	R19 321 421,00	R1 988 000,00	R5 274 528,00	R5 539 764,00

* The information is not readily available.

- (i) Falls away.
(ii) Falls away.
- (2) Falls away.
- (3) No.

Private schools: subsidies

1416. Mr R M BURROWS asked the Minister of Education and Development Aid:

- (1) Whether any changes have been effected or are envisaged in the formula or policy for the financing of subsidies for private schools under his control; if not, why not; if so, what changes have been or are to be effected.
- (2) what is the current formula for the financing of private schools;
- (3) whether he will make a statement on the matter?

The MINISTER OF EDUCATION AND DEVELOPMENT AID:

- (1) The Department of National Education is responsible for the policy and formula for the financing of subsidies.
- (2) Private schools receive a subsidy equal to 15% or 45% of the running costs of Departmental schools, depending on the category for which they qualify.
- (3) No.

Learning Technologies: relationship with two bodies

1419. Mr K M ANDREW asked the Minister of Education and Development Aid:

- (1) Whether, with reference to an article on Learning Technologies (Pty) Ltd (Learn Tech) in the 24 June 1988 issue of a certain periodical, the name of which has been furnished to the Minister's Department for the purpose of his reply, he intends to investigate (a) the relationship between Learn Tech and two bodies, the names of which have also been furnished to his Department, and (b) possible infringements of his Department's copyright by Learn Tech; if not, why not; if so, (i) (aa) what matters are to be investigated, (bb) when and (cc) by whom and (ii) what (aa) is the name of this periodical and (bb) are

Howard.

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

Not by the Department of Development Planning.

Municipal elections: participation

1453. Mr C J DERBY-LEWIS asked the Minister of Constitutional Development and Planning:

- (1) What are the conditions of participation in municipal elections for Blacks;
- (2) whether provision has been made for Black squatters to participate in these elections; if so,
- (3) whether the conditions of participation by squatters differ from those referred to above; if so, what are the differences?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

(1) The conditions for participation are laid down in the Black Local Authorities Act, 1982 (Act 102 of 1982) and the Regulations promulgated thereunder.

- (2) and (3) In the Act and the Regulations no specific reference is made of squatters. If a squatter complies with the prescribed requirements, he can participate in the elections.

RSC headquarters in PE

1456. Mr D J N MALCOMESS asked the Minister of Constitutional Development and Planning:

Whether it is intended to build regional services council headquarters in Port Elizabeth; if so, what stage has been reached in its planning and construction?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

No, not at this stage. Future development and needs will determine whether headquarters should be built.

Old-age pensions: pay-out points

1461. Mr P G SOAL asked the Minister of Constitutional Development and Planning:

- (a) How many pay-out points for old-age pensions for Blacks are there in the Republic and (b) what is the average number of old-age pensioners per pay-out point in each province?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

This matter vests in the Administrators of the different provinces and the information was co-ordinated and furnished by the Transvaal Provincial Government.

- (a) 515
(b) Transvaal — 970
Cape Province — 629
OFS — 538
Natal — 530

Group Areas Act: notices issued

1475. Mr S S VAN DER MERWE asked the Minister of Constitutional Development and Planning:

- (1) Whether any notices were issued in terms of section 41 of the Group Areas Act, No 36 of 1966, from 1 January 1988 up to the latest specified date for which information is available; if so, (a) how many, (b) on what dates and (c) in which towns or areas;
- (2) whether he will identify the properties in respect of which these notices were served; if not, why not; if so, what are the relevant details?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

- (1) No; (a), (b) and (c) fall away.
- (2) Falls away.

Group Areas Act: premises sold

1476. Mr S S VAN DER MERWE asked the Minister of Constitutional Development and Planning:

- (1) Whether, since his reply to Question No 4 on 9 June 1987, any premises have been sold by the State in terms of section 41 of the Group Areas Act, No 36 of 1966, as a result of contraventions in terms of the said Act; if so, (a) how many, (b) where were these premises situated in each case and (c) in respect of what date is this information furnished;
- (2) whether any such premises are due to be sold; if so, (a) how many, (b) where are they situated in each case and (c) when is it anticipated that they will be sold?

(90) Sowetan 28/1/88

Govt moves on open areas under heavy fire

OPPOSITION party leaders in Johannesburg yesterday slammed moves by government to create open residential areas — dismissing the strategy as a transparent attempt to win support from the Labour Party.

They were reacting to a speech in Parliament by the Minister of Constitutional Development and Planning, Mr Chris Heunis, in which he said certain areas, including Hillbrow, Mayfair and Diepsloot, were being considered as possible open group areas.

Leader of the Progressive Federal Party in the Johannesburg City Council, Mr Tony Leon said the National Party was "trying to give a parcel of carrots to the coloured and Indian Houses in Parliament, trying desperately to appease the Labour Party".

"It is a gift to the enemies of an open society, a rigged experiment, that will be used in the long term to show that open areas are not viable, he said.

Danger

"Three selected areas will lead to an over concentration of people — group areas should be scrapped entirely."

The move had further served to remove the platform from beneath NP candidates in the coming municipal elections — "it is another confusing signal from the NP leaving the electorate with more uncertainty than before," he said.

Conservative Party regional chairman, Mr Fred Rundle, predicted that "up to 100 000 blacks will come streaming into Hillbrow — where hundreds of illegals from Mozambique, Zimbabwe and Zambia have already brought the pestilences from their mother countries."

**By SOWETAN
REPORTER**

"ANC training camps will flourish, white security will be in danger and the entire Hillbrow area will become one big squatter camp."

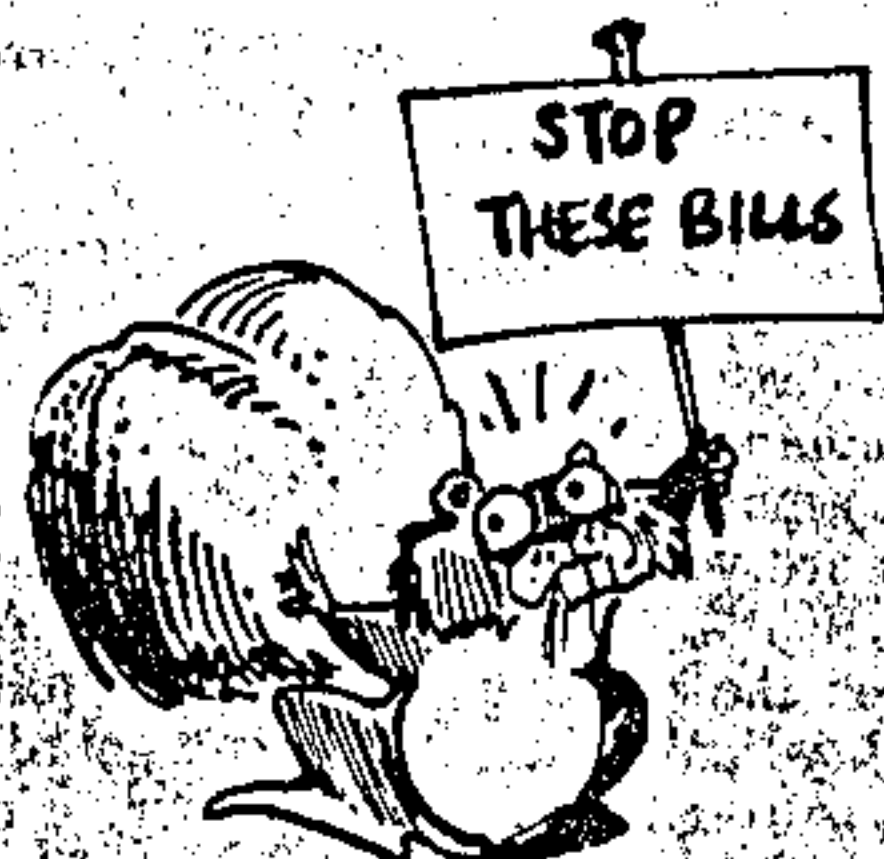
"This is only the beginning and from now on no area in Johannesburg is safe."

The move had been a "trade off with the Honourable Baas Hendrickse" aimed at winning his support, he said.

Futility of legislating suffering on vast scale

80
29/9/88

By the BLACK SASH Urbanisation Working Group (Transvaal).
Proposed laws will turn millions of homeless people into lawbreakers.



The amendments to the Bills on Group Areas, squatting and slums, have not made them acceptable.

The unseemly haste of the Government in its efforts to rush the Bills into laws, at great expense and against the wishes of the vast majority of the people, is a scandal.

A large number of organisations countrywide have declared their opposition to the Bills.

A number of principles established by the new laws are at variance with standards of good government and natural justice as well as human rights.

- The new squatting and group areas laws provide that an accused person has to prove he is not guilty of the offence.

People should be presumed innocent until they are proved guilty.

- The new slums and group areas laws give the Minister power to decide about evictions or what constitutes a "nuisance".

Ministerial discretion and opinion makes for bad government. Official actions which affect the rights of in-

dividuals should be subject to public scrutiny and should be able to be tested in the courts.

- The new squatting and group areas laws make into criminals millions of homeless people who are simply not able to avoid breaking the law because there is nowhere for them to live.

Fair legal systems enable people to abide by the laws governing the country.

- The new squatting and group areas laws make it very difficult for people to have access to the courts.

Laws should allow people access to the courts so that each party's case can be heard.

- The new squatting and group areas laws provide for enormous fines and prison sentences which are excessive and unreasonable.

This disregards the principle that punishment should be appropriate to the particular crime.

- The new squatting laws permit the breaking down of people's shelters and homes.

It is a basic human right that people should have shelter. People's present accommodation should not be destroyed and they should not be forcibly removed unless a better alternative is available.

- The new laws provide for removal of people.

Legislation to deal with the ac-

commodation crisis should not destroy viable communities and social and economic networks merely to try to force residential segregation on racial grounds.

- The new slums law is negative. It authorises destruction of basic shelter in a situation of extreme housing shortage.

Slum and squatting legislation should promote the upgrading of existing accommodation.

- The new slums law provides for unrealistic and severe regulation of accommodation standards, through licensing and other controls.

Such high standards will prove impractical, costly and difficult to enforce, given the acute shortage of housing.

The new Bills are the tools of the "orderly urbanisation" policy. This scheme has been devised to control the settlement of black people in the urban areas, but is not confined to these areas alone. Black people farming on white farms, often for generations, are liable to be identified as squatters and evicted.

Why this policy will fail

Most people, who comprise the greatest number of the homeless, still have nowhere they can lawfully live. The implementation of the new laws will break their shelters and cause social chaos and insecurity for everyone. It is no protection to say the laws will be applied selectively.

There are various problems associated with the land which has been identified for black residential areas on the PWV:

- Too little land has been provided.

- An estimated 40 percent of the land is a potential sinkhole area and therefore not suitable for residential settlement.

- It is too far away from where people work.

- The land will be very expensive

to develop and will be beyond the means of most homeless people to buy or rent.

The reason that all the people presently deemed to be living in the "wrong" places must move is to again attempt to apply racial segregation — costly, painful, against the natural way in which urbanisation and metropolitan development occurs, and is ultimately futile.

For decades a common sight was large yellow trucks, filled with pass-law offenders picked off the streets to join the sausage-machine process of the courts while families and employers would try to locate their whereabouts in the jails.

Countless others were carted off out of shack settlements, often leaving children and invalids unattended.

People were endorsed out of the urban areas and despatched off to the rural areas where they were deemed by officials to belong, only to return to the cities where they have their homes, work and their families.

That 40-year circus was a failed exercise in keeping black people out of the urban areas of South Africa. The grim cost was millions of rands, millions of people's misery and hardship, and a bitterness that will be engraved in the historic consciousness of black people for generations to come.

For decades forced removals have charted scars across the remoter regions of the country — remember names like Limehill, Morsgat, Dimbaza, Sada, Lady Selborne, Stinkwater, Eersterus, Charlestown, Fingo Village? — as the Government sought to cram 86 percent of the country's population into 13 percent of the land.

If these laws are passed, the stage is set for another tragic process which will not succeed in keeping the poor from the cities, but which will cause human suffering on a vast scale, and will impoverish the country in its implementation.

100 years ago today

From The Star, Johannesburg

President's Birthday: Wednesday last, being the 63rd birthday of his honour the President, was observed throughout the capital as a general holiday, and sports and horse racing were held on the day under the auspices of the Pretoria Club. This club has only been recently formed but has held successful meetings; the one held on Wednesday was, however, by far the largest and best attended. A number of Johannesburg horses were entered, and there was a large attendance of sportsmen from the Rand. The bookers also came in good force, there being among them the well-known Angel and Sylvester, but after the first couple of races there seemed to be very little speculation. All the hotels here were crowded with visitors.

Open areas . . . hope . . . fear

By DAWN BARKHUIZEN

The publication this week by Mr Chris Heunis, Minister of Constitutional Development and Planning, of a list of possible open areas has sparked conflicting emotions.

A small sari-clad woman, the declaration of Mayfair as an open area would mean an end to her long-held fears of eviction, a chance to build up her home and to say confidently: "Yes — I live here."

That is why, in the midst of the uproar over government moves to open selected areas to all, the small Indian woman — who is so afraid to give her name lest she be evicted — is among the unrepresented illegals delighted at the news. This week's publication of a list of possible open areas — including parts of Hillbrow, Mayfair and Diepsloot — by the Minister of Constitutional Development and Planning, Mr Chris Heunis, sparked harsh criticism from politicians, commentators and community organisations.

The Progressive Federal Party says it is "a gift to the enemies of open areas", the Conservative Party decries the move as the beginning of the end, the Greenbelt Action Group believes that the township developments will destroy rural life and the anti-Group Areas committee, Actstap, says it will exacerbate the crisis of the townships.

Tragedy-stricken ratepayers in urban areas believe the government has broken all promises about open areas and say they will never vote for the State President, Mr P W Botha, of the National Party.

One of the most irate is Mr Francois Bronkhorst, chairman of the Mayfair Ratepayers' Association who says: "We will see just how popular this is when we get to the polls — we do our talking through the ballot box. We have been living happily with our own place for the past 45 years — now the place has been sold out to Indians and blacks who have crammed it into a location.

We do not choose to live among them, nor would Mr Heunis like to live among them — they are not our kind of people."

His sentiments were supported by tearful pensioner, Mr J van den Berg (74), who has had his Mayfair house for 30 years and is now afraid to go alone.

He is trying desperately to find someone to buy his house because, he says, only last week he found a man in his back yard trying to break through the burglar guards.

For all these years I have supported the NP. I will never vote for P W again."

Or is Bird Street pensioner, Mr Francois Bronkhorst, keen on an open area. "It's got much worse lately. Look over the road now, there are five or six of them sitting on the pavement, you can't even walk across the street and feel safe."

Although the streets of Mayfair ring to the sound of Indian music and sari-clad women are



Mr Francois Bronkhorst . . . It's got much worse.



Illegal residents cramped into overpriced flats in Hillbrow, Johannesburg, hope the declaration of an open area will bring their rentals down. ● Picture by Karen Fletcher.

commonplace, The Star battled to find non-whites who would admit to living in the area.

But, inside neat houses, safe with the guarantee that they would not be named, Indian residents told The Star they had been living among "Lebanese, Chinese and Afrikaners who are very good to us" for years.

An Indian businessman regarded the pending declaration as a "mere technicality" said that, as a man who had to buy his three-bedroom house by proxy, the technicality was desirable.

An Indian woman resident said: "We lived in an Indian area kilometres from anywhere before we moved here and had to spend hours driving to our jobs. Now my son's boss has bought us this house but we worry about eviction every day."

In Johannesburg's Hillbrow, black residents expressed similar sentiments, hoping particularly that their high rentals would be reduced as a result.

"I pay R425 a month for a one-room flat. I have been living here for five years and have been evicted once. Any moves to get rid of group areas are moves in the right direction," said a coloured security guard.

But white residents feel differently, a taxi driver told The Star.

"The old folks are too afraid to move out of their flats. We are always asked to fetch them from their doors but I won't do it any more because I'm afraid I won't come out of some of those blocks alive," the burly CP-supporting driver said.

Political and community organisations looked to the middle-term effects of selected open areas.

Actstap publicity secretary Mr Cas Coovadia believes the move is a signal for evicting blacks from adjoining areas — exacerbating the plight of the homeless in South Africa.

"It would lead to a further influx of black people into these areas and extreme overcrowding. Group Areas must all go."

Mrs Gene Gunther, Progressive Federal Party candidate for Hillbrow, said it was "grossly unfair for the people of Hillbrow to have their area used as a guinea pig."

"How will it be controlled? Will we have a barbed-wire fence around Hillbrow?" she asked.

The PFP leader in the Johannesburg City Council, Mr Tony Leon, said the NP was "trying to give a parcel of carrots to the coloured and Indian Houses in Parliament, trying desperately to appease the Labour Party".

"It is a gift to the enemies of an open society, a rigged experiment that will, in the long term, be used to show that open areas are not viable."

Conservative Party regional chairman, Mr Fred Rundle, predicted that "up to 100 000 blacks will come streaming into Hillbrow — where hundreds of illegals from Mozambique, Zimbabwe and Zambia have already brought the pestilences from their mother countries".

"ANC training camps will flourish, white security will be in danger and the entire Hillbrow area will become one big squatter camp."

"This is only the beginning, from now on no area in Johannesburg is safe."

The move had been a "trade off with Baas Hendrickse" aimed at winning his support, he said.

Rural dwellers from the Greenbelt Action Group (Gag) — Diepsloot falls within the green belt — believe the move will lead to the urbanisation of the green belt to the north-west of Johannesburg.

"We opposed the development of a township in the Diepsloot area — be it for blacks, whites or any other colours — and are committed to retaining our rural lifestyle," Gag chairman Mr Eric Fletcher said.

Declaring an open area would also encourage the "rip-off factor" in which prices, already artificially inflated, would rocket and developers would "cream it", he said.

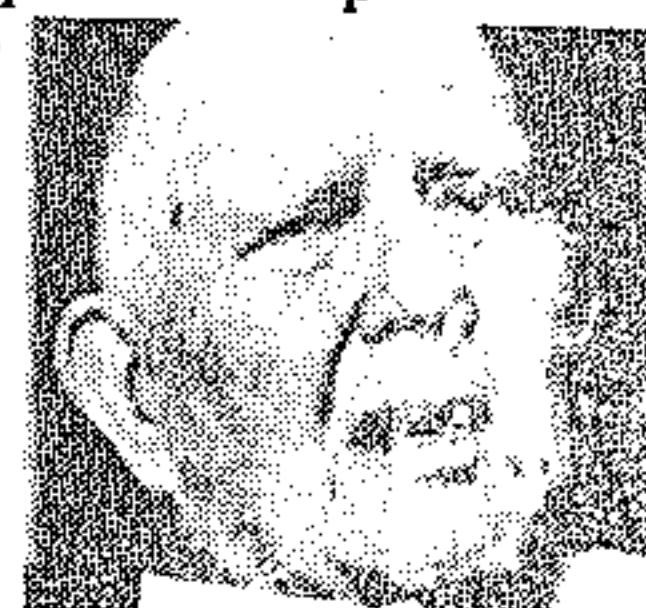
"In the past two years land prices have shot up from R2 000 a hectare to R38 000 a hectare, ranging up to R60 000 in some instances," he said.

"It is utterly ridiculous to try to force people to live in an isolated node — for which the infrastructure alone would cost millions to install.

"Earlier this year we applied for the entire 15 kilometre stretch of green belt to be open to all races under third-tier government regulation."

"Then people coming to the green belt, irrespective of their skin colour, would be those choosing a life-style compatible with ours."

Mr Fletcher said Gag was largely representative of the 5 000 whites living in the area, many of whom had lived happily alongside blacks for years and would be happy to do so in the future.



Mr J P van den Berg won't vote for P W again.

Fight will move outside Parliament

Protest campaign on Areas mounted

80 SPP 29/9/88

By David Braun, Political Correspondent

Cape Town

The Labour Party and Solidarity are taking their fight against the Group Areas Act outside Parliament, having thrown every constitutional obstacle they could find in the way of legislation which seeks to tighten the Act.

Both parties, which respectively control the House of Representatives and the House of Delegates, said today they would hold public meetings to protest against the Group Areas Act.

The Labour Party is to hold its first protest meeting tonight, at Elsies River.

More meetings countrywide would be planned and the party would use the municipal elections as a platform to fight against group areas, a spokesman said.

Solidarity leader Dr J N Reddy today warned the Government it was seriously threatening participatory politics by persisting with the legislation. He urged it to put the legislation back on the table where it could be thrashed out.

The coloured and Indian parties are in a feisty mood following yesterday's dramatic joint debate of the three Houses of Parliament on the Group Areas Amendment Bill.

During the stormy joint debate yesterday, the heart and soul of apartheid came under heavy fire.

The day-long discussion by the three Houses of Parliament officially dealt with a Bill which provides for the drastic toughening of the Group Areas Act.

The leader of the Labour Party, the Reverend Allan Hendrickse, said if the new law was passed his party would refuse to defend the South African situation.

He said whites had stolen land from his forefathers and from the people who lived in South Africa before the Europeans came.

If South Africa wanted to take its rightful place in international society, it would have to demonstrate that it wanted to be just and democratic, he said.

The majority leader in the House of Delegates, Dr Reddy, said the Group Areas Act had been used to sweep Indians out of the main streets in Maritzburg, Durban and Pinetown.

Profits

"You took us out and paid peanuts for our properties, properties which we Indians had to buy back at great cost. You made the profits," he said.

The law had criminalised a community through no fault of its own, he said. The law should be sent to the scrap heap.

Dr Reddy said if legislation like this was going to be put forward, there was no place for him in Parliament.

"We came in with nothing and we will leave with nothing."

The Deputy Minister of Constitutional Development and Planning, Mr Roelf Meyer, said the law was necessary to the reform process because people felt insecure and even confused.

Reform was not possible unless all communities were positively inclined towards it.

Power-sharing without domination was only possible between these groups if they were guaranteed a degree of self-determination over matters of particular importance to them.

● See Page 4M.

29/9/88

Parliament and

Areas Bill: '200 000 will be ⁸⁰ homeless'

IT HAD been estimated that more than 200 000 people, all black, would be turned out of their homes and on to the streets if the Group Areas Amendment Bill became law, Mr M Rajab (PFP Springfield) said yesterday.

Opposing the Bill in Second Reading debate, he said the Bill was attempting to circumvent the Goldstone (Govender) judgment of 1982, which ensured that people could be evicted from their homes only if alternative accommodation was available in their group areas.

"This was a humane decision and the government, which never fails to state its high regard for the courts, now seeks to overrule this precedent," he said.

Mr Jan van Eck (Ind Claremont) said more members should have gone to the Supreme Court in Cape Town to hear the Ashley Forbes trial, where they would learn how apartheid had forced that person to opt for violence.

If this government could not get rid of the Group Areas Act in 1988, then it would be responsible for any consequent blood-letting. — Sapa

Meeting tonight

THE leader of the Labour Party, Mr Allan Hendrickse, will hold a public meeting in the Elsie River Civic Centre at 8pm tonight. Mr Hendrickse is expected to talk on the Group Areas Act and his party's showdown with the government.

Business

SECOND Reading debate on the Prevention of Illegal Squatting Amendment Bill (Joint sitting).

S
2
C
t
f
C
P
e
te
fo
d
d
A
th
9
2
T
p
P
k
u
E
to
a
a
n
f
k

CME Times 29/9/88

Think ⁸⁰ again on GAA, Nat MP tells govt

Political Staff

MR Albert Nothnagel, outspoken National Party MP for Innesdal, said yesterday that the government should re-think its approach to CBDs as far as the Group Areas Act was concerned.

Whites should think again. If he had been coloured or Indian, he said, he would have hated the GAA with his "heart and soul".

Mr Nothnagel suggested the government revise Article 19 of the law so that all premises in CBDs could be "open".

Various coloured and Indian speakers expressed their "respect" for Mr Nothnagel during the debate, but one, Mr Johnny Douw, a nominated Labour Party member, said Mr Nothnagal should say that as a white he hated the act.

Mr Nothnagel had also expressed concern about the penalties contained in the act but believed the government would approach the matter in a humanitarian way.

The government would not run away from the reality that people needed a place to live, he said.

But, he said, all commissions and investigations into land matters had shown that great injustices had been perpetrated against other groups in the past.

However, the NP knew many things had to be corrected and would correct them.

He said that instead of stressing the conflict potential in the country, people should look to what was good for all and work towards this.

IS
3
D
C
S
B
1
r
e
e
n
k
n
e
s
f
f
r
s
n
f
o
e
h

I
i
M
u
a
r
t
i
c
l
e
y
e
t
h
e
S
o
c
i
a
l
c
h
a
n
g
e
c
i
t
y
w
h
e

Anger as last areas bill debated

GMK
Times
29/9/88
80

Political Staff

PARLIAMENT last night concluded one of the most significant and emotion-laden parliamentary debates for many years.

On the order paper was the Group Areas Amendment Bill, the last of the "trilogy bills" to be debated during the current special sitting which has been marked since Day One by outbursts of emotion, personal animosities, anger, bitterness and downright old-fashioned "baasskap".

The government and the Labour Party in particular have become embroiled in a deadlock which has plunged relations to new depths and which leaves little hope for an early reconciliation.

Racially classified group areas were variously described as un-Godly, un-Christian, unjust and immoral and the government — while prepared to bend the rigid rules of the past through "open areas" — remained unmoved and insistent that separate residential areas be retained.

Amid impassioned pleas from coloured, Indian and some white opposition members that the group areas be scrapped, they made it clear that the continued appeals by Nationalists for everyone to join together in building a new South Africa had little if any chance of ever being realized while group areas remained.

Heunis: R328m in charges owed

Political Staff

MORE THAN R328m was outstanding in respect of unpaid water and electricity accounts in the PWV area at the end of March, the Minister of Constitutional Development and Planning, Mr Chris Heunis, told the Nominated CP MP, Mr Clive Derby-Lewis, yesterday.

Replying to a written question, the minister said the outstanding amount was mainly in respect of Soweto and the West Rand.

There had, he added, been a "remarkable" decline in arrears although on the average the amounts had been outstanding for about 13 months.

Mr Heunis said local authorities were:

- using mobile offices to collect rent and service charges before and after normal office hours
- obtaining eviction orders against non-payers and discontinuing the electricity supply, and
- conducting personal interviews with lessees.

In addition, Mr Heunis said, the Transvaal Provincial Government removed councils from office which did not try to bring financial matters to a head.

Group Areas Amendment Bill

29/9/88

More of what was said

THE GAAB would make it a crime to give shelter to the homeless, the Deputy Minister of Population Development, Mr L T Landers, said. The original Act had been designed to address the poor white problem that existed in 1948, and to socially and economically uplift those people. The LP believed that goal had long been achieved. The NP had resolved the poor white problem but had failed to eradicate the poor white mentality.

□□□

THE GAAB and the Act it sought to amend was racial intolerance clad with the respectability of law, Mr Tian van der Merwe (PFP Green Point) said. "What they (government) are saying is that those who are obsessed with race, deserve as much sympathy with their determination to treat others as second-class citi-

zens, as those who are treated as such." He added Mr Roelf Meyer had spoken earlier about revolutionary and reactionary forces, attempting to position the Government between the two. "I want to tell him that as far as apartheid and the Group Areas is concerned, the NP is an integral part of the reactionary forces and, as such, they play into the hands of the forces of revolution."

□□□

ESTATE agents were selling SA property at high prices to foreigners for low-value financial rands while coloured people were not allowed to buy the same land, Mr Jac Rabie (UDP, Riggerdal) said yesterday. The GAA legislation was affecting the free market principle by making provision for price fixing of property to be affected by Group Areas changes.

□□□

IT would not be long before the Government had to choose between

the GAA and its reform policy. Mr Martinus Mentz (CP Ermelo) said.

□□□

OPPOSITION leader in the House of Delegates, Mr J N Reddy has said he may be forced to leave the tri-cameral system if the government persisted with laws such as the GAA. The debate was a painful one because the world was listening and coloured and Indian members had been forced to say things which would let people know a supposedly reforming SA was not the place it pretended to be.

□□□

THE MP for Groote Schuur, Mr Jan van Gend, said he would be "more than willing" to have his constituency, including Newlands, Rondebosch, Rosebank, Mowbray, Observatory and Woodstock open to all races. Mr van Gend said he believed the Cape Town City Council would be happy "to demonstrate to South Africa that non-racialism works".

ALL Nationalist MPs would be prepared to hire Mr Allan Hendrickse and his wife as a gardener and a char and let them live on their property in the servants quarters, NDM leader Mr Wynand Malan said. "But they are not prepared to allow them to live as neighbours. What sort of morality is that?" The GAA was such a "dogmatic absolute" with NP supporters that it had become a superstition — "like a tokkelossie — and when the tokelossie comes to him, he puts his bed on bricks".

□□□

THE enactment of the GAA had been for the good of the white group only the MP for Houghton Mrs Helen Suzman said. Mrs Suzman said that of those removed under the Act 98.08% had been coloured or Indian. Of those still under threat of removal, 95.98% were either coloured or Indian.

□□□

SAWA
AAW

• From page 1

members and Mr Hendrickse was forced to withdraw the allegation of theft.

Continuing, Mr Hendrickse said it must be taken into account that their forefathers possessed land before whites came to the country and that Afrikaners celebrating the anniversary of the Great Trek this year should bear in mind that the Great Trek led to the dispossession of land.

People of colour were proud of their Hottentot

Land was taken away

ancestry, unlike whites in the National Party who did not acknowledge their ancestors from Zanzibar nor the coloured babies born in Excelsior, he said.

Whites could not run away from the reality of South African history.

Twenty percent of the population owned 80 percent of the land.

"That's why free settlement areas mean nothing," he said.

"We are called on not to be emotional after suffering the indignity of being classified and uprooted, but this is being asked to forgo our very being," Mr Hendrickse said.

The reality of the situation demanded that the country move away from apartheid, not window-dress it. If South Africa wanted to be part of the international community, it had to

show it was seeking justice and true democracy.

The solution did not lie in the concretisation of apartheid legislation, but in the realisation of total black aspirations.

Only then would the country move out of growing violence.

The challenge facing the Government "is that when you want people to come closer to you in political thinking, then you must not say: 'So far and no further.'"

It was more important to win the support of people of colour than to give in on the reform process to accommodate conservative elements.

It was inevitable that non-whites would share power.

8/day 80

Sash protests against new group areas Bills

DIANNA GAMES

THE Black Sash was to stage a public protest against the group areas legislation now before Parliament along Jan Smuts Avenue, Johannesburg, this morning.

As part of the protest, they were to erect a symbolic shelter as "a reminder of the fundamental human need for and right to shelter".

In a statement, Ethel Walt, Black Sash co-chairman of the Transvaal Region, said the legislation did not make homes for the homeless; nor would it promote the security and safety of society in its property ownership.

"Instead they place five-million people, many living in the only homes they have ever known, in immediate danger of jail, separation from their families, of losing their belongings and of having nowhere to stay in privacy and security."

"Furthermore, our legal system is diminished by these laws which remove people's right of access to impartial and independent courts, and provide for obligatory demolition and ejection and unreasonably excessive fines and sentences."

She said the crisis of homelessness was the consequence of decades of "bad law", including influx control and removals and not the result of the removal of influx control.

Walt's statement said that with every shack demolished, a home was destroyed; with every eviction a family rendered homeless; and with every arrest and imprisonment for homelessness, a family was broken up.

AVIS Weather

Walvis Bay 13/16

Windhoek 12/31

Pietersburg 11/22

Pretoria

ad no
n
y
ed
e
B
ry,
ve,
al
ce
et
d-
s-
se
ar
n.
th
y-
a
d.

age
ers
ion
nly
for
20/
th
j
R

20

B/day 29/9/88



Suzman sums up group areas

PARLIAMENT — Enactment of the Group Areas Act had been for the good of whites only,

● **SUZMAN**

Houghton PFP MP Helen Suzman told a joint sitting of Parliament yesterday.

She said, in the second reading of the Group Areas Act Amendment Bill, evidence of this was clear in the fact that, of those removed under the Act, 98,08% had been coloured or Indian.

She said that of those still under

Political Staff

threat of removal, 95,98% were either coloured or Indian.

Suzman contended that the aim of the Act, according to those who introduced it, had been to ensure racial peace and harmony but the continuing state of emergency did not bear that out.

She said the experience of other countries also indicated that separating communities encouraged racial

hostility.

UK and US governments had passed laws to eliminate residential segregation and had made efforts to reverse the acknowledged ill-effects of racial ghettos.

It was only in SA that racial segregation was now endorsed by laws.

Suzman said legislation was aimed at giving greater power, by enacting more stringent penalties, and giving wide and unchecked powers, to the minister.

You stole our people's land, Nats told

B/day
PARLIAMENT — The Group Areas Act, a fundamental of NP policy, could only be described as an act of violence because it was an act of dispossession, Minister's Council in the House of Representatives chairman Allan Hendrickse said yesterday.

Opposing the Group Areas Amendment Bill, he said: "You stole my land, our land, our people's land."

Speaker Louis le Grange ruled that this was a reflection on members and Hendrickse was forced to withdraw the allegation of theft.

Hendrickse said whites could not run away from the reality of SA history. Some 20% of the population owned 80% of the land.

The reality of the situation demanded that the country move away from apartheid, not window-dress it.

The Bill was an attempt to side-step a Supreme Court decision which was immoral. An action which was morally wrong could not be politically right.

He could not help government get legislation through the House to help the NP counter the CP in the municipal elections to get a few more votes.

Government had to take a clear direction. The first step was the repeal of the Group Areas Act, Hendrickse said.
— Sapa.

Group Areas Bill provokes strong emotion

80
29/9/88
B/day

PARLIAMENT — MPs last night concluded one of the most significant and emotion-laden parliamentary debates for many years.

On the Order Paper was the Group Areas Amendment Bill, the last of the "trilogy bills" to be debated during the special sitting which has been marked since day one by outbursts of emotion, personal animosities, anger, bitterness and downright, old fashioned baaskap.

Government and the LP in particular have become embroiled in a deadlock which leaves little hope for an early reconciliation.

Racial group areas were described as un-Godly, un-Christian, unjust and immoral, and government — while allowing "open areas" — remained insistent about separate residential areas.

This in the face of impassioned pleas that the group areas be scrapped. Coloured and Indian MPs made it clear that NP appeals for everyone to join in building a new SA had little if any chance of being realised while group areas remained.

Political Staff

With great emotion, they emphasised they had suffered and lost too much through the Group Areas Act to forget the pain of the past.

For the first time in a debate of this kind, the Nationalists did not appear to have their heart in it and seemed to realise that they had not only already alienated the right wing but were now alienating everyone else.

Two party leaders, the LP's Allan Hendrickse and J N Reddy of Solidarity, related in almost total silence how they had been evicted from their homes. Hendrickse had been born in his and Reddy had built his with his own hands.

Moderates such as Reddy and Somaroo Pachai warned that the Act could turn them, and others, away from the tricameral system.

Government remained committed to the measure but some members felt that if the debate had lasted longer and pressure could have been maintained, government might have been shamed into at least reconsidering.

Nats stole land, says Hendrickse

Group Areas Act is an 'act of violence'

By David Braun, Political Correspondent

The Group Areas Act was an act of violence because it was an act of dispossession, Labour Party leader the Rev Allan Hendrickse said yesterday.

He warned the National Party that South Africa would remain an island in the international stream while the iniquitous Act remained in existence.

A painful debate for Indians, says Reddy

Fifty years of experimenting had brought nothing but racial hatred and conflict to South Africa, the *Leader of the Opposition in the House of Delegates*, Dr J N Reddy, said yesterday.

Opposing the Group Areas Amendment Bill, he said the Group Areas Act had given Natal administrators what they had wanted since 1860.

Indians had been swept out of the main streets of Maritzburg, Durban and Pinetown.

"You took us out and paid peanuts for our properties," he said, "Properties which the Indians had to buy back at great cost."

A community had been criminalised through no fault of its own by the Act which should be sent to the scrapheap.

Dr Reddy said the debate was a painful one and members were speaking from the heart. — Sapa.

He said that if the Government persisted in ramming through legislation to tighten the Group Areas Act then it must not again ask the Labour Party to defend the South African situation.

Mr Hendrickse said this during an emotional hour-long speech at a joint debate of the three Houses of Parliament on the Group Areas Amendment Bill.

The draft law provides for the drastic increase in fines for contravening the Group Areas Act, and for the summary eviction of offenders without having to first secure alternative accommodation.

Mr Hendrickse accused the National Party of stealing land in the first place from the forefathers of the coloureds (the Hottentots and the Bushmen).

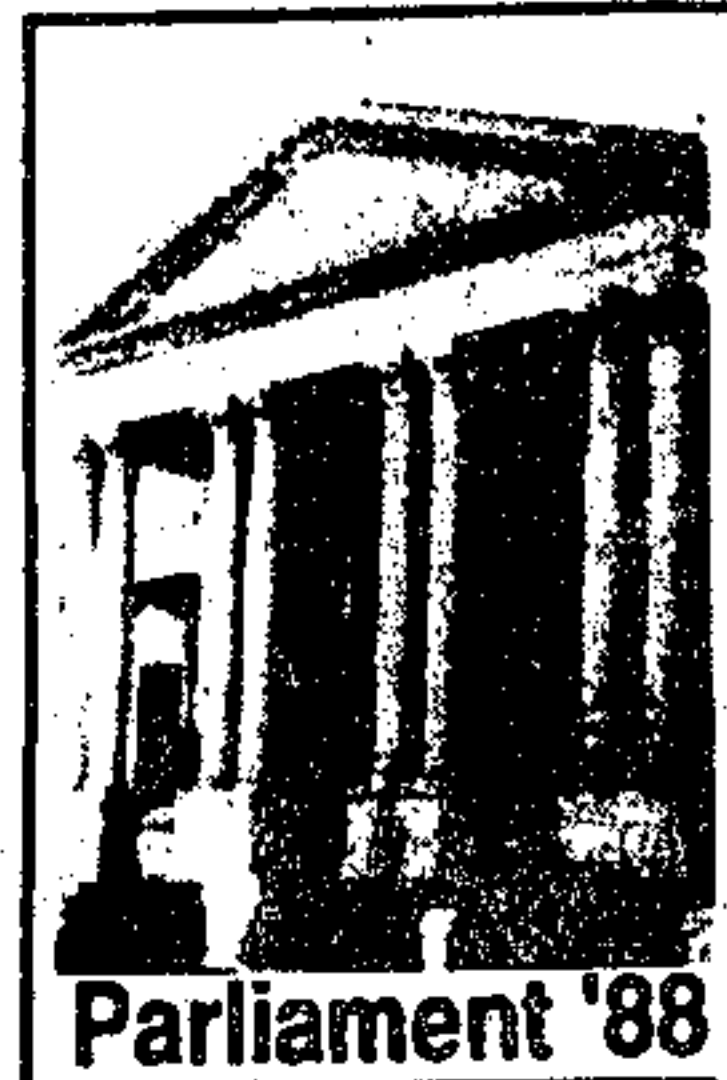
Asked by Mr Louis le Grange, the Speaker, to withdraw his allegation that members of Parliament had been involved in theft, Mr Hendrickse said the Group Areas Act had been an instrument of theft.

Asked to withdraw that allegation, Mr Hendrickse said the fact remained that land which had belonged to the Hottentots and the Bushmen had, according to Jan van Riebeeck's own diary, been taken by force.

Certain Afrikaners were this year celebrating the Great Trek, yet the Great Trek also marked the theft of land from those people who occupied it before the whites came to the Transvaal and the Free State, Mr Hendrickse said.

The Labour leader also lashed the Government for the destruction of District Six. District Six had been destroyed because of selfishness, greed and ideology.

People had been sacrificed on the altar of apartheid, Mr Hendrickse said.



Parliament '88

'It'll be crime to shelter the homeless'

The Group Areas Amendment Bill would make it a crime to give shelter to the homeless, the Deputy Minister of Population Development, Mr L T Landers, said yesterday in Second Reading debate on the measure.

He said the original Act had been designed to address the poor white problem that existed in 1948, and to economically uplift those people.

The NP had resolved the poor white problem but had failed to eradicate the poor white mentality.

The Group Areas Act was iniquitous, ungodly, immoral and unjust in its application. — Sapa.



A house to protest homelessness: Black Sash members demonstrate in Johannesburg against the Group Areas bills
 Picture: ANNA ZIEMINSKI, Arrapix

Will crime rates rise? On the contrary, say Sash

By GAYE DAVIS,
 Cape Town

IF the Group Areas Act is abolished crime rates will fall, property values will rise, there will be better access to education for all and more chance of secure and stable communities.

If you don't believe this, let the facts speak for themselves, says the Black Sash. The organisation cites crime statistics comparing the racially mixed area of Hillbrow with the segregated white area Mondeor.

Between June 1984 and June 1986, there were five cases of murder for every 10 000 people in Hillbrow, and 19 per 10 000 in Mondeor.

There were two cases of culpable homicide in Hillbrow and 23 in Mondeor, and 25 cases of assault with intent to do grievous bodily harm reported to the Hillbrow police station and 63 reported to the Mondeor police station. Cases of common assault in Hillbrow amounted to 110 while in Mondeor there were 142.

Citing research by University of Cape Town staffer Renfrew Christie, a South African Institute of Race Relations paper entitled "Group Areas and Property Market Economics", the

organisation points out that:

- In unofficially "mixed" areas such as the Cape Town suburbs of Woodstock and Observatory, property prices have risen;

- Estate agents are calling for the scrapping of the Act because they know this will send prices up;

- Access to accommodation in all areas would preclude overcrowding in some and avoid a drop in property values in limited grey areas.

The organisation points out that doing away with the Act will also alleviate the education crisis in white and black schools. Many white schools are half-empty as a result of a static birth-rate, threatening them with closure and endangering teachers' jobs.

"The availability of all schools to all children would provide the skilled manpower the economy needs and which cannot be met in any other way," the organisation says. It points out that the housing short-

age results in mixed areas emerging in spite of the Act — and that there is no racial tension in de-segregated areas such as Windhoek, in Namibia, and Mafikeng in Bophuthatswana.

Quoting a Rand Afrikaans University Department of Development Studies pilot report on residential settlement patterns, the organisation says: "Researchers reported that after desegregation in these areas, conditions economically and socially were better than before and anxiety had significantly petered out."

According to Sash estimates, there are more than five million people in South Africa without secure shelter. Most of them are black — homeless and landless because there is nowhere they can live lawfully, says Sash president Mary Burton.

The three Bills — the Prevention of Illegal Squatting Bill, the Slums Bill and the Group Areas Amendment Bill were unacceptable because:

- The new squatting and group areas Bills would make criminals of millions of homeless people unable to

avoid breaking the law simply because they had nowhere else to live;

- They shifted the onus of proving one's innocence on to the accused, inverting the maxim that a person was innocent until proved guilty;

- They empowered the minister, once an investigation left him "satisfied" the Group Areas Act was being contravened, to give three months' notice after which he could evict residents and sell the property;

- Legal defences which have worked in the past are circumvented or ruled out by the new Bills, severely undermining an individual's right and ability to use the courts to defend his or her home;

- Fines for those who buy or occupy property designated for another race group are increased to a prison sentence of up to five years and a maximum fine of up to R10 000;

- The slums Bill authorises the destruction of basic shelter during a critical housing shortage — and created "unrealistic and severe" accommodation standards.

IN THE WEEK PARLIAMENT BATTLES OVER GROUP AREAS ...

Hendrickse stomps on sensitive Nat corns

WHITE members of parliament looking back on the joint debates of the past week could be forgiven for thinking the tri-cameral system was not supposed to have been like this. Certainly the control mechanisms are still all there.

Whites still effectively run government and the President's Council is there as a deadlock-breaking mechanism to ensure the will of the National Party is done.

The coloured and Indian MPs were supposed to have been satisfied with the gravy handed out on the train, even if they did sometimes make suitably angry noises to satisfy their constituents.

Ultimately deference to the National Party baas, and gratitude for the gravy was what was required.

President PW Botha destroyed that utopian dream, berating Labour Party leader Allan Hendrickse for swimming off King's Beach on January 1, 1987. Things haven't been the same since.

And this week whites from both the NP and the Conservative Party had to sit through a veritable litany of accusations as to what had been perpetrated in the name of racially-segregated residential areas.

In particular, constitutional architect Chris Heunis not only had to watch his carefully contrived tri-cameral system being used against him, but found himself on the receiving end in a bitter argument with Hendrickse.

In an hour-long speech during the debate on the Group Areas Amendment Bill, Hendrickse stomped mer-

Ultimately, Allan Hendrickse will lose. But he managed to stomp on a few sensitive corns first

rely on some very sensitive corns.

Why, he asked, were whites so keen to recognise their white ancestors and not those who came from Zanzibar.

And, he questioned, where did the little coloured babies come from at Excelsior, a reference to a notorious Immorality Act case in the remote Free State town years and years ago.

There was even a side-swipe at those who had not been prepared to lay down their lives for their country during the last world war.

Even JN Reddy, normally the most

urbane and compromising of parliamentarians, took the opportunity to lay into the government over the land which had been taken away from the Indian community under the Group Areas Act.

For the most part, NP parliamentarians were conciliatory, some clearly preferring to attack more traditional enemies — the Progressive Federal Party or the CP.

Some NP MPs were clearly more uncomfortable than others.

Albert Nothnagel, who is not expected to step down at the next election, was one who pleaded for the past to be forgotten — it obviously contained unpleasant memories — and for all South Africans to move forward in unity.

Nothnagel acknowledged that had

he been a coloured or an Indian he would have hated the Group Areas Act with his "heart and soul". It won him support from the coloureds and Indians, if not from his own party.

No votes were taken on the Bills. Both Representatives and Delegates resolved to meet on November 1 to decide whether to vote or not.

Effectively that means once the white House of Assembly has voted

Botha will have to request the other houses to sit on a date not earlier than 14 days from the date of the request.

If they fail to do so they will be presumed to have rejected the Bills.

Either way the legislation seems destined for the President's Council, and given the healthy NP majority in that body there are no prizes for guessing what it will decide.

60

Controversial session ends with four Bills in mid-air

By David Braun, Political Correspondent

CAPE TOWN — Parliament wraps up its business for 1988 today after a protracted and controversial session.

Only the House of Assembly will take part in today's voting session on the four Bills which were discussed in a joint sitting this week. The House of Representatives and the House of Delegates have resolved to vote on the bills on November 1.

The four are the Group Areas Amendment Bill, the Free Settlement Areas Bill, the Local Government Affairs in Free Settlement Areas Bill and the Prevention of Illegal Squatting Amendment Bill.

The decision of the two minority houses to postpone voting from today to November 1 is intended to delay the enactment of the Bills by the President's Council.

The State President, Mr P W Botha, may, however, use his

constitutional powers today to give the two dissenting houses 14 days to dispose of the legislation.

If they fail to do so within that period, the legislation may be deemed to have been rejected by them and the President may then refer the Bills to the President's Council.

Labour leader the Rev Allan Hendrickse said last night the House of Representatives would ignore any such instruction from the State President.

National Party sources said today it was likely that the instruction would be coming from the President, but that no final decision had been made.

Parliament, which has had three separate sittings this year, was expected to be adjourned today until February 3 next year.

MPs of all parties in all Houses are anxious to give their full attention to the municipal election campaign.



Mr Hendrickse ... "we'll ignore any order."

Hendrickse warns on proposed laws

LP won't vote on Group Areas Bill

80 SM 30/9/88

Political Staff

The leader of the Labour Party, the Rev Allan Hendrickse, warned the State President, Mr P W Botha, last night not to use the President's Council to push through the group areas legislation.

He said Mr Botha must realise that if he did this, he would lose friends.

He was addressing an enthusiastic meeting of about 300 people in the Elsies River civic centre.

Group Areas

Mr Hendrickse again made it clear that the party would not vote on the group areas legislation nor would it obey a presidential instruction to consider the legislation.

He indicated that he expected such an instruction to the House of Representatives soon.

If the country was going to be ruled by an appointed Nationalist majority in the President's Council, "then God help South Africa", he said.

The Group Areas Act was not only an act of theft but also of military preparedness as black areas could quickly be closed off from the outside world.

He said there was still time for the Afrikaners

and some of the rest of white South Africa to repent "and to go back and find God where you left Him when you started with your ideology of apartheid".

The past week had been a sad time for those seeking peaceful solutions.

He rejected talk of a violent revolution.

It amounted to genocide to embark on a campaign propagating this when whites were armed to the teeth and there was great military preparedness in the country, he said.

Instead, he stood for a spiritual revolution, but warned that the time could come when older people would have to tell the younger ones they had failed with their non-violent approach.

The Labour Party remained committed to the dismantling of apartheid up to the point where all people could participate at all levels of government and decision-making.

Defending the party's decision to participate in the present system, Mr Hendrickse said it was, at this stage, a means of bringing about change.

Calling for boycotts at this stage could create an atmosphere of violence.

He described Dr Allan Boesak as "a product of apartheid" and said he would not have been what he was today had it not been for this system.

SA steps up diplomatic offensive

The Star's Africa News Service

The State President, Mr P W Botha, flies to Zaire tomorrow for a meeting with President Mobutu Sese Seko amid growing evidence that South Africa's diplomatic offensive in Africa is gathering momentum.

At the same time President Jose Eduardo dos Santos of Angola, Denis Sassou Nguesso of the Congo and Gabonese leader Omar Bongo are to meet in Franceville, south-east Gabon.

While preparations were being made for the Mobutu-Botha meeting at Gbadolite,

Hendrickse Warns PW on Bills

Mc45 30/9/88 80

By TOS WENTZEL, Political Correspondent

LABOUR Party leader the Rev Allan Hendrickse has warned President Botha not to use the President's Council to push through the group areas legislation.

He said last night Mr Botha must realise he would lose friends if he did this.

Mr Hendrickse was addressing an enthusiastic meeting attended by 300 people in the Elsie's River civic centre.

Mr Hendrickse again made it clear that his party would not vote on the group areas legislation in Parliament, nor would it obey a presidential instruction to consider the legislation.

He indicated that he expected such an instruction to the House of Representatives soon.

"Act of theft"

If the country was going to be ruled by an appointed Nationalist majority in the President's Council, "then God help South Africa".

The Group Areas Act was not only an act of theft but also of military preparedness as black areas could quickly be closed off from the outside world, Mr Hendrickse said.

There was still time for the Afrikaners and some of the rest of white South Africa to repent "and to go back and find God where you left Him when you started with your ideology of apartheid".

The past week had been a sad time for those seeking peaceful solutions.

He rejected talk of a violent revolution. It amounted to genocide to embark on a campaign propagating this where whites were armed to the teeth and with the great military preparedness in the country.

Spiritual revolution

Instead he stood for a spiritual revolution, but warned that the time could come where older people would have to tell the younger ones that they had failed with their non-violent approach.

The Labour Party remained committed to the dismantling of apartheid up to the point where all people could take part at all levels of government and decision-making.

Defending the party's decision to take part in the present system, Mr Hendrickse said it was at this stage a means of bringing about change.

Calling for boycotts at this stage could create an atmosphere of violence, he said.

Mr Hendrickse described Dr Allan Boesak as "a product of apartheid" and said he would not have been what he was today had it not been for this system.



Picture: DOUG PITHEY, The Argus.
WARM WELCOME: Labour Party leader the Rev Allan Hendrickse is warmly welcomed on his arrival to speak at the Elsie's River Civic Centre last night.

GROUP AREAS - GENERAL

OCT - DECEMBER

1988.

Botha to force Group Areas Bills

w/le MKGAS 1/10/88 80

by TOS WENTZEL
Political Correspondent

PRESIDENT Botha has decided to push through the Group Areas Bills and an anti-squatting measure with the help of the President's Council, in spite of strong objections from the House of Representatives and the House of Delegates.

The House of Representatives has rejected a request from President Botha to deal with the three Group Areas Bills and an anti-squatting measure before October while speakers in the Delegates also rejected a possibility of the House meeting again before the date Mr Botha has set.

He will now have to submit the four Bills to the President's Council to have them pushed through by the Nationalist majority.

Parliament adjourns to February 3

Parliamentary Staff

PARLIAMENT has adjourned until February 3 and the Speaker, Mr Louis le Grange, is the only man who can have it otherwise.

In terms of parliamentary rules the Speaker may "accelerate or postpone the date for the resumption of business".

In closing the House of Assembly the Leader of the House, Mr F W de Klerk, said the parliamentary system had come under pressure and was still under pressure.

Conservative Party chief whip Mr Frank le Roux said it had been demonstrated that the system was not only under pressure but that it could not work.

President Botha moved swiftly after the two Houses had declined to vote on these measures after four days of acrimonious debate.

"Contempt"

Within 90 minutes of the end of a joint session where only the Assembly voted — with members of the other Houses walking out — his instruction was served on the coloured and Indian Houses.

Labour leader Mr Allan Hendrickse, while expressing respect for Mr Botha's position as head of state, rejected the instruction "with contempt".

He said an attempt to put through the Bills would be a travesty of justice and would go against the feeling of most people, inside and outside Parliament.

He said the House of Representatives felt strongly and with resentment that white

domination was again coming to the fore.

The decision of a minority of whites on the President's Council would again be decisive.

In the Delegates Mr J N Reddy, leader of the majority Solidarity group, said the House would never be willing to subscribe to changes which made the Group Areas Act harsher.

He deplored the fact that Mr Botha was prepared to push the Bills through in spite of the strong feelings which had been expressed against them.

A move by the two Houses to meet again on November 1 to vote on the measures will now lapse.

Mr Hendrickse said the move had been aimed at delaying the measures until after the October 26 local elections because the government seemed so keen to woo voters by get-

ting them through before polling day.

He referred to the incident in Uitenhage where a property was being sold in terms of the Group Areas Act because one of the occupants was from the "wrong" population group.

Protests

"To expect our co-operation while this is happening in our country is expecting too much of people with any feelings", Mr Hendrickse said.

The Labour Party would now embark on a series of report-back meetings which would also be protest meetings against the Group Areas measures.

In terms of the constitution Mr Botha can instruct a House to deal with a matter within a fortnight. If it declines it can be deemed to have rejected the measure and it can be sent to the President's Council.

The law that hounds people from their homes

by BRUCE CAMERON
Political Staff

THE Group Areas Act was not just a piece of legislation subject to political rhetoric in Parliament this week, but, in explicit terms, it was shown as the law that hounded people from their homes.

In passionate pleas to the National Party benches, the majority leaders in the Houses of Delegates and Representatives this week spelt out from their personal experiences as to why they and so many others were uncompromisingly opposed to the legislation.

Dr J N Reddy, leader of Solidarity, told how he had built his home only to see it taken away.

The Rev Allan Hendrickse, leader of the Labour Party, produced photographs to show his father's Uitenhage house that had been expropriated and destroyed.

Dr Reddy said: "I am someone who has tried to forget the pain and suffering.

"I built my home with my own hands. But, remember, I left that home with flowering litchi trees, mango trees, a lawn, roses ...

"The people do not remember the homes that have been built by the State, but they remember — and they will remember for a long time — the home from which they were taken away."

Mr Hendrickse spelt out a history of how his family has been affected by the Group Areas Act right through to the youngest member giving up his job as a State prosecutor because he was asked to prosecute a person in terms of the Act.

"I was visited in the home in which I was born by the police because I was living there in contravention of the Group Areas Act."

He asked the National Party members if they understood how this felt and how they could now sit in judgment.

A Nationalist MP, Mr Frans

Conradie, came to his aid and made representations to the Group Areas Board.

Every neighbour in that area — Afrikaners, Jews, Afrikaans-speaking, English-speaking, Indians, Chinese — signed a document saying they were happy to have us there and that we had grown up there. Then the permit was refused."

After further representations "I received a permit to live there for one year".

He asked NP members to look at the photographs of the "home and house of my father" and see how it was broken down brick by brick.

His brother, a member of the Royal College of Obstetricians and Gynaecologists, was refused re-entry into South Africa because he had married an English girl.

"When my father was ill he applied for a visa and it was conditionally granted." The condition was his wife would be regarded as coloured while in the country.

Champions of an 'open area'

by GORRY BOWES TAYLOR
Weekend Argus Reporter

THE chances of District Six — including most of Woodstock — becoming an "open area" in terms of the Government's new Free Settlement Areas Bill are good, if the city councillors who represent the area have anything to do with it.

But a big question mark still hangs over "white" areas of Woodstock which fall into Ward 10 where six candidates are battling it out for the two seats on the council. They include sitting councillor Mr Ian Iversen, Mr Pat Leonard, ratepayer chairman Mr Peter Throp, Ms Annamia van den Heever, Mrs Vera Winter and Mr Johannes de Villiers.

But in Ward 8 — into which District Six and most of Woodstock fall — both city councillors have been elected unopposed and are champions of open areas.

Commenting on recent announcements by cabinet ministers that it is possible that the first "open" areas could come about by 1990, Mr Sol Kreiner, past Mayor of Cape

DISTRICT SIX AND THE OCTOBER ELECTIONS . . .

Town, who has represented this area for 12 years said: "As a city it is on record that District Six should be open. The outdated method of slum clearance used in the 60's has been replaced world wide by urban renewal where every effort is made to keep communities intact.

"We would welcome an open District Six, with the emphasis on providing good housing. Priority to be given to the people who were moved from the area, even if it means subsidising housing, so that those that want to can come back.

"To make it possible for all income groups to live in District Six we need a mix of housing, I'd like to see some high density housing, designed in the character of old District 6.

"The removal of some 30 000 people has adversely affected the whole city and I believe the way to make the city and the CBD viable is to bring people back to the area.

"In Woodstock we should concentrate on improving the quality of life of the people in the area by upgrading the amenities and the environment. We are involved with BP in urban rehabilitation and we would like to make it as easy as possible for people to improve their properties. While we're talking about Group Areas, properties are deteriorating.

MR Kenny Penkin, who has been a Ward 8 councillor with Alderman Kreiner for the past two years would also like to see a better type of person coming in, there are some bad elements, he says. "Security is a problem in parts of Woodstock where the buildings need complete renewal. Gympie Street, for instance, is a den of iniquity."

Part of Woodstock falls in the all-white Ward 10, where Mr Peter Throp, chairman of the ratepayers' association and candidate in the forthcoming municipal elections, is reported as saying that although he is not a racist he would like that part of Woodstock above Victoria Road "to be afforded the same protection the rest of the country is afforded under the laws of the

25/10/88 11/2/88 (80/88)

—WHERE THEY ARE

WARD 8: Melbourne Road, De Waal Drive, Roeland Street down to Canterbury Street, Down Canterbury Street to Sir Lowry Road, along Sir Lowry Road, Barron Street into Grey Street, Davidson Street and along railway line from Woodstock to beyond Salt River Station. Back along Malta Road then up Rochester Road, up to Main Road, Observatory. Along Main Road to Mountain Road (Woodstock), up to Coronation Road and along back to Melbourne Road.

WARD 10: Main (Victoria) Road up Mountain Road over Eastern Boulevard, along Coronation Road, up Melbourne Road.

"We found, during canvassing, that the fear has been put into some of the people in our Ward that scrapping Group Areas will create slums and cause property values to drop. I feel the two are not linked.

Two further candidates for Ward 10, Mrs Vera Winter and Mr Johannes de Villiers were not available for comment.

Group Areas special sittings have cost taxpayer millions

by FRANS ESTERHUYSE
Political Staff

THE Government's efforts to push its Group Areas legislation through Parliament before the local government elections could cost the taxpayer millions of rand.

The most costly aspect of the exercise, which has resulted in a constitutional crisis and the near-collapse of the tricameral system, has been the special sessions of Parliament to deal with the controversial trilogy of bills.

Opposition sources estimate that the cost of this week's five-day session to debate the bills, together with the earlier two-week special session at which the main business was also the Group Areas legislation, could amount to more than R5-million. Conservative Party chief whip Mr Frank le

"The whole exercise seems to be a farce because the Government got no further with its legislation than it did after the two-week special session," Mr Le Roux said.

During the recent special two-week session, Mr Le Roux told Parliament that not a single session went by without some or other constitutional crisis developing.

Questions he posed then about the Government's handling of affairs included:

● How many sittings of joint committees have not either collapsed completely or not even got off the ground since the commencement of the new constitutional dispensation?

● What has this cost the taxpayer?

● On how many days, when all three Houses of

Opinions of an 'open area'

DISTRICT SIX AND THE OCTOBER ELECTIONS...

Town, who has represented this area for 12 years said: "As a city it is on record that District Six should be open. The outdated method of slum clearance used in the 60's has been replaced world wide by urban renewal where every effort is made to keep communities intact.

"We would welcome an open District Six, with the emphasis on providing good housing. Priority to be given to the people who were moved from the area, even if it means subsidising housing, so that those that want to can come back.

"To make it possible for all income groups to live in District Six we need a mix of housing, I'd like to see some high density housing, designed in the character of old District 6.

"The removal of some 30 000 people has adversely affected the whole city and I believe the way to make the city and the CBD viable is to bring people back to the area.

"In Woodstock we should concentrate on improving the quality of life of the people in the area by upgrading the amenities and the environment. We are involved with BP in urban rehabilitation and we would like to make it as easy as possible for people to improve their properties. While we're talking about Group Areas, properties are deteriorating.

MR Kenny Penkin, who has been a Ward 8 councillor with Alderman Kreiner for the past two years would also like to see a better type of person coming in, there are some bad elements, he says.

"Security is a problem in parts of Woodstock where the buildings need complete renewal. Gympe Street, for instance, is a den of iniquity."

Part of Woodstock falls in the all-white Ward 10, where Mr Peter Throp, chairman of the ratepayers' association and candidate in the forthcoming municipal elections, is reported as saying that although he is not a racist he would like that part of Woodstock above Victoria Road "to be afforded the same protection the rest of the country is afforded under the laws of the land."

The people who live there, he said, are desperate. "They have nowhere to turn, and the elected councillors won't speak for them. It is left to me to do it."

He said he knows of cases where white tenants have been evicted and coloured people moved in to take their place.

These people are "on the whole anti-social, there is prostitution, drugs, gangs, intimidation. We haven't got a racial problem, we have an anti-social one."

Mr Ian Iverson, councillor for Ward 10 for the past four years is firmly opposed to the Group Areas Act.

"I believe that Group Areas as a whole should go, I am against this patchwork way of repealing it. Most of the residents in Ward 10, especially in Woodstock, support me in opposing this piecemeal dismantling of the Act."

Mr Pat Leonard, candidate for Ward 10

believes it is the right of the people that live in the area to determine how they shall live.

"My personal opinions do not count in this. I represent the wishes of people of all shades of opinion in a very big Ward. Open areas are one very small portion of the things that concern us in Ward 10."

Ms Annemia van den Heever wants the Group Area Act, as a whole, scrapped.

"It has done more harm to human relations than any other law in this country.

"I am against only parts being declared open, this will cause little pockets into which people will be shoe-horned.

WHERE THEY ARE

WARD 8: Melbourne Road, De Waal Drive, Roeland Street down to Canterbury Street. Down Canterbury Street to Sir Lowry Road, along Sir Lowry Road, Barron Street into Grey Street, Davidson Street and along railway line from Woodstock to beyond Salt River Station. Back along Malta Road then up Rochester Road, up to Main Road, Observatory. Along Main Road to Mountain Road (Woodstock), up to Coronation Road and along back to Melbourne Road.

WARD 10: Main (Victoria) Road up Mountain Road over Eastern Boulevard, along Coronation Road, up Melbourne Road.

"We found, during canvassing, that the fear has been put into some of the people in our Ward that scrapping Group Areas will create slums and cause property values to drop. I feel the two are not linked."

Two further candidates for Ward 10, Mrs Vera Winter and Mr Johannes de Villiers were not available for comment.

Group Areas special sittings have cost taxpayer millions

by FRANS ESTERHUYSE
Political Staff

THE Government's efforts to push its Group Areas legislation through Parliament before the local government elections could cost the taxpayer millions of rand.

The most costly aspect of the exercise, which has resulted in a constitutional crisis and the near-collapse of the tricameral system, has been the special sessions of Parliament to deal with the controversial trilogy of bills.

■ Opposition sources estimate that the cost of this week's five-day session to debate the bills, together with the earlier two-week special session at which the main business was also the Group Areas legislation, could amount to more than R5-million.

Conservative Party chief whip Mr Frank le Roux described this week's session as "yet another exercise in futility."

In an interview this week he estimated that it cost the State between R200 000 and R500 000 a day for the five-day session. This means the total cost could be as high as R2,5-million — in addition to an estimated cost of at least R5-million for the recent special two-week session.

If a special session of the President's Council is needed before the Bills can become law, the total cost will be pushed up even more.

MR Le Roux said his party estimated the cost of a special session of Parliament at R1-million a day when such a session was held in 1986 to deal with the Government's proposed National Council legislation.

However, this week's special session was held on a smaller scale (with fewer Government officials present) and would not be quite as costly as that one — hence his reduced estimate.

The cost included such items as travel and accommodation expenses for MPs and officials, the hiring of cars by MPs, catering and printing costs at Parliament, and the cost of additional personnel and administration.

"The whole exercise seems to be a farce because the Government got no further with its legislation than it did after the two-week special session," Mr Le Roux said.

During the recent special two-week session, Mr Le Roux told Parliament that not a single session went by without some or other constitutional crisis developing.

Questions he posed then about the Government's handling of affairs included:

● How many sittings of joint committees have not either collapsed completely or not even got off the ground since the commencement of the new constitutional dispensation?

● What has this cost the taxpayer?

● On how many days, when all three Houses of Parliament should have sat, did all three the Houses actually sit?

● How productive are the 308 members of this Parliament when it comes to the business of the new dispensation?

The main criticism of some opposition politicians has been levelled at the "abortive" character of Government attempts to push through legislation which, they say, could have been held over till next year.

Progressive Federal Party MP Professor Nic Olivier said in an interview this week that while it was not possible to make an exact estimate of the total cost, any additional expenditure by the Government was cause for concern in view of present economic conditions.

He said a disturbing aspect of the special sessions of Parliament was the "over-hasty and abortive" character of Government attempts to push the Group Areas legislation through with a view to the municipal elections.

There was no logical reason why the legislation could not be held over until next year's session of Parliament, but the Government seemed to be obsessed with its fear of the Conservative Party.

Why the Nats have suffered a humiliating GAA setback

W/C MK65 1/10/88

180

by JOHN MACLENNAN
Political Correspondent

have gained from newly proclaimed open residential areas.

THE National Party has suffered a humiliating and political setback in Parliament which has harmed it on all fronts.

President Botha attempted to steamroller harsh new Group Areas legislation through Parliament, but instead:

■ The Government has been completely outmanoeuvred by the

coloured and Indian parties who have managed to delay the controversial trilogy of bills for at least another two weeks.

■ The bills, intended to staunch a landslide of support for the rightwing, will become law too late to have any effect before the municipal elections on October 26,

■ The CP has gained immeasurably from the image of a Government impaled on a rack of its own making.

■ And the Government has lost both the goodwill of the coloured and Indian parties as well as the propaganda advantages it might

Now all eyes are on President Botha. He can either ride roughshod over the wishes of the majority of MP's and refer the measures to the President's Council for rubber stamp approval, or concede that there is no political benefit to be gained

None of the GA bills are acceptable to the coloured and Indian parties, who hold they are typical of bad and discriminatory government which favours whites.

Hendrickse noted that 100 white families were uprooted in terms of GA legislation as compared with 100 000 coloured and Indian. The number of Afrikaans families who suffered a similar fate could be counted on one hand.

"In each case there was protection of the minority and the majority paid the ideological price."

SINCE the legislation was passed, noted Helen Suzman, 98.8 per cent of uprooted families were coloured and Indian and 98.05 per cent of people moved from their business premises were coloured or Indian. Of these Indians alone constituted 91.30 per cent of people removed from business premises. She said: "This is some example of the 'common sacrifice' that would be demanded of all, as Dr Eben Donges said when he was Minister of the Interior."

The penalties are greatly increased in the Group Areas Amendment Act. They are raised from fines of R400 to R10 000, and from prison sentences of two years to five years. Or both. The new bill also sidesteps a recent Supreme Court ruling and enables the minister to throw people out of home even if they have no other accommodation.

abiding citizens, then there is no place for participation politics."

Labour's Desmond Lockey said baldly: "This legislation has the potential for killing consensus Government in this country forever."

What appals the Government is the realisation that the Labour Party, particularly, has upped the stakes and is not likely to flinch.

They and the Indians have now discovered the will to thwart the NP and force President Botha to run the country through the backdoor of the President's Council.

They want all apartheid measures removed. Said Hendrickse: "We must move towards the realisation of total black aspirations. Until that happens we cannot move out of violence and the growth of violence."

Both Hendrickse and Reddy appealed for a rethink, and President Botha has in fact left himself a loophole. In a largely unreported section of his speech earlier this week he said that in his view the highest degree of consensus should be reached before a matter is referred to the PC.

He raised the possibility that the legislation could again be referred back to Parliament by the PC for further debate.

The Government has tried to balance the Free Settlement Bill with tougher penalties contained in the Group Areas Amendment Bill.

now and try to recoup by changing or withdrawing the worst of the three bills?

It is certain that if he does push ahead the tricameral system will virtually grind to a halt. The Indian and coloured parties are set to block all but budget bills.

PRESIDENT Botha will also make it even more difficult for the Indian and coloured MP's to continue in the tricameral system and strengthen the belief among blacks that there is no point in participating in Parliamentary politics.

The majority parties in the Indian and coloured houses are under increased pressure to quit and are both taking a much harder line.

Both the Rev Allan Hendrickse and Dr JN Reddy, who lead the majorities in the coloured and Indian houses, made it clear this type of legislation made their continued involvement with Parliament extremely difficult.

Mr Hendrickse said that if the legislation was forced through the PC then he would no longer be in a position to defend the country against its critics.

And Dr Reddy: "Don't drive a person like me out of this chamber. I came with nothing and I will go with nothing."

Later he said: "When reasonable men bring into this chamber the message and feeling of our own people in regard to the Group Areas Act, and if you continue to ignore and make criminals of law

President gives ultimatum on Group Areas Bills

Country on brink of constitutional crisis

Star 11/10/88

80

PARLIAMENTARY STAFF

CAPE TOWN — South Africa's tricameral parliamentary system has been tossed into a state of severe crisis by President Botha's move to steamroller his controversial group areas Bills on to the statute-book in time for the October municipal election.

On the last day of the turbulent 1988 session of Parliament yesterday, President Botha invoked Section 23 of the Constitution and instructed the House of Delegates and House of Representatives to deal with the Bills before October 17.

But both Houses have indicated they will probably refuse to do so, meaning the President will be free to submit the Bills to the President's Council — which is unlikely to stop them.

Labour Party leader Mr Allan Hendrickse — while expressing respect for Mr Botha's position as Head of State — rejected the instruction "with contempt".

He said an attempt to put through the Bills would be a "travesty of justice" and go against the feeling of most people — inside and outside Parliament.

Mr Hendrickse said the House of Representatives felt strongly, and with resentment, that white domination was again coming to the fore. He said the decision of a minority of whites on the President's Council would again be decisive.

"To expect our co-operation while this is happening in our country is expecting too much of people with any feelings," he said.

The Labour Party will now hold a series of report-back meetings, which will also be protests against the Bills.

In the House of Delegates, Mr J N Reddy, leader of the majority Solidarity group, said the House would never be willing to subscribe to changes which made the Group Areas Act harsher.

He deplored the fact that Mr Botha was prepared to push the Bills through in spite of the strong feelings expressed against them.

In terms of the Consti-

● TO PAGE 2.

A.T.O.

Apartheid at root of housing problem

In the wake of the anguished parliamentary debate on group areas and mixed residential suburbs, **CAS COOVADIA**, a member of Act-stop's publicity secretariat, offers a proposal on how to attack the problem of the homeless.

South Africa, one of the wealthiest countries in Africa, has about 7 million black people without formal housing. These are people who live in backyard shacks, garages, self-built tin and plastic shelters, and out in the open.

The PWV area is surrounded by between 1,6 and 2,4 million homeless people, Durban by about 1,7 million and Cape Town by about 400 000.

It is estimated that the number of houses needed for those currently homeless is about 1 817 000 units. It is further estimated that this requirement will reach 2 803 667 units by 1990.

The crisis of homelessness has its roots in apartheid, which essentially promotes white power and privilege at the expense of the real interests of the majority.

History records that land dispossession, de-nationalisation and the denial of full political rights to black people have been essential facets of apartheid. This has manifested itself in the denial of the most basic of human needs — that of shelter.

What is the result of this inhuman policy for those who have had to bear the brunt of the suffering? Black people have come to the cities of South Africa to avoid starvation in the homelands created by apartheid.

POLITICAL SOLUTION

These millions have constructed shelters from wood, tin, plastic and cardboard, and have given birth to citadels of struggle.

What then is the solution to the crisis of homelessness? It must be stated at the outset that the solution is not an easy one and that it necessitates the galvanising of all concerned forces.

It must also be accepted that the problem is not just one of resources — it is also a political problem. It demands a political solution. Apartheid has caused this crisis.

Apartheid cannot, therefore, be part of the solution to the ills of South Africa, of which the homelessness crisis is one symptom. Any solution of the homelessness crisis must contribute towards the abolition of apartheid.

Any step towards solving the crisis must recognise that the so-called "squatter" communities are, for the most part, settled communities with viable infrastructures. While the State aims to destroy these communities, our solution must facilitate their development.

This means the upgrading of houses already constructed by people where they are at present. It means the provision of facilities and amenities, the setting up of clinics, and access for health workers into the areas.

REPRESSIVE

A crucial aspect must be the acquisition of more land — the land that black people were deprived of by the apartheid policy of the white rulers. It is evident that the solutions suggested would require vast sums of money.

However the money is available. Apartheid policies, and repressive machinery of the Nationalist Government, have necessitated the allocation of vast sums of money to the maintenance of apartheid and its military and police wings.

This money must be diverted to the provision of housing for the homeless. The successful and urgent implementation of these solutions can be effected only by the concerted effort of all anti-apartheid forces.

But the initiative must be launched in consultation with, and under the broad guidance of, the legitimate representatives of the majority of the people of SA.

This is essential because any initiative must be within the broad framework of the struggle for full political rights for all South Africa's people; that is, the initiative must fall within the context of the demand for one person one vote in a unitary SA.

CHILD WELFARE SOCIETIES FOR THE

17/6/45 5/10/88
89

Child welfare council rejects Act

JOHANNESBURG. — The South African National Council for Child and Family Welfare has rejected the Group Areas Act "in toto", saying its provisions adversely affect the lives of thousands of children.

A council statement said the so-called "trilogy of Bills" relating to group areas and squatting were also

rejected at the council's recent biennial council-in-session.

The statement noted that some of the child welfare societies present at the council-in-session voted against rejection of the Act, but the "majority agreed that the lives of thousands of children and their families were adversely affected by the provisions of the Group Areas Act". — Sapa.

Apply law with love — Kerkbode

Staff Reporter *NR 6/10/88* and brought order where chaos would have prevailed."

THE Church should guard against party political arguments, but demand that Christian principles of justice, fairness and brotherly love be applied in the making and application of laws, the Kerkbode says in its latest edition.

The editorial in the mouthpiece of the Ned Geref Kerk notes the deep "division and unhappiness" that has arisen from the proposed trilogy of Group Areas Bills.

"Taking these Christian demands into consideration, it cannot be denied that the Group Areas Act caused suffering and disruption in the past.

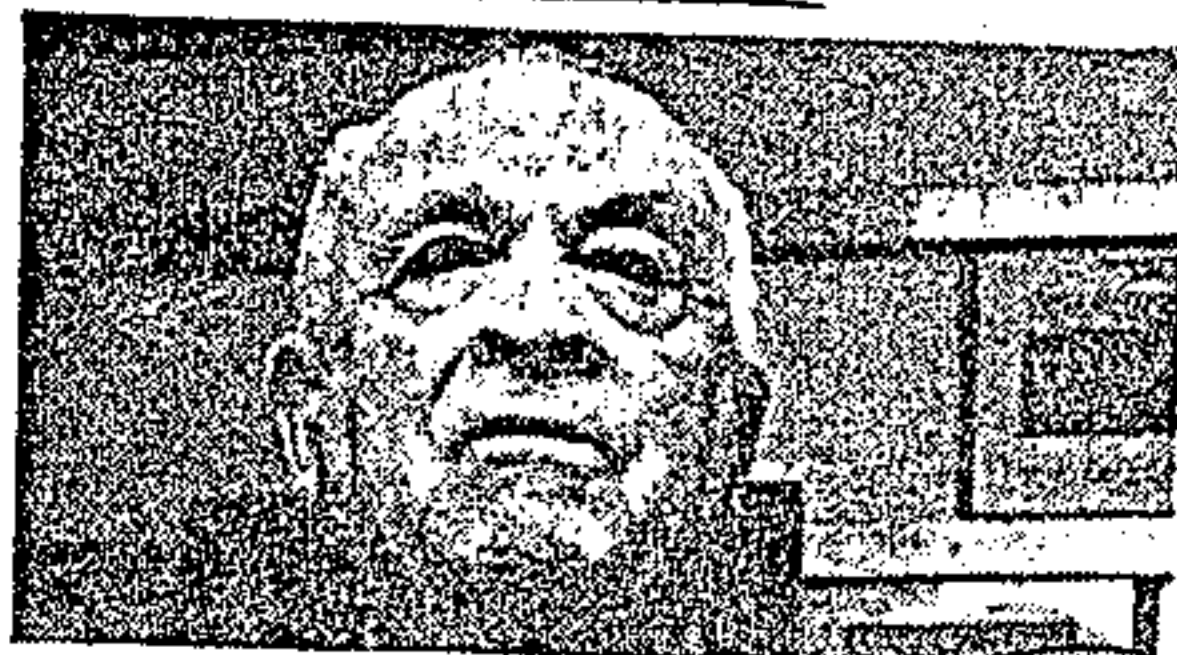
"But these laws sometimes prevented even more tragic circumstances

Sympathy is expressed for legislators who find themselves in a "dilemma" when choosing between possibilities.

"While the removal of people against their will cannot be justified, there is always another view.

"We must remember that the broken reality in which we find ourselves cannot be converted into a Utopia just by the making or scrapping of laws," the article concludes.

⊙ Differences in the Moderature of the Ned Geref Sendingkerk about the "implications of the Belhar Confession" will be aired at a special synod early next year.



Dr Danie Craven

ARC 45
7/10/88
80

Craven lays job on the line for integrated rugby

By DEON VILJOEN
Sports Staff

DR DANIE CRAVEN has laid his job on the line in an effort to fully integrate rugby at all levels.

The South African Rugby Board president has thrown down the gauntlet to the provincial rugby chiefs in an effort to muster support for the November 11 meeting of the full board at Newlands, a get-together that could be a watershed in the history of the game in South Africa.

Dr Craven is knowingly risking his position, and admitted that a fierce struggle lay ahead, a possible backlash from the conservative elements in the sport being a very real threat.

"If my head must roll, then it must — but someone else's will also be claimed," he said.

It is significant that the SARB executive yesterday gave their full support to Dr Craven for continued contact with African sports administrators, including members of the African National Congress with an interest in sport in general and rugby in particular.

CRITICISM

Free State boss Steve Strydom, who until recently was outspoken about the recent talks between Dr Louis Luyt (Transvaal) and African officials in Europe, has pledged his support to Dr Craven and the "cause".

Mr Strydom apologised to Dr Craven for any misunderstandings and misinterpretations that could have arisen from criticism of the "Africa initiative".

Moreover, the executive reiterated that the road back to international recognition lay through Africa.

Dr Craven has envisaged a "new road" for South African rugby and ultimately the country along the lines of "total integration" — the theme of next year's centenary celebrations of the SARB.

MISERY

The SA Rugby Supremo also made a profound political statement in which he called for the total abolition of apartheid and sharply criticised the Group Areas Act.

"I have experienced misery because of what we have done. I can never forget the tears which the Group Areas Act caused and which I also witnessed. I'm not willing to stand by and see my country fall into the abyss."

Dr Craven's statement was circulated to all members of the executive and will also be sent to smaller unions for feedback before the vital November meeting.

The smaller unions, who have equal voting rights on the board, will have to decide whether they are going to support the new initiative. More importantly, they will have to fall in with plans to totally abolish racial discrimination in the sport.

There is a distinct possibility, however, that the SARB will split along political lines before the end of the year.

Meanwhile, the SARB executive yesterday failed to name a new general manager who would also be in charge of the public relations side of the sport.

WP's Michael
says scrap
Group Areas



Michael
du Plessis

Staff Reporter

WP flyhalf Michael du Plessis, who infuriated conservatives by limbering up during Die Stem at Loftus last weekend, has now come out with a political statement to back his controversial action.

Du Plessis said yesterday that he would support the scrapping of the Group Areas Act and discriminatory legislation to enable total integration in rugby and sport.

His statement follows a speech on Thursday by rugby boss Dr Danie Craven who called for the abolition of apartheid and attacked the Group Areas Act.

And in another development yesterday, the government called for a meeting with Dr Craven and his SA Rugby Board executive.

It was hoped the talks would take place before the end of the month, the Minister of National Education, Mr F W de Klerk, said yesterday.

Du Plessis said clubs and competitions should be opened to players of all races.

Sports should be fully integrated and at school level everyone should enjoy the same facilities.

Asked whether he thought this could be done while Group Areas existed and while different departments controlled the funding of schools and their facilities, Du Plessis replied: "I would support the removal of the Group Areas Act to bring about integration."

● Meanwhile, support for Dr Craven's controversial initiative to bring South Africa back into international rugby mounted as the president of the SA School Sports Union, Mr Jan Preuyt, and others yesterday joined the SARB executive which on Thursday expressed support for Dr Craven's stand.

Mr Preuyt said he called not only for integrated rugby but the integration of all school sport.

Soccer supremo Mr Abdul Bhamjee and the co-chairman of Independent Party, Mr Jannie Momberg, also welcomed Dr Craven's statement.

School sports on Monday



Michael du Plessis ... supports scrapping of the Group Areas Act.

Du Plessis Open clubs to all races

CAPE TOWN — Western Province flyhalf Michael du Plessis, who infuriated conservatives by limbering up during Die Stem at Loftus last weekend, has now come out with a political statement to back his controversial action.

Du Plessis said on Friday that he would support the scrapping of the Group Areas Act and discriminatory legislation to enable total integration in rugby and sport.

His statement follows a speech on Thursday by rugby boss Dr Danie Craven who called for the abolition of apartheid and attacked the Group Areas Act.

APOLOGY

Du Plessis said clubs and competitions should be opened to players of all races.

Sports should be fully integrated and at school level everyone should enjoy the same facilities.

In a statement on Friday, Western Province captain Carel du Plessis, speaking on behalf of the players, demanded an apology from newspapers who published "factually incorrect information" about happenings in the WP camp. — Sapa

87-12/10/84
'Nausea will
block group
areas laws'

By Lloyd Coutts

SO The Government will apply the harsh new group areas legislation only a few times before it nauseates the public so much it will not dare apply the law fully again, the leader of the National Democratic Movement, Mr Wynand Malan, said yesterday in Potchefstroom.

By instituting free areas the Government had admitted that group areas could not be maintained.

The free areas had become a reality through a new kind of voortrekker — Indian tradesmen using the nominee system, and black and coloured pioneers who had moved in because they had nowhere else to live.

a
ques-
ever
was
1982.
pro-
porial
had
25
usi-
his
fall,
a to

Group ^{CAT}
areas ^{Times}
to go 80
— Malan

Own Correspondent

DURBAN. — The leader of the National Democratic Movement, Mr Wynand Malan, has predicted that group areas will disappear within the next few years.

Speaking at a conference on the Group Areas Act at the University of Potchefstroom, Mr Malan said the government would apply the harsh measures of the new Group Areas legislation only a few times.

By then the public would be so nauseated that the government would not apply the law again with its full consequences. To prevent moral outrage, a flood of permits would be issued with as little publicity as possible, he said.

Mr Malan said that when the government discovered that group areas were a thing of the past, the legislation would disappear from the statute books. This would happen within the next four to five years, he forecast.

Hirohito head

Why we don't support areas Bills — Delegates

ARGUS 13/10/88
80

The Argus Correspondent

DURBAN. — The four-party majority alliance in the House of Delegates has written to President Botha explaining why they are not supporting the trilogy of group areas Bills before Parliament.

It is signed by Mr Somaroo Pachai of the People's Party of South Africa, Mr Pat Poovalingam of the Progressive Federal Party, Mr John Iyman of the Independent Party and Mr J N Reddy of Solidarity.

They said they had given Mr Botha's ultimatum careful consideration and had decided not to accede to his request.

Mr Botha has given the Houses of Delegates and Representatives until tomorrow to decide on the Bills, failing which he said he would refer them to the President's Council.

Representatives of the four political parties told Mr Botha

that he and his National Party colleagues knew how much the MPs in the Indian Chamber detested the Group Areas Amendment Bill.

"We also know that a large number of whites, including members of your party, are deeply troubled in their conscience by the Group Areas Act, especially in view of the racism inherent in it."

They said the Free Settlement Areas Bill made no meaningful contribution to bring about reconciliation among all the people.

The Group Areas Amendment Bill and its corollaries had not achieved consensus.

The four party leaders urged Mr Botha to accept the absence of consensus and work for reconciliation rather than invoke domination by the minority through the machinery of the President's Council.

Restrictions prevent self-improvement — HSRC

Group areas 'delay progress'

Star 14/10/88

80
125

By Clare Harper

Group area restrictions may have a significant effect on people's ability for self-improvement and socio-economic progress, Mr P Kok of the Human Sciences Research Council (HSRC) said yesterday.

He was delivering a paper critically evaluating

aspects of South Africa's urbanisation policy at the international conference on population development.

Mr Kok said group area restrictions effectively prevented less privileged population groups from confirming their acquired upward social mobility.

People, particularly poor people, needed to live relatively close to their

place of employment or else a massive burden was placed on the public treasury to subsidise commuting.

The adverse effects of daily long-distance commuting on family life, self-improvement and quality of life in general should be taken into account, he said.

"What is really achieved by such restrictions is that a backward homeland ori-

gin is exchanged for a backward urban destination where the effects of riots and the state of emergency are felt daily," he said.

It might be asked whether these circumstances were conducive to a decent quality of life, and were the urban townships attractive migration destinations for people wanting to improve their situation.

"Unless the required quality of life can be achieved in the rural areas of the homelands, the rural people should be accommodated in urban areas where the potential opportunities for development and progress already exist."

Those who wish to leave the homelands, particularly the poor, should be given the opportunity to do so, for example by providing assistance in the form of serviced sites and information on job opportunities in potential migration destinations.

Such an "accommodationist strategy" would provide sufficient opportunities for introducing "inward industrialisation" and securing a prosperous economic future for this country.

Professor David Dewar of the University of Cape Town said in a paper on accommodating urbanisation that it was essential to maximise the generative capacity of cities and to ensure the greatest possible access to urban facilities and opportunities for all.

By David Braun,
Political Correspondent

Controversial group areas legislation and a Bill tightening up on illegal squatting are likely to be referred to the President's Council this week.

There are signs that the Government may water down the legislation, which relates to stricter enforcement of segregated group areas, and it is possible the President's Council will be used to do this, according to well-placed sources.

The State President, Mr P W Botha, had given

Disputed Bills may go to President's Council

the House of Representatives and the House of Delegates until today to deal with the legislation.

If the two Houses refuse to deal with it by the end of today, then Mr Botha may declare the legislation to have been rejected by those Houses.

It is understood there is no question of the Government backing down on the principle of group areas, but there is considerable support at very

high levels in Government for making the envisaged penalties for contravention of the law a lot less harsh.

The legislation consists of four Bills:

- The Group Areas Amendment Bill, which provides for the stricter enforcement of segregated residential areas.

- The Free Settlement Areas Bill, which provides for residential areas where people of all

race groups may own and occupy property.

- The Local Government Affairs in Free Settlement Areas Bill, which provides for political rights at local level for people who live in integrated townships.

- The Prevention of Illegal Squatting Amendment Bill, which provides for the tightening of anti-squatting measures.

The two minority Houses of Parliament rejected the Bills.

If Mr Botha does call in the President's Council, it is possible the Bills could become law before the end of the week.

TWO-DAY DOSEBANK

— Call to reject Group Areas Act —

Pastor Mogoba spells out his stance

ONE of the major Protestant Churches in Southern Africa, the Methodist Church of Southern Africa, has been challenged by its chief pastor to become truly integrated at the local level.

The challenge was made last Saturday by the Executive President of the Methodist Church of Southern Africa, the Reverend Stanley Mogoba, when he addressed the opening session of the Representative Session of the Conference in Queenstown.

His call followed a direct appeal made by him during his induction address in which he indicated that it was no good for a church simply to condemn laws such as the Group Areas Act. What it should be doing, he said, was to move into the grey areas which had arisen in the inner cities where people of all races were now living "to minister to that exciting crucible of social change — the beginnings of a new South African society".

Mr Mogoba noted that the Methodist Church of Southern Africa had, in recent years, created "geographic, non-racial circuits", which comprised a number of different local churches, usually made of different racial groups. He recognised that there had been sharing "and, more than that, often a most laudable giving of resources of the one to the other".

But he added: "I am nevertheless, generally speaking, not satisfied that the coming together of such local churches has been of such a nature that different races, with their different back-

grounds and cultures, have influenced one another as richly as possible".

He believed this was because the creation of these so-called geographic circuits had often been used "simply as an excuse to perpetuate the apartheid system."

He pointed that many such circuits still illustrated the racial nature of South African society.

"And so while we have papered over the apartheid cracks at the circuit level, the wicked sin of racism, indeed the heresy of apartheid which we have condemned as a Church, continues to be perpetuated, whether we like it or not, to a greater or lesser extent in our local churches".

Mr Mogoba said that while these were hard words, they had to be acted on, not just at a national conference such as the one being held at Queenstown, but in local churches. Inevitable problems that would occur as local churches became integrated, such as the use of different languages in the Church and the problem of different styles of worship, would have to be addressed and overcome.

Mr Mogoba cited the need for his own denomination to take such a bold step in the emerging new South Africa as one of five steps which could lead to a new Africa.

The first such step would involve the release

of political prisoners in South Africa. He indicated that contrary to popular belief and propaganda, political prisoners wanted "the very best for this country which they love so dearly and for which they have paid so dearly". He pointed that some of them represented some of the best sons of Africa and that their contribution would be vital for the dawn of a new Africa.

"We may not all agree in the detail but in the general we all desire a new Africa, free of oppression, fear and violence."

Elaborating on his theme "the victorious hope", Mr Mogoba said a second step needed for the creation of a new Africa in the context of southern Africa, would be for the Government to grant amnesty to all exiles. His experience told him that such exiles

were dying to return home.

"If an offer of amnesty is given it'll bring a lot of goodwill," he said.

Thirdly, the new Methodist president said, it was essential for real freedom to be created. In an obvious reference to the present state of emergency, Mr Mogoba said that the present clampdown on free expression "is a clear symptom of the fear and hatred that is suffocating our lives".

The clampdown, he said, was no solution. There needed to be freedom of expression, of movement and of political life. This meant that all organisations should be unbanned "so that all our people can think freely and critically instead of going underground and fearing to discuss and analyse options."

Fourthly, he called for

the creation of a constituent assembly which was truly representative.

"The Government knows it has to stop fooling around with its plastic contribution that has already collapsed. Anyone looking at its absurd machinations to woo the coloured and Indian representatives in the tricameral parliament can see that.

"It appears, however, that the Government is too close to the wood to see the trees that are about to topple onto its head as it plays around with amendments to laws such as the Group Areas Act, which, as we all know from the actions of ordinary men and women, is as meaningless as the tree from which the pulp from which its paper was made was written on.

"The Government would be wise to adopt a new reality and scrap the constitution, start real negotiations, and launch into a new Africa for all". Mr Mogoba said that the Government had recognised the need to reach out to Africa itself.

"President Botha's forays into Mocambique, Malawi and Zaire illustrate this. But for this to be really meaningful, it must move away from the baaskap policies of own and general affairs which are just different figures of speech for apartheid. It must give new substance to reform. It must restore the respected meaning of that word. It must change — and change fundamentally".

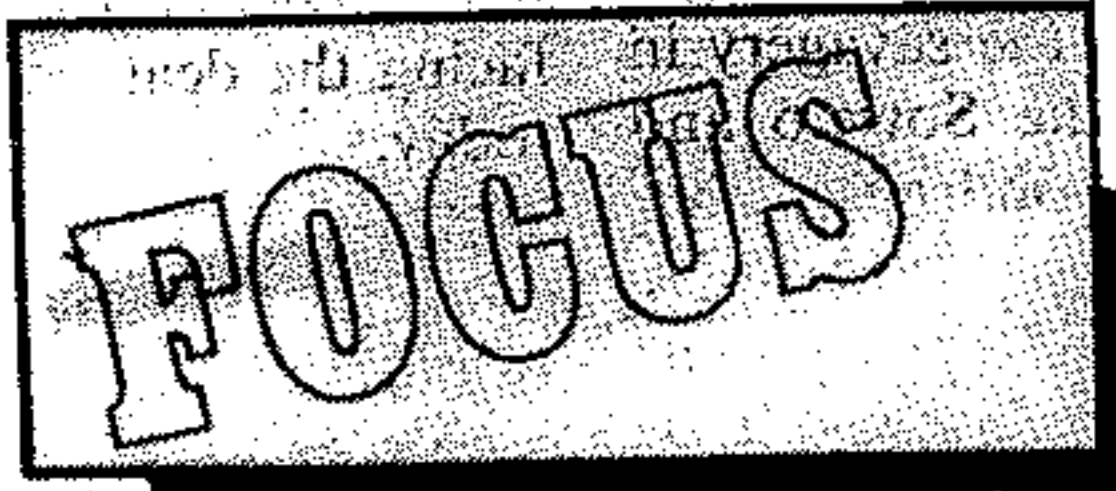
Mr Mogoba said that if these five steps were taken a new transformation in the lives of South Africans would begin. Blacks would be happy. And from the happiness of blacks would come the freedom of whites.

In addition there would be a flow of capital from the world to make the country the industrial capital of Africa. South Africa would become respected member of the Organisation for African Unity.

Earlier in his address Mr Mogoba said that the national situation in South Africa appeared bleak. He was parti-

cularly concerned about the activities of the Afrikaanse Weerstand

• To page 7



THE Reverend Stanley Mogoba.

No gripes from neighbours — survey

Most firms subsidise blacks in white areas

By Helen Grange

Most major SA companies still subsidise homes for their black employees in white areas.

They are doing this despite last month's controversy over a senior black Woolworths employee living in Claremont, Cape Town.

A survey by The Star has revealed that almost all mining houses and banking institutions have helped finance senior black staff-members buy houses in white suburbs — in defiance of the Group Areas Act — and none had received complaints from neighbours.

The Attorney General was asked last month to consider prosecuting Woolworths because it bought a house in Claremont for Mr Tiisetso Tsukudu and a neighbour had lodged a complaint with police.

Although many company spokesmen were reluctant to talk about their housing policies in this regard, many confided that they did not see the policy as flouting the Group Areas Act.

Race not a factor

"We certainly would not take a stand against any of our black employees applying for assistance to buy a house in a white area. Some of our employees have already done this — and we have never been taken to task by the authorities or received complaints," said Mr Carl Ludick, group personnel director for Holiday Inn and Southern Sun hotels.

First National Bank spokesman Mr Jimmy McKenzie said the bank's policy was to help employees of any race buy houses wherever they wished, on condition that all requirements were met. First National also had some black employees living in white areas.

This policy applied to many other major companies, which preferred to remain unnamed to prevent prejudicing employees.

An Eskom spokesman said Eskom's black employees could get subsidies for houses in white areas on condition the house was registered in their name at the deeds office.

This had been accomplished in cases where special permits had been granted by the Provincial Administration to the deeds office after a full report, including employers' comments, on the employee concerned had been completed, the spokesman said.

●See Page 11.

PC all set to approve GA bills

APT Times
17/10/88
80

By ANTHONY JOHNSON
Political Correspondent

THE government is expected to use the Nationalist-dominated President's Council this week to force its controversial trilogy of Group Areas bills on to the statute book.

The measures, along with a bill tightening up on squatter control, are likely to be signed into law by President P W Botha ahead of the October 26 municipal electoral showdown between the NP and its fast-growing Conservative Party rivals.

There was speculation at the weekend that Mr Botha might use the President's Council to soften some of the harsher provisions of the Group Areas Amendment Bill in a bid to defuse the bitter row that has been raging in recent months between the government and the Indian and coloured parties over the key apartheid measure.

However, its main adversary in the ongoing conflict, the Labour Party, has repeatedly stated that nothing short of scrapping the Group Areas Act would serve as a basis for a truce between the warring parties.

The LP has also made the repeal of the act a precondition for its assistance in changing the Constitution so as to allow the government to postpone the general election due next year.

President Botha has given the House of Representatives and the House of Delegates until today to vote on the Group Areas measures debated earlier by the tricameral Parliament.

However, the vast majority of MPs in both Houses have indicated that they

have no intention of convening in Cape Town today to dispose of the measures by the October 17 deadline.

In terms of the Constitution, a failure by the two Houses to vote on the measures — already passed by the white House of Assembly — will mean that they have been rejected.

In such an event, the bills will be referred to the President's Council for consideration.

Once the PC, whose 60 members are dominated by NP appointees, has reached a decision, President Botha is faced with three options.

He can accept the decision of the PC and sign the measures into law; he can reject the proposals of the body dominated by members of his own party; or he can allow the measures to lapse.

The months of bitter wrangling over the Group Areas measures has supplied the Conservative Party with plenty of ammunition with which to attack the government at the hustings.

The CP has told voters that "Baas Hendrickse" (a reference to the Labour Party leader) was now calling the shots in Parliament and that whites had lost control over the parliamentary process.

Voters — particularly working-class whites — have also been told by the CP that the convening of Parliament for an unprecedented three sessions this year is costing the taxpayer a fortune.

A government backdown on the measures at this late stage would be characterised as yet another victory for the Labour Party by the CP.

The bills, either in their current or slightly amended form, are consequently likely to become law before the crucial October 26 poll.

Scrap Group Areas Act, poll demands

ARGUS 8/10/88

The Argus Correspondent

JOHANNESBURG. — Twice as many South Africans — even in the key Pretoria/Witwatersrand area — want the Group Areas Act abolished immediately as want it retained.

Nearly four in 10 in the survey area want it repealed without delay, against less than two in 10 who want it kept unchanged on the statute book.

That is a central finding of a major public opinion survey commissioned by The Star, sister newspaper to The Argus, and released today.

It flies in the face of the stated belief of President Botha that most South Africans want the Group Areas Act retained.

Another finding that challenges conventional political thinking: An overwhelming majority of people polled identified abolition of apartheid as the single most important step to save the country.

And surprisingly, some people to the right of government are willing to contemplate blacks in Parliament. One in 10 of these rightwingers agree to a federal future.

RUBBISH HEAP

The poll represents a major initiative to help break South Africa's political logjam. It is designed to identify common ground among people of all races on the central question of our times: how can South Africa be saved?

This question, in many different forms, has been put to a representative sample of all races in South Africa's economic heartland.

The poll is authoritative and can be considered accurate to within five percent. It was conducted by Marketing and Media Research (MMR), the polling organisation which correctly forecast the outcome of six out of six marginal constituencies in the general election.

The poll signals that ordinary South Africans of all colours, while they disagree on many things, show a remarkable consensus on one subject: Apartheid — defined loosely as enforced racial separation — should be consigned to the historical rubbish heap.

The point is illustrated concretely by the survey's findings on the Group Areas Act, one of the most conspicuous and contentious of the apartheid laws.

Almost as many people want the Group Areas Act abolished gradually as those who champion retention.

About a third favour modification of the law to "suit local conditions and requirements". They occupy an intermediate position and may be inferred to support abolition in one situation and retention in another.

SUPPORT

One point seems incontestable. President Botha misjudged the mood of South Africans when he told the Natal congress of the National Party in August that most whites, coloured people and Indians "want their own residential areas".

He put white support at 80 percent and coloured and Indian support at 70 percent.

But, according to the MMR survey, even among Johannesburg whites — who occupy the best residential areas and who are therefore the main beneficiaries of the Group Areas Act — abolitionists outnumber retentionists.

More than four in 10 want to see the law scrapped, either immediately or gradually, against less than two in 10 who want it retained.

If a referendum were held among coloured people and Indians it would be no contest. The abolitionists would win overwhelmingly. Nearly 50 percent want it scrapped immediately, against a tiny minority — less than two percent — who would vote for retention.



Wheel out the insect cripples

ALL OVER the world, people have realised the value of eye-catching symbols for use on sign-boards. Well designed symbols can cut right across the barriers of language.

Many of these symbols are easily recognisable and have become standardised — everybody recognises the symbols for toilets for men and women. A picture of a spanner indicates mechanical service is available, a crossed out cigarette means smoking is forbidden and the outline of a telephone guides you to a call-box. Some signs are less obvious.

For some days now I have been puzzled about a rash of strange traffic signs that have appeared on Cape Town's streets. They depict what appear to be three three-legged ants on roller skates. The last ant seems very angry. I suppose that's because it has lost half its quota of legs.

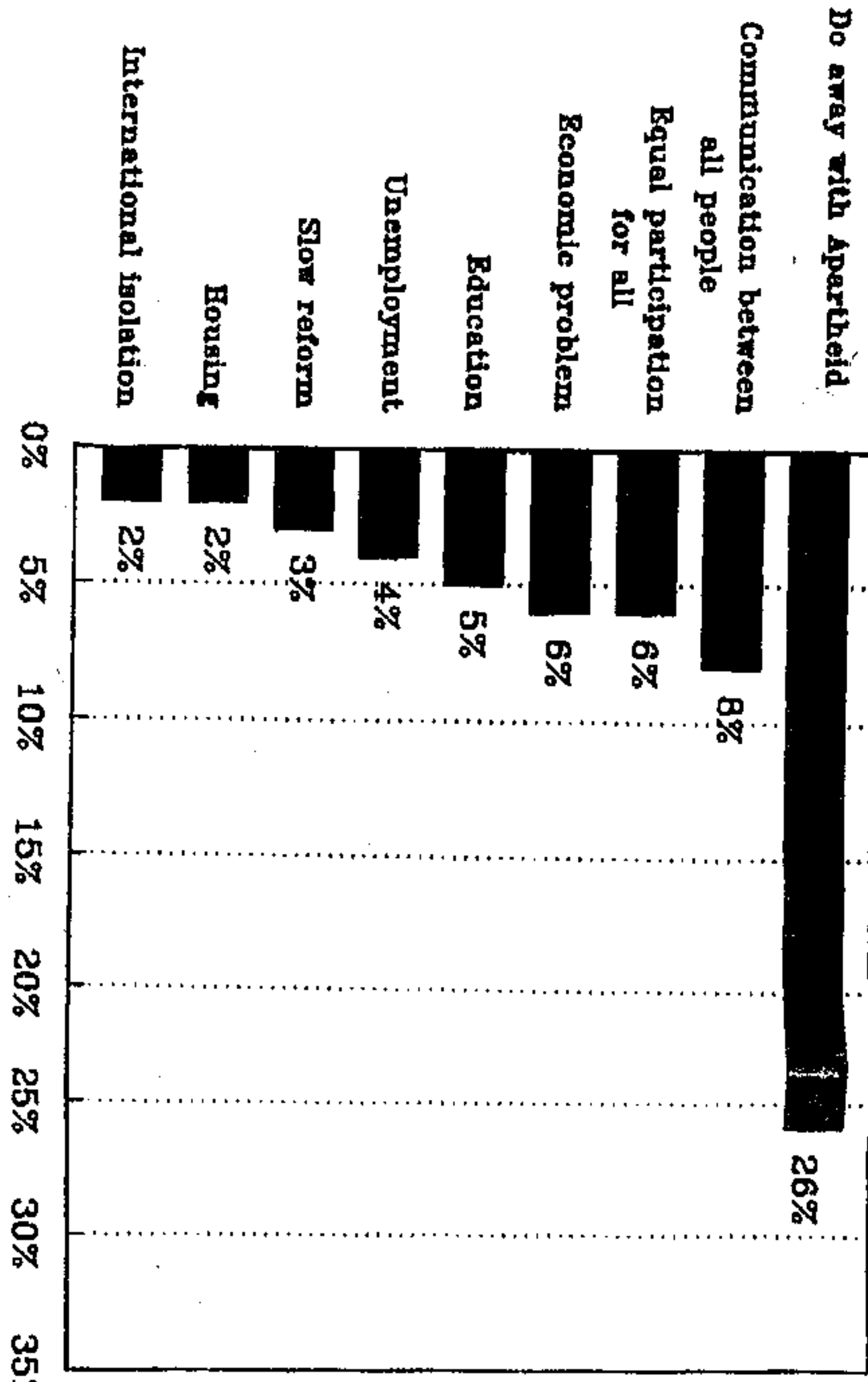
Above the ants is the slogan, "I'm your beacon." There are some words below the ants, but they're illegible at motoring speed. Something about following distance and "2 secs."

I lie awake at night trying to work it out. My dictionary tells me a beacon is "a signal fire set up on a high or prominent position; warning or guiding signal or signal station, lighthouse; radio transmitter whose signal helps fix the position of ship or aircraft."

I can't believe that three three-legged ants on roller skates could represent a fire on a high place, or even a lighthouse, so I must assume that these ants are there to guide ships or aircraft.

SA call to scrap apartheid

SINGLE MOST IMPORTANT ISSUE TO BE SOLVED
(Spontaneous answer to first question)



These graphics show people's responses to the issue of apartheid in general and the Group Areas Act in particular.

Nearly a quarter of people of all races see the scrapping of apartheid as the fundamental national priority.

The next most important urgent issues in the public mind are the right of all people to take part equally in the administration of the country — which includes the granting of universal adult suffrage — and the need to overcome the country's economic problems, particularly inflation, and to improve the standard of living.

But these issues weigh far less heavily on people's minds than their belief that apartheid — defined loosely as enforced racial separation — should be consigned to the historical rubbish heap.

Only 6.3 percent of the 1 052 people interviewed — not much more than a 20th — rate the vote as the most important issue against 26.1 percent who perceive apartheid as the main problem.

Coincidentally, exactly the same proportion, 6.3 percent, believe that the most important issue to be tackled is the country's economic problem.

These three issues emerge as the most prevalent among the responses obtained from a scientific sample of the 1 052 people in the Pretoria-Witwatersrand area to an open-ended question.

They were told that South

Africa faced a "number of serious problems" and were then asked: "What do you personally believe is the single most important issue to be dealt with in order to save our country?"

Their replies cover a wide range of issues and remedies. The perceived first requirement for curing South Africa's ills varies from immediate repeal of the Group Areas Act (or, in fewer cases, to its retention) through elimination of radicals (with Archbishop Desmond Tutu cited as an example) to further restrictions on the media.

Most replies are spread out, tending to converge only on the need to rescind apartheid and, to a lesser extent, on the need for one man, one vote and a resolution of economic problems.

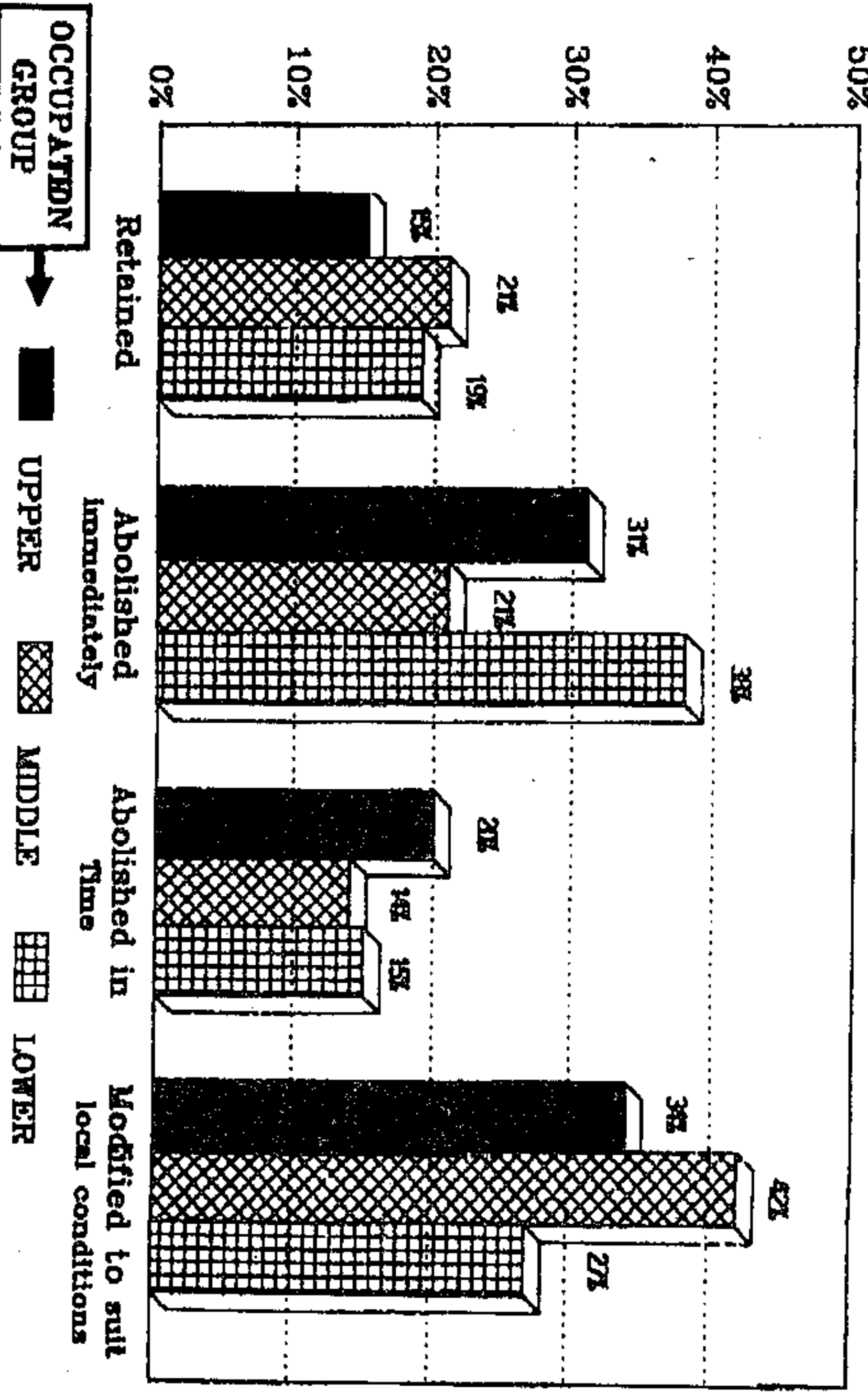
One apparent anomaly in the replies is that support for the immediate repeal of apartheid is four times as great as support for the extension of the vote (26.1 percent against 6.3 percent).

As denial of an equal parliamentary vote to Africans is a cardinal element of apartheid, it follows logically that, on the face of it, there should be a strong correlation between wanting to eliminate apartheid and wanting the vote.

Perhaps the explanation for the discrepancy is that apartheid in its socio-economic dimension — the laws and practices which humiliate people and deny them equality of economic opportunity — weighs more heavily on the everyday lives of many people than apartheid as a vote-denying policy.

Surprisingly few respondents see abolition of the state of emergency as an immediate prerequisite for averting disaster: only three of the 1 052 respondents, a minuscule 0.3 percent.

THE GROUP AREAS ACT SHOULD BE



the three most important problem areas to be solved. But, unlike the first question, it was not open-ended.

Instead, the respondents are given 14 issues or problems to choose from. They ranged from Group Areas to deficiencies in the educational and voting systems.

Here education emerged as the area identified by most as the one most likely to yield the best results in resolving the national crisis. More than four in every 10 respondents, or 40.6 percent, mention it as one of the three most crucial issues.

The next most frequently identified issues are the economy — where there is a strong feeling about the need for sustained economic growth — housing and racism. The rating on these issues is 40.1, 33.7 and 31.5 percent respectively.

Universal franchise, 16.9 percent, is relatively low down the list. So, too, are security and the "border war", a surprising result in view of the growing number of terrorist attacks and the attention given to fighting along the frontiers in the media. They rank sixth and 13th.

The least important of the issues in the minds of the respondents is one which many historians believe lies at the root of South Africa's conflict: maldistribution of land between white and black. But only 7.8 percent regard redistribution of land as a crucial issue.

English-speakers put economic growth first on their list of issues to be dealt with with education and racism as priorities.

Over 55-year-olds went for the economic growth for all and housing issues, while 18- to 24-year-olds had education and racism as priorities.

In contrast, security was of most concern to Afrikaans-speakers followed by economic growth and birth control. Those speaking a black language at home felt that education followed by housing and racism were the most important problems to solve. Graduates and post-graduates had different ideas on how to save the country from those with little or no education. The former saw economic growth for all and constitutional reform as the major issues to be solved, while uneducated people ranked housing and education above 11 other issues.

Previous polls conducted on major issues in SA

MARKETING and Media Research, which conducted the survey of what people thought should be done to solve the country, has been conducting opinion polls for more than eight years across a wide range of issues. Some of the polls conducted by MMR were:

- November, 1980 — A poll before the Soweto Council elections gave Dr Ntsho Moflana overwhelming support over his main rival, Dr David Thebehali.
- March, 1981 — the pre-general election poll
- March, 1988 — a snap poll was conducted to determine the perceived winner of the much-

© 1988 MMR. All rights reserved.

No word yet from PW on Bills

CAPE TOWN — The President's Council has still not received an instruction from President P W Botha to deal with the trilogy of Group Areas Bills rejected by the Houses of Representatives and Delegates.

PC secretary Johann Weilbach said members of the council were in Cape Town and "ready to swing over immediately" to considering the proposed legislation should an instruction from Botha be forthcoming.

A spokesman for Botha's office said yesterday it was not known if or when

SC/19/10/28
Political Staff

Botha would act on the matter.

Should he delay giving an instruction much longer, the PC would have difficulty dealing with the Bills before the municipal elections.

Botha can allow the Group Areas measures to lapse — which does not preclude amended legislation being re-submitted next year; he can call on the PC to reach a decision on the Bills; or he can ask the PC for advice on them.

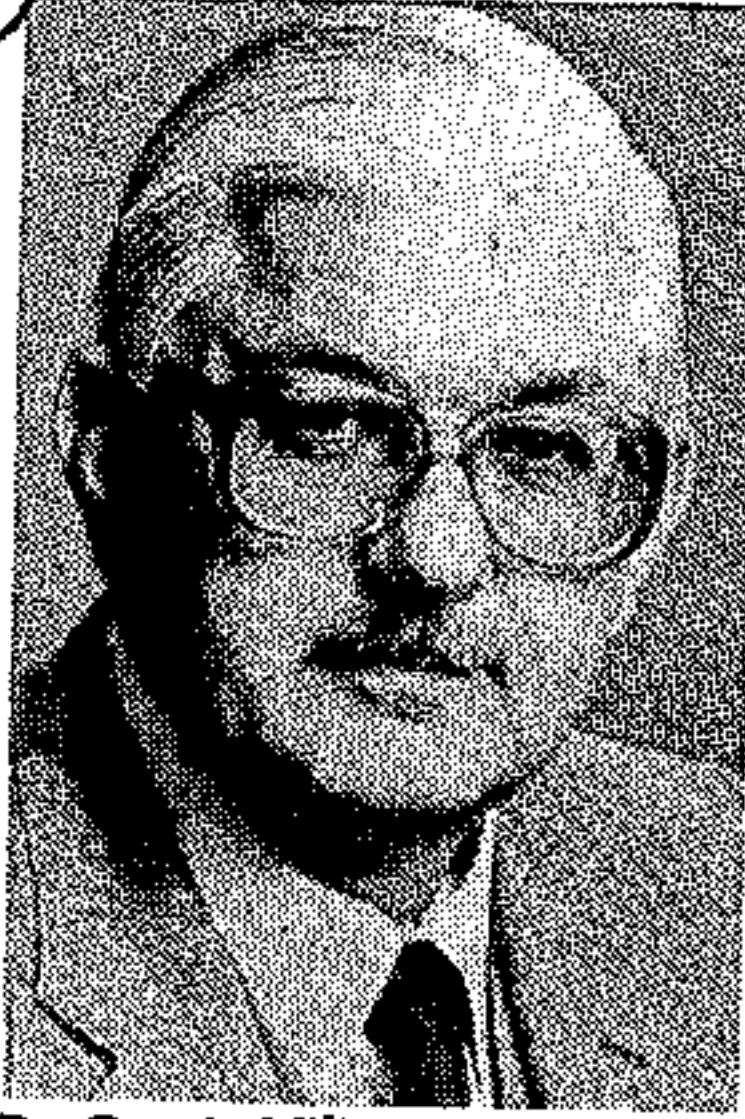
Viljoen floats 'open' group plan

Staff Reporter

South Africans should consider the possibility of an "open" population group being established to accommodate people who did not attach value to living in their own group areas, Dr Gerrit Viljoen, Minister of Education and Development Aid, said yesterday.

Addressing the Maria van Riebeeck Women's Club in Johannesburg, Dr Viljoen said people in the open group could live in free settlement areas, receive education on a multiracial basis and "live together".

He emphasised however that the alternative system could exist only if the maintenance of the present system of "own, exclusive options" in education, residential areas and political manage-



Dr Gerrit Viljoen . . . vision for the future.

ment was safeguarded.

Dr Viljoen, who was asked to talk about his vision for the future, said there was a great reservoir of goodwill between population groups despite existing tensions.

"There is a realisation among all population groups that we need each

other and cannot do without each other," he said.

The vast majority of the population wanted peaceful solutions, dialogue and negotiation.

There was a need for a new constitution which would give blacks a say in all levels of governments, including the highest central, national government level.

Provision also had to be made for a non-political, problem-solving arbitration body which would prevent domination of one group over the others and solve related problems.

Dr Viljoen said he saw a future based on group participation in the political process rather than a mere counting of heads in a one man, one vote system which "simply cannot work".

STV 19/10/88

Harsher points of Areas Bill to be toned down

ARGUS 20/10/88 80
Political Correspondent

THE government has decided to tone down the harsher aspects, especially increased penalties, in the Group Areas Amendment Bill.

This was seen in political circles today as the reason for the decision not to refer this Bill to the President's Council for its approval following the refusal by the House of Representatives and the House of Delegates to vote on the measure in the recent joint session of Parliament.

Instead, President Botha has decided to refer only the two Bills dealing with free-settlement areas — open residential areas — and local government arrangements in such areas to the President's Council.

A spokesman for the President's office declined to comment on the reasons but in some government circles it is said there was a need to let feelings about the controversial Group Areas measure die down, and that the government has decided to go ahead only with what it regards as positive changes.

SQUATTING, TOO

The government has also decided not to refer to the council another controversial Bill, one cracking down on illegal squatting. It appears that here, too, the measure will be toned down.

The Rev Allan Hendrickse, leader of the Labour Party, said his party had not been consulted.

He said the decision was a reflection of the broad thinking within the National Party on the question of the need to repeal the Group Areas Act.

The fact that the other two free-settlement measures were to go to the council again raised the question of the implementation of group areas and apartheid.

Greying the master plan

80/100
2/1/1988

For a government which uses geography lessons to teach primary schoolchildren that SA is made up of different groups contentedly living in their own areas, the reality of mixed inner-city suburbs is tearing away at the fabric of its master plan.

Over the past year, the Group Areas Act (GAA) has dominated our political life. Parliament is bogged down in the related trilogy of Bills and the topic is fuelling bitter local election campaigns — even though the matter is not a local government issue.

In Johannesburg, estimates put the number of blacks, coloureds and Indians now living in white areas at up to 100 000. The mixed — or grey — areas spread out from the city centre to Hillbrow and Berea in the north; Mayfair in the west; and Doornfontein, Judith's Paarl, Bertrams and Jeppe in the east. Yeoville is becoming mixed and so is Orange Grove, say a number of candidates. In the wards that span Joubert Park, Hillbrow, Braamfontein and the city centre, there are as many black residents as white.

The election conjures up the ghost of Margaret Ballinger, a "Natives Representative" in parliament for 23 years before the position was abolished by Hendrik Verwoerd in 1960: the only chance that blacks living in these wards have of a representative voice hinges on who is elected. PFP candidates accept the mantle and see themselves as representing everyone in their wards. A number of NP candidates are also open to taking up the problems of black residents. The CP is unequivocal: they represent whites only. The intention behind the CP campaign to "clean up Hillbrow" is to remove all the blacks, says the party's Johannesburg leader, Fred Rundle (Ward 30).

In a way, Hillbrow has become the emotional focus of the breakdown of the GAA. Even in Pretoria the spectre of a multiracial Hillbrow is being used to frighten voters away from the NP.

While it is true that Hillbrow is degrading, Rundle is possibly seeing the past — when Hillbrow was a haven of cosmopolitan life and home to the young — through a haze of nostalgia. What about the days of the duck-tails and the gang wars? Hillbrow was always the place to go for a good brawl on a Saturday night.

Doornfontein was a multiracial suburb until it was removed in the Sixties. Bertrams and Judith's Paarl have long been sliding into inner city decay. If anything, the possibility that blacks could buy property there may gentrify these suburbs.

Why the colour of Hillbrow changed is a matter of perception. Rundle is adamant that whites were pushed out by blacks. PFP candidate James Dryja (Ward 30), who lives in Hillbrow, believes the influx followed the recession in the early Eighties. The expatriates who gave Hillbrow its continental flavour returned home. Cash-strapped young people moved back in with their parents or began to share with friends. Economic reality ruled and empty flats were let to whoever wanted them.

Candidates of all parties agree that the main problem today is a decline of "standards" in the area. The call is for the return of "civilised behaviour." Angry residents cannot come to terms with Hillbrow turning into a township in the sky with resident roosters, washing on the balconies, loud music and people shouting to each other across the street. Property owners, especially elderly people who can't sell their flats, have become prisoners of an investment that bombed out.

Also distressing is the sordid street life of prostitution, vagrancy and crime. Then there is the fact that many buildings are in a state of decline, with infrastructure being strained by overcrowding.

"Under these circumstances, the management of buildings falls apart," says Cliff

Garrun, PFP candidate (Ward 31).

Today, these suburbs are a collection of racially mixed buildings, some poor, some better off; white buildings, some owner occupied, others rented and usually half empty; and black buildings, some well kept and others that house brothels and shebeens.

Like attracts like, says Garrun, and buildings are often homogenous. Both he and Dryja say the conflict is a question of class, arising when property owners are forced to live next to or look out on a lower class black building. Dryja observes that in Joubert Park, where poorer whites and blacks share buildings, tensions are noticeably less.

Voters, however, are not taking up the challenge of seeing social issues in terms of class instead of race. The clash of values makes people racist, notes Dryja. "Many are moving towards the CP."

This may not be rational. After all, the abolition of the GAA could be the chance for disgruntled owners to sell off their properties. In Mayfair, says Neels Meiring, NP candidate (Ward 23), property prices have risen since Indians moved into the area and began to renovate old houses. But logic does not seem to govern voting patterns which, at one level, are turning into a protest decision — nobody is putting odds on who is going to win these wards.

Whether any of the candidates will be able to fulfil their election promises of cleaning up these areas is debatable. Much is out of their hands: the decision on the GAA and Free Settlement Areas will be made in Cape Town; the implementation of health regulations or, as the PFP has advocated, the introduction of a municipal police force (see P62) will ultimately depend on who is in control of the council — not individual wards.

What is definite, is that without imaginative town planning now, Hillbrow, Joubert Park, Braamfontein and the city centre are on their way to becoming slums.

CAPE TOWN 21/10/88 (PO)

PC committee to meet over group areas bills

By ANTHONY JOHNSON
Political Correspondent

THE committees of the President's Council will convene for two 14-day sessions between October 31 and December 2 for "normal business" — including consideration of the two group areas bills referred to it by President P W Botha.

The Free Settlement Areas Bill, which allows for the proclamation of "open" areas, and the Local Government Affairs in Free Settlement Areas Bill, which specifies voting arrangements in such areas, were referred to the council's constitutional committee on Wednesday.

However, the secretary of the council, Mr Johan Weilbach, noted that "any further requests that might be received from the government" would be considered during the two sessions.

This is an apparent reference to the controversial Group Areas Amendment Bill and the Prevention of Illegal Squatting Bill, both of which came under fire from government opponents in Parliament earlier this year.

There has been speculation that the government may soften some of the harsher provisions in these two bills in a bid to defuse the row between the National Party and the coloured and Indian parties in Parliament.

'Scrap group areas'

However, the Labour Party has said repeatedly that it would settle for nothing less than the scrapping of the Group Areas Act in return for co-operating with the National Party in postponing the general election due next year.

Mr Weilbach said the committees of the council would adjourn from today for a short recess but would meet again from October 31 to November 11 and from November 21 to December 2.

No plenary session of the council has been scheduled, but this could still be arranged.

● The leader of the National Democratic Movement, Mr Wynand Malan, said he welcomed the fact that President Botha had not referred the Group Areas Amendment Act to the council

and trusted that this meant a rethink on the whole issue was under way.

"It is a reflection of how the National Party thinks and works. Parliament had to sit three times this year with the possibility of a fourth session; go through a series of emotional debates which caused tension among the whole population and attracted foreign attention — just to quietly not continue with the legislation."

The acting leader of the National Peoples' Party (NPP) in the House of Delegates, Mr Boetie Abramjee, also welcomed the president's decision not to refer the Group Areas Amendment Bill to the council.

He said the NPP was pleased that Mr Botha had realised this particular bill "was not acceptable to the majority of South Africans".

He said the Group Areas Act should be repealed because of the many hardships it had caused over the years by forced removals and restrictions.

PW heads for fierce new clash on Areas

By David Braun, Political Correspondent

Nothing the State President said or did with regard to legislation to tighten the Group Areas Act would change the Labour Party's total opposition to it, the party's leader, the Rev Allan Hendrickse, said today.

He was reacting to the speech by Mr P W Botha last night in which he indicated that the Group Areas Amendment Bill would go to the President's Council for consideration.

Mr Botha confirmed the Government remained determined to enact legislation to tighten the Group Areas Act.

Addressing a public meeting at the Benoni town hall, Mr Botha said reports that he had not sent the Group Areas Amendment Bill to the President's Council for a decision, had been blown out of all proportion.

Surprise decision

He was referring to reaction yesterday from political leaders that the decision not to send the Bill to the President's Council represented broader thinking within the National Party that the Group Areas Act should be scrapped.

The reaction followed the surprise decision by Mr Botha to refer to the President's Council only two of four Bills which had been at the centre of heated controversy during this year's session of Parliament.

Mr Hendrickse said in an interview today that if the State President proceeded with the legislation, it would be difficult for those who wanted to help South Africa to continue to do so.

He said this would be particularly unfortunate at a time when South Africa was making progress with its relations with Africa, and when the US Congress had postponed its sanctions legislation.

Progressive Federal Party civil rights spokesman Mrs Helen Suzman said today it appeared Mr Botha was keeping open all his options on the legislation.

"It seems likely that a lot is going to depend on the municipal elections next week. If the Conservative Party makes even more gains than expected, I think he will run for cover and send the Bill to the President's Council for ratification," she said.

"If the CP does not do so well, then he might take courage and listen to the strong protest of all the important industrial, financial and legal bodies, let alone those concerned with human rights, who have expressed their opposition to the Bill."

Mr Botha should also be concerned about the effects the RPA would have on South Africa's international relations and the further isolation of the country.

The President has referred only the Bills providing for free settlement areas to the President's Council, but has withheld the Group Areas Amendment Bill and the Prevention of Illegal Squatting Amendment Bill.

The free settlement areas Bills provide for the creation of mixed residential townships in which people of all race groups may own and occupy property.

The Group Areas Amendment Bill provides for a drastic toughening of the existing law to protect racially segregated suburbs, while the remaining Bill tightens existing squatting legislation.

All four Bills were accepted by the House of Assembly but rejected by the House of Representatives and the House of Delegates after a series of acrimonious sittings of Parliament this year.

Last night Mr Botha said speculation by individual correspondents would not prescribe how he did his constitutional duties.

"I will decide when the Bills go to the Council after I have thoroughly considered the matter. I cannot do everything at once," he said.

The media had speculated that the Government might order changes to soften the Group Areas Amendment Bill by toning down its penalties. The speculation was based on leaks from several senior Government sources.

Election's foundation

There has never been any suggestion from the Government that the principle of group areas would be abandoned. Segregated areas has been a major plank in the National Party's current municipal election platform.

There was no clarity today about when Mr Botha would refer the two Bills to the President's Council and on what basis he would do so.

In the case of the two free settlement areas Bills he has instructed the President's Council to give him a decision on whether they should be made law or not (after they were rejected by two of the three Houses of Parliament).

Mr Botha has the option to ask the President's Council for



Drum majorettes Kim Cramer, parade by Northcliff High School, tomorrow to help raise funds for prizes in a consumer club competition.

Homes show off latest design concepts

The Star Design for Living Expo, consecutive weekends, opened today.

The show — with six designer brackets — signifies a return to the of the early 80s and offers the innovative in architectural concepts.

The show is open to the public on Fridays and 10 am to 9 pm on Saturdays.

The entrance fee is R5 for adults for children under 14.

To get there take the N1 Western the Fourways Bryanston interchange Fourways Gardens Estate along the ing directly through the fourway street turning left into Uranium Drive. The before turning right into Fourways Centre.

With the benefit of generous funding...

Joining OATI

He was reacting to the speech by Mr Botha in which he indicated that the Group Areas Amendment Bill would go to the President's Council for consideration.

Mr Botha confirmed the Government remained determined to enact legislation to tighten the Group Areas Act.

Addressing a public meeting at the Benoni town hall, Mr Botha said reports that he had not sent the Group Areas Amendment Bill to the President's Council for a decision, had been blown out of all proportion.

Surprise decision

He was referring to reaction yesterday from political leaders that the decision not to send the Bill to the President's Council represented broader thinking within the National Party that the Group Areas Act should be scrapped.

The reaction followed the surprise decision by Mr Botha to refer to the President's Council only two of four Bills which had been at the centre of heated controversy during this year's session of Parliament.

Mr Hendrickse said in an interview today that if the State President proceeded with the legislation, it would be difficult for those who wanted to help South Africa to continue to do so.

He said this would be particularly unfortunate at a time when South Africa was making progress with its relations with Africa, and when the US Congress had postponed its sanctions legislation. Progressive Federal Party civil rights spokesman Mrs Helen Suzman said today it appeared Mr Botha was keeping open all his options on the legislation.

"It seems likely that a lot is going to depend on the municipal elections next week. If the Conservative Party makes even more gains than expected, I think he will run for cover and send the Bill to the President's Council for ratification," she said.

"If the CP does not do so well, then he might take courage and listen to the strong protest of all the important industrial, financial and legal bodies, let alone those concerned with human rights, who have expressed their opposition to the Bill."

Mr Botha should also be concerned about the effect the Bill would have on South Africa's international relations and the further isolation of the country.

The President has referred only the Bills providing for free settlement areas to the President's Council, but has withheld the Group Areas Amendment Bill and the Prevention of Illegal Squatting Amendment Bill.

The free settlement areas Bills provide for the creation of mixed residential townships in which people of all race groups may own and occupy property.

The Group Areas Amendment Bill provides for a drastic toughening of the existing law to protect racially segregated suburbs, while the remaining Bill tightens existing squatting legislation.

All four Bills were accepted by the House of Assembly but rejected by the House of Representatives and the House of Delegates after a series of acrimonious sittings of Parliament this year.

Last night Mr Botha said speculation by individual correspondents would not prescribe how he did his constitutional duties.

"I will decide when the Bills go to the Council after I have thoroughly considered the matter. I cannot do everything at once," he said.

The media had speculated that the Government might order changes to soften the Group Areas Amendment Bill by toning down its penalties. The speculation was based on leaks from several senior Government sources.

Election's foundation

There has never been any suggestion from the Government that the principle of group areas would be abandoned. Segregated areas has been a major plank in the National Party's current municipal election platform.

There was no clarity today about when Mr Botha would refer the two Bills to the President's Council and on what basis he would do so.

In the case of the two free settlement areas Bills he has instructed the President's Council to give him a decision on whether they should be made law or not (after they were rejected by two of the three Houses of Parliament).

Mr Botha has the option to ask the President's Council for advice with regard to the remaining two Bills.

The President's Council may recommend changes to the Bills and the draft legislation would then have to be re-submitted to Parliament for the approval of the three Houses of any amendments.

Mr Botha could also simply ask the Council for a decision on whether the Bills should be made law or not.

The President's Council went into recess today until October 31.

It will hold two sittings later this year, from October 31 to November 11 and again from November 21 to December 2.

The sessions will be used to process the free settlement areas legislation and any other matters referred to it by the State President.

● See Page 3.

'Joining OAU is logical'
SAW 2/10/88
230

South Africa would in due course seek to join to Organisation of African Unity, the State President, Mr P W Botha, said at a public meeting in Benoni last night.

Elaborating on his recent African and European tours, he said Africa's salvation had to be found in the wisdom and interaction between the continent's leaders.

South Africa had quietly played a massive role in uplifting the continent's nations economically.

"This logically implies that we shall in due course strive to become a member of the Organisation of African Unity," he said.

At the idealistic — or, some would say, woolly — end of the spectrum were those who consider law to be nothing more than a further dimension of politics. In Anton Lubowski's words: "Our courts should be seen as an arena for struggle for a non racial, democratic society . . ." Lubowski criticised judges for being elitist and not sufficiently accountable or responsive to society. He went on to float some fairly far-fetched ideas about the "democratisation of the judiciary" such as attempting to secure a "culturally diverse judiciary."

For the most part, though, the conference kept its feet pretty well on the ground. As various speakers pointed out, there are two

central realities which cannot be forgotten when assessing the role of the judiciary. Firstly, one cannot expect a massive shifting of attitude by the judiciary which is out of kilter with what is happening on the political front. Secondly, it is the role of the legislature, not the judiciary, to change the system.

This is not to suggest that the judiciary cannot play an ameliorative role. As Professor John Dugard, Director of the Centre for Applied Legal Studies at Wits, noted: "Our law requires judges to interpret the law in a constructive and idealist manner . . . The idea that the judge is required to subordinate his discretion to the ruling elite is foreign to our law."

The conference touched briefly on the question of whether there isn't a moral obligation on SA judges to resign — an argument popularised in SA by Professor Raymond Wacks, formerly of Natal University. Basically, the argument holds that the SA system is so beyond the pale and that judges have so little chance of improving it, that they should resign. That no one made a serious attempt to argue that judges should do so was a sign of a healthy realism among lawyers — even those who find themselves on the Left of the political spectrum. As Judge Didcott noted recently: "One can change society for the better only by participating in it."

TONY LEON

Calling Danie to account



Councillor Tony Leon is leader of the PFP in the Johannesburg City Council.

During the heat of the American civil rights struggle, Alabama governor George Wallace, playing to his diehard gallery, proclaimed: "Segregation today, segregation tomorrow, segregation forever."

Wallace, of course, was swept aside by the unravelling of history and actually had the grace to acknowledge and approve of the radical transformation of the American South. So there is hope for our own "Mr Apartheid" in Johannesburg.

I refer to Danie van Zyl, leader of the National Party in the Johannesburg City Council. However, before history consigns his views to oblivion, it is worth noting that neither the rhetoric nor the substance of reform has been articulated by the governing party in its battle with the PFP for control of SA's largest city. I have long maintained that Nationalist-inspired reform is the modern equivalent of the unicorn: much spoken of, never sighted.

Van Zyl is an acute case. He recently threatened to use the government's mooted free settlement areas as a weapon to punish PFP voters who declined to vote NP. He suggested that such wards be declared open to occupation by all races. The impracticality of this proposal is self-evident. Assume that the PFP won the Berea seat and the NP the Hillbrow seat (despite canvass returns which suggest we will win both). According to Van Zyl, a line would be drawn in the middle of one suburb, with free occupation in the east and segregation in the west of one indivisible area in Johannesburg.

However, those in the higher echelons of government were not listening to Van Zyl. In

his introductory speech to the contentious group areas legislation, minister Chris Heunis blandly observed that, inter alia, Hillbrow, Joubert Park, Doornfontein and Mayfair would be the first free settlement areas in Johannesburg. Since the PFP is not even contesting Mayfair, the empty nature of the Van Zyl threat and the duplicity of government in this matter become apparent.

Government propaganda has benignly declaimed the group areas legislation to be the modern equivalent of *laissez-faire*, to wit, "live and let live." We wish it were so. Indications are that, aside from a few limited suburbs dotted around the major metropolises of SA, the vast majority of suburbs will not be opened; and that the legislative machinery to maintain segregation areas will be applied in full. In other words, areas such as Hillbrow will become pressure-cookers.

Given that there is a housing shortage of some 500 000 units for blacks and no less than a million squatters in the PWV area, this must be the inevitable outcome. In the event, already deteriorating social and economic conditions will worsen because of inadequacy of facilities in the face of pressure and concentration of people.

If a few government-selected suburbs became the sole melting pots for the entire multiracial population of Johannesburg, you will also have the phenomenon of certain previously prohibited people who have the capital, using their financial resources to buy up large tracks of land in these grey areas. In the process, the problems with slumlords will only multiply — in part, at least, because these people will have very little opportunity to exercise property rights elsewhere.

All of this means that, within a year or two after the opening of a selected area, such suburbs could well become degraded environments, to which the Conservative Party could point as a perfect example of the negative consequences of residential desegregation. In other words, the group areas amendments amount to an artificial and very dangerous social experiment which will cre-

ate ugly stains on the fabric of the community. It will convince people that the only option is strict residential segregation — the very point being preached by the CP, AWB and BBB.

In place of the fear and uncertainty thrown up by government, the PFP alternative is clear, unambiguous and reasonable:

- Scrap the Group Areas Act (GAA) in its entirety. Only in this way can the property market and the residential needs of the population find their true level without distortion and duress;

- Introduce stringent controls to maintain and regulate aspects of health, sanitation and building. There is nothing immoral or illiberal in deracialising a situation and, at the same time, insisting on certain minimums for community standards;

- Make the carrying capacity of facilities, rather than race, the criterion for determining the use of public facilities; and

- Introduce a municipal or localised police force to serve the legitimate law and order requirements of residents and to curb any aspects of anti-social behaviour which affect neighbourhood peace.

Even without the immediate scrapping of the GAA, Johannesburg could be doing much more to protect the rights and improve the quality of life of those living in the densely populated flatland areas of Johannesburg.

While the infrastructure of these areas decays through inadequate funding for restructuring and everything from pavements to trees, it is quite alarming how many millions are made available for particular suburbs in the south and the west of the city. No doubt there are eminently good reasons for such distorted allocations, not the least of which are the political preferences of ward voters.

But for the management committee effectively to condone the crisis confronting the densely populated suburbs is a dereliction of duty, for which they must be called to account.

Blunting the blow of Group Areas Bills. PW holds back

Weekly Mail Reporter

IN a surprise change of tactics that has left its critics guessing, the government this week shelved its plans to have three Group Areas Bills and a tough new squatting Bill on the statute book before the October 26 elections.

In a statement released shortly after Wednesday's cabinet meeting, President PW Botha announced that at this stage he would refer only two of the four Bills to the Nationalist-dominated President's Council (PC) for a decision.

The two the PC have been asked to consider are the least contentious of the four Bills rejected by both the House of Representatives and the House of Delegates.

They are the Free Settlement Areas Bill, which makes provision for the proclamation of "open" areas, and the Local Government in Free Settlement Areas Bill, which specifies procedures for voting in such areas.

President Botha has decided to hold back the Bills containing the harshest and most controversial measures — the Group Areas Amendment Bill,



PW Botha

which provides for tougher enforcement of the Group Areas Act, and the Squatting Amendment Bill, which would pave the way for a major new crackdown on squatters.

Some observers see the move as a sign of the government's willingness to soften some of harsher provisions of these Bills, in the hope of defusing months of acrimonious wrangling between the National Party and the Indian and "coloured" parties in the tricameral parliament.

However, the Labour Party has insisted that it wants nothing short of

the scrapping of the Group Areas Act in return for its co-operation in shepherding through the amendments to the constitution which the NP needs to postpone next year's parliamentary elections.

The PFP's constitutional expert, Professor Nic Olivier, has cautioned against reading too much into the latest move.

He points out that President Botha has the authority to refer the two outstanding Bills to the PC at any time before parliament reconvenes in February next year.

PC sources say they have been left in the dark about what is to become of two Bills.

Botha's office has given no indication of what he intends.

One theory is that Botha is holding back on the harsher Bills until after the election in a bid to attract support from voters to the left of the NP on Wednesday.

Another possibility is that the government, by getting the PC to deal with the less controversial Free Settlement Bills first, hopes to blunt resistance to the "group" concept.



PW keeps Areas Bills options open

Mr P W Botha

Political Correspondent

PO ARGUS 21/10/88

PRESIDENT Botha has moved to defuse the group areas bombshell before the local government elections by leaving open various options on the Group Areas Amendment Bill and an anti-squatting Bill.

In spite of his statement that these Bills were being prepared for submission to the President's Council, the way remains open for modifications.

There is speculation in top Nationalist circles that the harsher provisions of these measures may be toned down.

Mr Botha has also left open the possibility of these measures not ultimately being referred to the council in their present form. The council can, in any event, advise him on possible changes.

Speaking in Benoni last night, Mr Botha referred to what he described as exaggerated reports on the fact that so far only two free-settlement areas measures which were not passed by the House of Delegates and the House of Representatives had been referred to the council so far.

He said a Bill, which was unacceptable to Parliament, was not automatically referred to the council and that, even if this was done, its acceptance was not automatic.

The council could refer such a Bill to one of its committees. Then the council could decide if a measure should be sent to the President for his signature.

The council could on its own decide to advise the President on amendments to a Bill or on another way in which the subject could be handled.

It appears therefore that if the measures are finally sent to the council, modifications can come about as a result of its recommendations.

Total rejection

Labour Party chief the Rev Allan Hendrickse said he had not had any indications of possible modifications to the Group Areas measures, but nothing the President might say would change the attitude of his party.

It stood by its total rejection of the measures and would not support anything that reinforced apartheid.

If the government continued with the reinforcement of apartheid it could expect increased pressure from overseas, Mr Hendrickse said.

Now that there were indications of détente with African leaders and with the American sanctions measure not going through, the government was making it difficult for all who wanted to help by continuing with the Group Areas measures.

In the process it was doing the country a disservice.

Mr Hendrickse said there was at the same time some confusion about the government's intentions.

Progressive Federal Party MP Mrs Helen Suzman said it now depended on the result of the local elections whether Mr Botha would continue with these measures.

Govt ^{Capl} ^{Tues} ^{20/10/88}
reprieve ⁸⁰
for harsh
GA bill

Political Correspondent

IN a surprise move, President P W Botha yesterday referred only two of the trilogy of Group Areas bills to the Nationalist-dominated President's Council for a decision.

The harshest and most controversial of the three bills — the Group Areas Amendment Act, along with a tough new bill cracking down on squatters — has been held back, at least temporarily.

The decision not to refer the two most contentious bills to the PC means they will almost certainly not be on the statute book come next Wednesday's elections.

There was speculation last night that the government may soften some of the more draconian measures contained in the two bills in the hope of defusing a bitter row with coloured and Indian parties in the tricameral Parliament.

Own Correspondent

JOHANNESBURG. — President P W Botha's announcement that tough group areas legislation

would still be referred to the President's Council would not swing voters the way of the National Party in Wednesday's municipal elections, Conservative Party leaders said yesterday.

CP leader Dr Andries Treurnicht said he was still optimistic that the party would make major gains, particularly in the Transvaal.

CP chief secretary Mr Kobus Beyers said all indications were that the party's boast of controlling 60 of 84 white local authorities in the province after Wednesday would still be realised or even surpassed.

Dr Treurnicht said President Botha's Benoni

CP still optimistic after Botha's speech

CPG
Trips subject

speech on Thursday would have little or no effect on the outcome of the elections, which were generally being seen as a prelude to a general election.

President Botha indicated the Group Areas Amendment Bill, which provides for harsh penalties for contraventions of the act and the tough Prevention of Illegal Squatting bill would still be referred to the PC for a decision after their rejection by the House of Representatives and the House of Delegates.

His announcement was widely interpreted as an attempt to placate right-wing voters after speculation that the harsh provisions of the unpopular bills

might be toned down.

Mr Beyers described President Botha as "our best trump card". His speech would have little bearing on the poll as voters were already tired of waiting for the government to make up its mind, he said.

● The latest bid to persuade blacks to vote in the elections surfaced in the townships yesterday under the heading: "Boers change their tactics: Call their bluff".

Issued by Contralasa the pamphlet states that "Comrade Mandela's release could depend on your vote".

called up extra personnel for the municipal elections this week.

He was responding to rumours that the SADF was calling up large numbers of citizen force members to supplement the SAP in peace-keeping tasks during the country-wide elections.

"The SADF has no need to go on standby because it is always ready and fully prepared to meet any contingency," the spokesman said.

Almost 50 incidents of violence directed against the elections have been recorded.

● An SADF spokesman yesterday denied that units would be on a special standby or that the Defence Force had

Political Staff

PRESIDENT P W Botha yesterday signalled his intention to force into law harsh changes to the Group Areas Act.

PW sends hard GAA bills for PC decision
Call Tjls 28/10/88 (80)

Mr Botha referred the Group Areas Amendment Bill and the equally tough Prevention of Illegal Squatting Amendment Bill to the President's Council (PC) for a "decision".

The more "reformist" bills were referred earlier this month.

The PC is to go into session on Monday for two weeks and again from November 21 for a further two weeks to deal with the legislation.

In political circles there are no doubts that the NP-dominated PC will give its rubber-stamp approval to the bills and that they will become law before the end of the year.

Mr Botha's decision to refer the legislation reflected the NP's determination to clamp down on group areas contraventions and forcefully impose racial segregation in a manner that could only have terrible implications, PFP constitutional spokesman Prof Nic Olivier said last night.

CP spokesman Mr Moolman Mentz said the only conclusion that could be drawn about the timing of the referral was that the government had been unsure what effect referring the bills before the elections would have had on voting.

Botha refers Bills to PC

CAPE TOWN — President P W Botha yesterday signalled his intention to press ahead with forcing onto the statute books the much-condemned changes to the Group Areas Act.

No sooner had the dust settled on Wednesday's municipal elections than Botha referred the Group Areas Amendment Bill and the Prevention of Illegal Squatting Amendment Bill to the President's Council (PC) for a decision.

The Bills have been referred to the PC's constitutional affairs committee for investigation where they join the other more "reformist" Bills sent to the PC earlier this month for a decision.

The PC will meet from Monday for two weeks and again from November 21 for another two weeks to deal with the legislation.

There were no doubts in political circles that the NP-dominated PC would

CHRIS CAIRNCROSS

rubber-stamp the Bills and that they would become law before the end of the year.

PFPP constitutional spokesman Nic Olivier said Botha's decision to refer the legislation to the PC reflected government's determination to clamp down on group areas contraventions and forcefully impose racial separation on the community in a manner that could only have terrible implications.

He said the move put paid to hopes that government might have been prepared to water down some of the provisions in the Bills.

□ PETER DELMAR reports that CP group areas spokesman Moolman Mentz

● To Page 2 →

Botha presses ahead with group areas Bills

said the only deduction to be made about the timing of the Bills' referral to the PC was that government was unsure what the effect of referring the Bills before the elections would have had on voting.

He said: "This is no way to deal with the voters and this is certainly not the way to create confidence in government."

□ It was not clear yesterday how many Transvaal RSCs the CP controlled or where it had more than the one-third voting strength needed to ensure a

minority veto.

Richard Humphries, a researcher at Wits University's Centre for Policy Studies, estimated the CP had at least a third of the votes in six to eight of the province's 12 RSCs.

He said a programme of obstruction carried out by CP representatives could lead government to reconsider its policy of devolving powers to local authorities.

● From Page 1 ←

government representation in the areas.

The GAA Amendment Bill proposed massively increased fines and/or jail terms for people who lived in areas not designated for their "group" and for landlords who allowed them to stay there. It also effectively short-circuited legal steps to protest State action against "illegal" residents.

The NP regarded the amendment as an essential weapon to counter Conservative Party propaganda during the municipal election campaign — even though a considerable percentage of the NP caucus (possibly a majority) did not approve in principle the tightening up of the Act.

A tough stand against the trilogy by parliamentary opposition parties — particularly Allan Hendrickse's Labour Party — ensured that the measures were delayed to a point where they would be too late to be included in the NP's election campaign — even if forced through by the PC.

Botha's decision to hold back from the PC the GAA Amendment Bill (and an equally controversial measure tightening up anti-squatting laws, also rejected by the Houses of Representatives and Delegates) has been widely welcomed in NP circles. The Afrikaans newspaper *Rapport* said at the weekend that the GAA amendment would undoubtedly have further damaged SA's image abroad. The NP's apparent efforts to have the amendment passed before the municipal elections had failed and this was likely to be widely welcomed within the party.

It seems unlikely, though, that Botha plans to let the matter rest there. He is believed to be "preparing" the GAA Amendment Bill for reference to the PC — possibly in a toned-down version.

The coloured and Indian parties believe they have won the first round of the battle and are likely to be even more aggressive next year.

The CP on the other hand is expected to make group areas the main plank of its platform for the general election campaign which, in effect, has already started and will gather momentum early in the new year in anticipation of a general election within 12 months (some observers believe it may even be in the first quarter of next year).

Botha will have to decide whether to continue pandering to the Right by tinkering with residential apartheid laws, or seek some form of lasting accommodation with coloured and Indian MPs in an effort to rescue the tricameral system.

A Labour Party source tells the *FM* that the party does not expect Botha to agree to the immediate scrapping of the GAA. An honest commitment to dismantle the Act over a period of time during which solutions could be found for the many political "problems" surrounding the measure would be enough to win co-operation from the LP. This probably applies to the House of Delegates as well — perhaps even to the extent of having next year's scheduled "white" election postponed for five years as Botha once hoped to do. ■

GROUP AREAS LEGISLATION

Waiting for P W

P W Botha's decision last week not to use the Nationalist-dominated President's Council (PC) to force through draconian changes to the Group Areas Act (GAA) before the critical municipal elections has done little to ease tensions between government and opposition in parliament.

The two "reformist" measures (which, together with the GAA amendment, formed the controversial trilogy of GAA Bills rejected by coloured and Indian MPs last month) referred by Botha to the PC for "advice", are expected to be rejected by the main opposition parties in the council. The basis of rejection would be that support for the Bills implies acceptance of racially segregated residential areas.

The two measures the PC has been asked to assess provide for "open" residential areas and the regulation of voting rights and local



We'll turn back the clock on group areas, Treurnicht warns

CP challenges Government

McS 28/10/88 80

The Argus Correspondent

PRETORIA. — The first challenge to government policy from a Conservative Party-dominated Transvaal platteland has been launched by Dr Andries Treurnicht, leader of the Conservative Party, indicating that the party will seek to turn back the group areas clock in towns it controlled.

After this week's municipal election more than two thirds of the province's 84 "white" towns are in the hands of the CP.

Dr Treurnicht told a Press conference yesterday that the CP would try to close racially desegregated central business districts in those towns.

No authority

The Minister of Constitutional Development and Planning, Mr Chris Heunis, responded immediately by pointing out that open trading areas were declared by central government and not local authorities. Town councils did not have the authority to close areas declared open by central government, he said.

Black township development is also at risk following the CP victories. Dr Treurnicht said the election had given the CP a greater majority in the regional-services councils.

The CP-controlled towns could exert influence in the RSCs, especially on budgeting, Dr Treurnicht said.



Mr Chris Heunis

"In principal we are not in favour of the redistribution of wealth and we would not necessarily spend as much on black housing," he said.

Referring to one of a trio of pending Group Areas Bills, Mr Heunis said: "In the event of the Free Settlement legislation becoming law, local authorities would be consulted on the implementation of the Act in the local community."

"No effect"

This Bill provides for racial-ly desegregated residential areas. Mr Heunis said the results of Wednesday's municipal elections would have no effect on the passage into law of three Group Areas Bills.

"I believe that all South Africans are in fact calming down their utterances and reducing their demands," he said.

In Johannesburg, where the CP won a seat in the "grey



Dr Andries Treurnicht

area" of Mayfair West, Dr Treurnicht said he did not think the party would "start bulldozing Indians out of the area."

He said such a move was not presently possible as the CP needed a mandate from the electorate for central government — which he was confident the party would achieve in a general election.

On an island

The results in Brakpan, the Vaal Triangle and Springs had put the CP in a strong position and had "left Mr F W de Klerk on an island", he said.

Meanwhile President Botha has referred the Group Areas Amendment Bill and the Prevention of Illegal Squatting Bill to the President's Council for a decision.

These measures and legislation dealing with open residential areas failed to go through Parliament at a recent short session.

The House of Representatives and the House of Delegates refused to support them. The council can deal with the Bills in one of two sessions starting in Cape Town on Monday.

The Government is expected to tone down some of the harsher provisions of the group areas measure.

The council can advise the President to sign the Bill in its present form or it can recommend changes.

The President can bring about proposed changes or he can refer the matter back to Parliament.



We'll turn back the clock on group areas, Treurnicht warns CP challenges government

MCS 28/10/88 (80) 3

The Argus Correspondent

PRETORIA. — The first challenge to government policy from a Conservative Party-dominated Transvaal platteland has been launched by Dr Andries Treurnicht, leader of the Conservative Party, indicating that the party will seek to turn back the group areas clock in towns it controlled.

After this week's municipal election more than two thirds of the province's 84 "white" towns are in the hands of the CP.

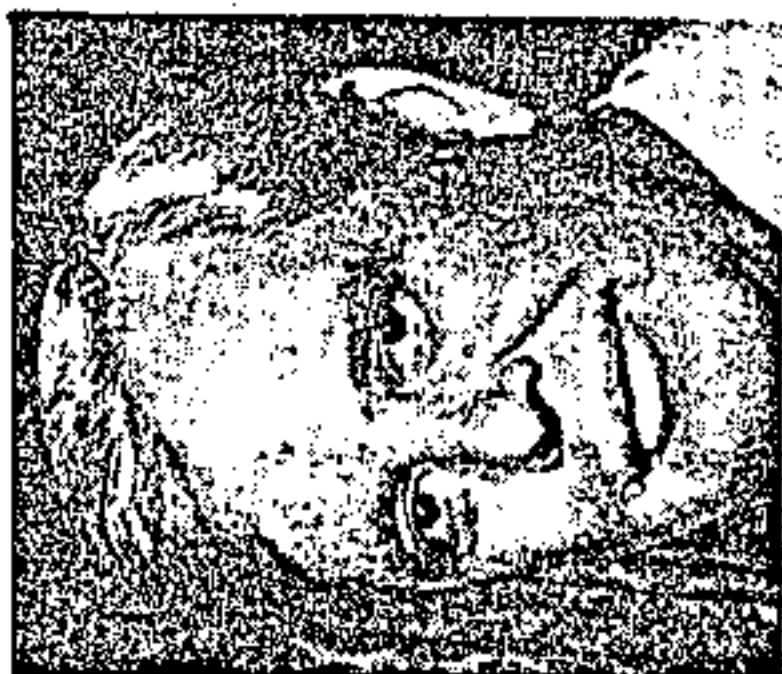
Dr Treurnicht told a Press conference yesterday that the CP would try to close racially desegregated central business districts in those towns.

No authority

The Minister of Constitutional Development and Planning, Mr Chris Heunis, responded immediately by pointing out that open trading areas were declared by central government and not local authorities. Town councils did not have the authority to close areas declared open by central government, he said.

Black township development is also at risk following the CP victories. Dr Treurnicht said the election had given the CP a greater majority in the regional-services councils.

The CP-controlled towns could exert influence in the RSCs, especially on budgeting, Dr Treurnicht said.



Mr Chris Heunis

"In principle we are not in favour of the redistribution of wealth and we would not necessarily spend as much on black housing," he said.

Referring to one of a trio of pending Group Areas Bills, Mr Heunis said: "In the event of the Free Settlement legislation becoming law, local authorities would be consulted on the implementation of the Act in the local community."

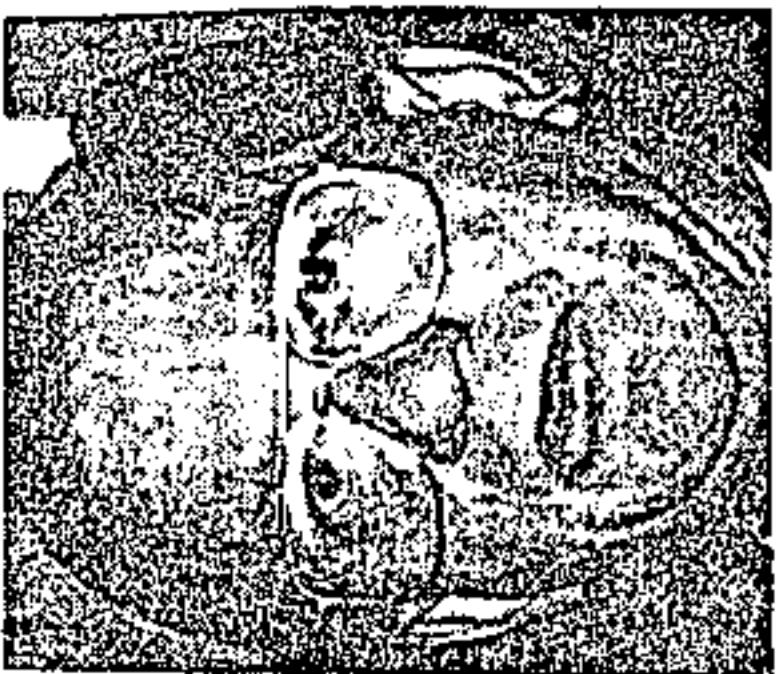
"No effect"

This Bill provides for racial-ly desegregated residential areas.

Mr Heunis said the results of Wednesday's municipal elections would have no effect on the passage into law of three Group Areas Bills.

"I believe that all South Africans are in fact calming down their utterances and reducing their demands," he said.

In Johannesburg, where the CP won a seat in the "grey



Dr Andries Treurnicht

area" of Mayfair West, Dr Treurnicht said he did not think the party would "start bulldozing Indians out of the area".

He said such a move was not presently possible as the CP needed a mandate from the electorate for central government — which he was confident the party would achieve in a general election.

On an island

The results in Brakpan, the Vaal Triangle and Springs had put the CP in a strong position and had "left Mr F W de Klerk on an island", he said.

Meanwhile President Botha has referred the Group Areas Amendment Bill and the Prevention of Illegal Squatting Bill to the President's Council for a decision.

These measures and legislation dealing with open residential areas failed to go through Parliament at a recent short session.

The House of Representatives and the House of Delegates refused to support them.

The council can deal with the Bills in one of two sessions starting in Cape Town on Monday.

The Government is expected to tone down some of the harsher provisions of the group areas measure.

The council can advise the President to sign the Bill in its present form or it can recommend changes.

The President can bring about proposed changes or he can refer the matter back to Parliament.

DIRNO'S VOW

CANC 7/10/88
28/10/88
80

By ANTHONY JOHNSON
Political Correspondent

THE leader of the Conservative Party, Dr Andries Treurnicht, yesterday vowed to use the party's new-found political power to thwart government policy on reform.

While the CP did not live up to its extravagant pre-election predictions, and suffered some setbacks in the Free State and Northern Natal, the party clearly demonstrated that it was on the march. Its support base now extends well beyond the Transvaal platteland.

Expressing his pleasure at his party's performance yesterday, an upbeat Dr Treurnicht promised that they would move on open business districts and thwart government policy in the strategic Regional Services Councils.

Asked what the CP's approach would be in the towns and regions where it had gained control, Dr

More reports on municipal election results, see PAGE 5

Treurnicht said: "Free trading areas are against our basic approach as it is intervention in community life.

"The CP will take steps to bring it back to what we consider normal — white business in white areas."

The election, which gave the CP control of more than twice as many local authorities in the Transvaal as the NP, had put the party in a strong position to influence the representation on multiracial RSC's and on budgetary decisions.

"We are not in favour of the redistribution of wealth and incomes, like the NP, and are firstly representing our own people."

He said the municipal poll had put the CP in a "very strong position" for the next general election, but he stopped short of predicting a CP take-over.

Last night uncertainty still existed over which political interest groups had captured control of a

number of local authorities, with the CP and the NP both claiming victories in a number of municipalities. The confusion flows from the fact that many candidates with ties to the two parties chose to take part in the elections as independents. Despite the uncertainty, the CP appears to have won at least 67 local authorities in the Transvaal to the NP's 30. Independents appear to control another seven.

Poorly

Although the CP lost Pretoria to the NP in a cliff-hanger, notable CP victories included key urban areas like Vanderbijlpark, Springs, Boksburg and Potchefstroom. In the Free State, at least 20 local authorities are controlled by the NP, with at least 15 by the CP.

The CP fared very poorly in Bloemfontein, Kroonstad and Bethelhem but rallied with victories in Welkom and Sasolburg.

Ward off

In the Cape the NP managed to ward off the CP challenge but the far-right party improved on its showing in last year's general election by winning Mossel Bay, various smaller Northern Cape towns including Kuruman, and significantly reducing the NP majority in Uitenhage. Despite taking Richards Bay in Northern Natal and losing narrowly in Newcastle, the CP challenge did not match its pre-poll prediction in the province.



From page 1

Bills ^{(80) 6/11/88} could be hurried into law

By NORMAN WEST
Political Reporter

FOUR controversial group areas and squatting measures now before the President's Council are likely to be rammed through in time to be signed into law by President P W Botha before Christmas.

This week two of the four Bills, referred by the President to the council for a decision, were disposed of by the council's constitutional committee in a record two days.

The Bills — the Free Settlement Areas Bill and the Local Government in Free Settlement Areas Bill — would normally have been opposed by coloured and Indian PC members, in line with their rejection by the House of Representatives and the House of Delegates.

Vote

The fact that the Bills have been referred to the PC for "a decision" means the council is barred from recommending the softening of the harsher provisions of the Bills or of making any changes to them.

It must merely "decide" whether they should be signed into law or not, according to the chief of the PFP Research Department, Professor Nic Olivier.

This "decision" is taken at an open session by voting on a report on the Bills after an investigation by the relevant committee.

The two settlement areas Bills are expected to be discussed at a plenary session this week.

The Labour Party participants in the debate are expected once again to lambast the Bills. And they would have the support of the PFP in their rejection.

However, informed circles regard it as a "foregone conclusion" that the PC will take a decision, by a majority of NP votes, that the Bills — approved only by the white House of Assembly — should be signed into law.

At the same time the PC's social affairs committee is considering the Prevention of Illegal Squatting Amendment Bill. A decision on this Bill is expected to be tabled next week.

PC set to ⁸⁰ debate open areas Bills

Political ^{17/6/45}
Correspondent ^{21/1/88}

THE President's Council will consider legislation tomorrow dealing with proposed open residential areas.

The Free Settlement Areas Bill and the Local Government Affairs in Free Settlement Areas Bill have been referred to the council by President Botha.

The Bills were deemed to have been rejected by the House of Representatives and the House of Delegates after the Houses declined to vote on them during a joint session of Parliament.

UNTIL FRIDAY

The two Houses rejected a subsequent request from the President to deal with the measures.

This session of the council is expected to continue until Friday.

Two other controversial measures, the Group Areas Amendment Bill and an anti-squatting Bill will be dealt with by the council at a session towards the end of the month.

Fighting at Group Areas protest meeting

Argus 9/11/88

80

The Argus Correspondent

DURBAN. — Fighting broke out at a Group Areas Act protest meeting in Durban's City Hall when bodyguards and supporters of political parties, backed by City Hall guards, clashed with demonstrators.

About 500 people were at the meeting, called last night by the Labour Party, Solidarity Party and the People's Party of South Africa to condemn group areas.

About 50 demonstrators turned up to protest about the parties' participation in the tri-cameral Parliament.

When the speakers, Mr Somaroo Pachai, leader of the

People's Party, Labour Party leader the Reverend Allan Hendrickse and Dr J N Reddy, leader of the Solidarity Party, walked into the hall the demonstrators began singing Nkosi Sikelel' iAfrika.

They chanted and shouted when Mr Hendrickse started speaking.

When Mr Iqbal Mohamed of the DCRA tried to address the meeting a scuffle broke out.

A Labour Party official backed by bodyguards and City Hall staff forced the demonstrators out. Mr Mohamed was manhandled.

Police arrived and dispersed the protesters outside the hall.

Strategy decided from day to day, says Hendrickse

Political Correspondent

THE Rev Allan Hendrickse, Labour Party leader, said today the party could not at this stage commit itself to a strategy of blocking all future legislation in Parliament if the Group Areas Bills are passed by the President's Council.

He said strategy would be decided from day to day, but blocking legislation remained an option.

He was reacting to a suggestion by a Labour Party member of the council, Mr Billy Ross, that the party would obstruct every piece of legislation in Parliament if the council passed the Group Areas Bill.

Mr Hendrickse said the Minister's Council and the party leadership would meet the Minister of Constitutional Development, Mr Chris Heunis, in Cape Town on December 6 to discuss Bills planned for next year's session of Parliament.

He was not yet aware of the present form of a Bill amending the constitution to allow blacks to become members of the Cabinet without being MPs.

Previously this also provided for more Parliamentary constituencies, which Labour refused to support unless there was some compromise on the Group Areas Act.



Labour Party hits at Areas Bills again

By TOS WENTZEL
Political Correspondent

THE Labour Party has again slammed the group areas Bills as being morally indefensible and legally unjustifiable, but in a President's Council debate one of its members rebelled against the leadership.

In a debate on the Free Settlement Areas Bill in the President's Council, representatives of the Conservative, Progressive Federal and Solidarity parties also criticised the measure.

After registering their protest nine Labour members withdrew from the council chamber, saying claims of reform were "cosmetic and a farce".

Declined to vote

The 10th LP member, Mr F G Backman, urged support for the Bill because he said it was a step in the right direction. He has been suspended from the party.

The chairman of the council's constitutional committee, Dr A J Oosthuizen, proposed that the measure be referred back to President Botha for his assent. He pointed out that the Bill stemmed from recommendations in a council report on group areas.

The Bill and two other group areas measures and an anti-squatting Bill were referred to the council after the House of Representatives and the House of Delegates had declined to vote on them.

Mr W M Ross, LP, said the Free Settlement Areas Bill could not be dealt with in isolation.

It was one of a number of group areas measures which had been rejected by the majority of South Africans. The measures all rested on the foundation of the Group Areas Act which had uprooted a million South Africans, 98 percent of them not white.

There were numerous grey areas apart from Woodstock, Hillbrow, Sea Point and Mayfair. In terms of the new measures ordinary law-abiding flatdwellers and home seekers would be turned into criminals, he said.

He warned that the Labour Party could try to block all future legislation in Parliament if the council passed the bills.

Mr Backman said he had for some time been unhappy about the direction of the Labour Party. It had increasingly headed for confrontation and protest, away from the road of negotiation it had previously followed.

Mr James Rennie (PFP) said the Bill indicated that there were people who still believed that apartheid could be reformed.

The measure was an attempt, dressed up as reform, to legalise inroads into the apartheid system.

There were overcrowded conditions in black and coloured areas and a chronic housing shortage, while in 1987 there were 337 000 empty housing units in areas designated for whites.

Labour Party stages PC walkout on GAA debate

20

CHRIS CAIRNCROSS

Blair
10/11/88

CAPE TOWN — The President's Council's (PC) deliberations on the controversial "quad" of group areas Bills got off to a sharp clash yesterday, with the LP representatives walking out of the debate, but leaving behind one dissident member who was summarily fired from the party.

Solidarity among NP members on the PC also suffered strain during discussion of the Free Settlement Areas Bill.

Sources said the NP-dominated PC would take its lead today from the NP-dominated white House of Assembly and accept the passage of the legislation — paving the way for the other more controversial group areas Bills to be translated into law by the end of this month.

The sources said a division would be called to vote on the Bill when business resumed this afternoon — as there did not appear to be unanimity within government ranks.

Removed

The subdued nature of yesterday's debate re-emphasised the LP's determination to use the tricameral system to express its consistent opposition to the group areas legislation.

In a statement released after the walk-out, the LP maintained the proposed legislation was patently a cosmetic claim to reform and could not be supported.

The crack in the LP ranks came from PC member Fred Backman — summarily removed from the party soon afterwards — who expressed unhappiness with the direction the LP had recently been pursuing.

He said that ever since the leader of the LP, Allan Hendrickse, swam in Port Elizabeth the LP had signalled its determination to follow a path of confrontation rather than negotiation.

He dissociated himself from this route.

Labour Party stonewall threat

Parliament faces stormy 1989 session

Star 10/11/88

80

By David Braun,
Political Correspondent

Next year's session of Parliament could be chaotic as the Labour Party steps up its protests against the Group Areas Act.

A top-level meeting between leaders of the Labour Party and the National Party is scheduled for December 6. Unless it can produce accord between them, the next session could be as acrimonious and disruptive as were the closing months of this year's session.

Reform measures considered by the Government, such as provisions for the... black... Cabinet and in

the President's Council, could be thwarted.

The prospects for reconciliation between the Government and the LP are likely to continue to be bleak, so that co-operation on legislation the Government needs to amend the Constitution to extend the life of the House of Assembly may not be forthcoming.

The Government may also not get Labour's co-operation on legislation to extend the size of Parliament, which is needed to correct imbalances in provincial representation in the House of Assembly.

The Labour Party will assess on a day-to-day basis whether to block legislation during the coming session, the party leader, the Reverend Allan Boesak, said today.

He was approached to clarify the threat made by a Labour Party member of the President's Council, Mr Willie Ross, that if the Government proceeded with controversial group areas legislation, his party would block every item of legislation during the next session of Parliament.

Mr Ross made the threat during yesterday's debate on the Free Settlement Areas Bill in the President's Council.

Mr Hendrickse took a more cautious line today, saying the party could not commit itself now to a policy of rejecting every item of legislation next year.

The party would also decide whether it would be taking part in the President's Council debate next month on the Group Areas Amendment Bill and the Prevention of Illegal Squatting Amendment Bill (which were also rejected by the minority Houses).

Election

On the question of amending the Constitution to postpone the next white parliamentary election, he said an early election suited Labour and he knew of no new attempts to postpone elections.

Party sources have indicated it is highly unlikely that Labour will pull out of Parliament at this stage.

Constitutional Development Minister Mr Chris Heunis today said it was unclear what Labour's intentions were.

He said he understood it when people were opposed to Bills.

However, he said, they had ample opportunity to show their opposition to Bills either verbally or by voting against them in Parliament and in the President's Council.

Mr Heunis declined to comment on a statement by the Chief Minister of KwaZulu, Chief Mangosuthu Buthelezi, that it was untrue that he and Mr Heunis had met to negotiate about reform.

Policeman, two ANC men die in gunfight

Star 10/11/88
By Craig Kotze, Crime Reporter

Two ANC members were shot dead and a security policeman killed in a gunfight yesterday in Orlando West, Soweto — the third reported incident involving terror suspects in the past 11 days.

A third suspect was arrested at the scene of the battle.

Police said the three entered South Africa through Botswana. They are investigating information that the group were to return to Botswana after completing an unspecified mission.

Yesterday's clash happened only two days after police cornered and shot dead an insurgent, trained in Angola, linked to the Witbank car bomb and to the 1981 rocket attack on Voortrekkerhoogte in Vosloorus on the East Rand.

The policeman killed in yesterday's shoot-out was explosives expert Sergeant Fanie Pretorius (26) of the Soweto police. He leaves his wife Elize, who is a warrant officer stationed at John Vorster Square in Johannesburg and his parents.

Sergeant Pretorius was hit twice in the chest and once in the stomach, by shots apparently fired from a Soviet-made AK-47 assault rifle.

One of the suspects was killed during the 4.30 pm clash, while the second later died in hospital.

Police seized a quantity of Soviet-made arms after the incident but would not reveal the contents of the cache.

An intensive follow-up operation was today under way in the township, but a police spokesman said no further arrests or contacts were made.

A Pretoria spokesman said police yesterday received information that a terrorist group was hiding out in a house in Orlando West. This information was acted upon but as police approached the house they were shot at by the occupants. Sergeant Pretorius was hit.

His colleagues returned the fire and a grenade was hurled into the house.

A man was killed and another wounded inside the house.

'Sergeant did his best for country'

Pretoria Bureau

The family of the policeman who was killed in a shoot-out in Orlando West last night was comforted by the knowledge he had done his best for his country, said his sister, Sergeant Rowena Pretorius, today.

Sergeant S C (Fanie) Pretorius (26) was hit by three bullets in a clash with a group of alleged terrorists.

Sergeant Rowena Pretorius, an instructor at the Pretoria Police College, said the family fully understood his work and the risks involved because they were also in the police force.

Fanie's wife, Warrant-officer Elize Pretorius, was stationed at John Vorster Square, Johannesburg, and his father Mr Sakkie Pretorius, of Hamanskraal, retired from the force two years ago.

She said though the family was devastated by its loss, everyone was satisfied Sergeant Pretorius had died while "doing his best for his country."

"We bear no hate or desire for revenge and though it is difficult to accept his death, it is not for us to question why," she said.

one tick 10/11/88

Labour walkout over group bill

NINE Labour Party members of the President's Council walked out of the chamber yesterday soon after debate started on a motion that the Free Settlement Areas Bill be presented to the State President for his assent.

In a speech before the walkout, Mr Billy Ross, leader of the LP in the council, warned that his party would obstruct every piece of legislation put before Parliament next year if the council passed this and other Group Areas-related bills.

"If any of these bills are passed, this President's Council will have to pass all the bills in next year's parliamentary session because obstructionism will be the order of the day.

"That is the reality of the matter and the message from my party," Mr Ross said.

One LP member of the Council,

Mr Fred Bäckman, did not join the walkout.

Mr Backman was expelled from the party later because of his action.

The Free Settlement Areas Bill is one of a package of bills approved by the House of Assembly earlier this year but rejected by the House of Representatives and the House of Delegates.

The bills were recently referred to the President's Council by the State President, Mr P W Botha, for a decision.

The Free Settlement Areas Bill provides for the establishment of residential areas open to all race groups.

Mr Ross said the State President's detente with African heads of state and European bankers, together with the clear mandate given to the government in the recent national municipal elections, had momentarily set

the country glowing with optimistic anticipation of a new order.

"The one fly in the ointment however is the determination of the government to pass the trilogy of Group Areas Bills, which were rejected by the majority of South Africans."

Another objection to the bill was that the House of Representatives and the House of Delegates would only have a say over areas under their control.

They could not request that a white city, town or suburb be declared open.

"The coloured and Indian areas, and, least of all, the black areas are of no significance in this bill, and it does not matter to the government whether they remain as they are or whether they become free settlement areas.

"But it is of major concern to the government whether the white areas are touched." — Sapa

NT
X
10
ST
nths
44
770

PC sends group bill to president

CALE
Tues 11/11/80
80

THE President's Council yesterday decided by 34 votes to 18 to send the Free Settlement Areas Bill to the State President for assent. Voting for the proposal were members of the National Party together with Mr Fred Backman, who was expelled from the Labour Party on Wednesday, and Mr T L Gounden, a National Peoples Party nominee.

LP and Solidarity members, who walked out of the chamber on Wednesday, returned to vote with the CP, the PFP and the National Democratic Party, the official opposition in the House of Representatives, against the measure.

Earlier the chairman of the council's committee on constitutional affairs, Dr Dries Oosthuizen, said members should act with foresight and responsibility even though the council was a political one.

Referring to a statement by Mr Bill Ross, leader of the LP in the council, that the party would boycott all legislative proceedings next year if the bill went through, he said he was not asking for people to abandon their principles.

Members would be able to give a direction to reform by talking to one another and suggesting what course it should take. — Sapa

Bill to go to President

PRESIDENT'S COUNCIL — The President's Council yesterday decided by 34 votes to 18 to forward the Free Settlement Areas Bill to President P W Botha for assent.

Voting for the proposal were NP members, along with Fred Backman, who was expelled from the Labour Party on Wednesday, and NPP nominee T L Gounden, Sapa reports.

Labour Party and Solidarity members who walked out of the chamber on Wednesday returned to vote with the CP, PFP and the NDP against the measure.

BRUCE ANDERSON reports that LP leader Allan Hendrickse said yesterday in Johannesburg the blocking of all legislation by his party in the coming parliamentary session "was still a possibility" if the group areas Bills became law.

4/11/88
Earlier yesterday Hendrickse told the Financial Mail Investment in 1989 conference he thought "some people are having nightmares about having allowed us to become part of the parliamentary structure".

But he said: "Our stand is not confrontation for the sake of confrontation."

He said the LP would decide on a day-to-day basis whether to block legislation.

He said his party would be deciding at its next congress whether to stay in the tricameral Parliament.

He lauded some of the legislative changes that had been made by government but added: "Change came to a standstill on May 6 last year when the NP became aware of the growth of the CP."

**'Govt has
final say**

80
Sowetan
11/11/88

THE Association of Chambers of Commerce and Industry of South Africa stresses in a circular yesterday that the Government and not local authorities has the final decision about whether to establish an open trading area or not.

"A local authority cannot of its own volition reverse decisions taken by the Government." — Sapa.

Council sends Bills to Botha

By Tos Wentzel,
Political Staff

CAPE TOWN — Two of the controversial trilogy of group areas Bills were pushed through by the President's Council yesterday and are now to be presented to the State President, Mr P W Botha, for his assent.

The council decided on this after the Free Settlement Areas Bill and the Local Government Affairs in Free Settlement Areas Bill had failed to pass through Parliament when the House of Representatives and the House of Delegates refused to vote on them earlier this year.

FAVOUR

The NP and two independent coloured members were in favour of the proposal that the Bills should go to Mr Botha for his assent before they become law.

The Labour, Conservative, Progressive Federal, National People's and Solidarity parties' members opposed the proposal.

At a second session towards the end of the month, the council is due to deal with the Group Areas Amendment Bill and an anti-squatting Bill, which have also been referred to them by the President after Parliament refused to process them.



Allan Hendrickse, leader of the Labour Party.

Labour Party punch-up flares

(20)
C. P. M. S.
13/11/88

Clash after Group Areas speaker barred

CP Correspondent

FISTS flew this week when supporters of the Labour Party's Allan Hendrickse climbed into followers of Durban Residents' Association chairman Sayed Iqbal Mahomed, who was barred from addressing a meeting in Durban.

The meeting at the Durban City Hall was on the Group Areas Act.

Mahomed and journalists covering the event were assaulted by LP members in a chair-hurling free-for-all that developed after supporters of Mahomed attempted to hijack the meeting.

The fracas started when Mahomed was assaulted while he tried to get on stage to address the audience.

A reporter from *The Post* newspaper, William Harper, was grabbed by LP supporters when he tried to take photographs of the scuffle during Hendrickse's address.

His camera was smashed in the tussle and he was thrown out of the hall.

"They smashed my camera and grabbed me by clothes, shouting, 'uit jou opstoker' (Get out, you instigator)," Harper said.

Harper was then arrested by SAP members and handcuffed, but was later released.

He said he intended suing several members of the LP for malicious injury to property and assault.

Residents' association supporters held several banners carrying the message, "Collaborators not representatives" and were also punched by LP supporters and members of the Indian National People's Party and Solidarity Party members.

The SABC showed the incident in its morning programme on Wednesday, with the comment that "radical elements" were removed from the hall.

Later, Mahomed, backed by a small group of anti-Group Areas Act protesters, told the Press that if Hendrickse believed in working within the system as a strategy to effect change, it would not work.

"If this is a democratic meeting the victims of the Group Areas Act must be given the right to speak and all people must be represented," Mahomed told reporters. - Concord

Amenities Act to go soon, says CP

Own Correspondent

JOHANNESBURG. — Conservative Party leaders expect the government to scrap the Separate Amenities Act in the near future to stall right-wing efforts to restore petty apartheid in towns under its control.

More than 400 CP councillors gathered in Pretoria on Saturday to plan the restoration of apartheid in about 90 municipalities which it controls since the local elections last month.

The Separate Amenities Act gives councils the right to decide on segregating or desegregating amenities under their control, but does not give them any say over privately owned facilities such as restaurants and cinemas.

CP leader Mr Andries Treurnicht said it appeared the

government intended repealing the act in a bid to override right-wing councils.

Such a move would play right into the CP's hands, he said, as voters were becoming increasingly disillusioned with the government's integrationist policies.

Although the repeal of the act is seen as a logical move by the government to overcome CP attempts to stop reform, it is unlikely to happen before a general election, expected next year.

The Deputy Minister of Constitutional Development and Planning, Mr Roelf Meyer, referred to a speech by President P W Botha two years ago in which he said the Separate Amenities Act had never worked.

Since then, however, there has been no definite indication that the act would be scrapped. Mr Meyer said the government had already indicated that the act

may go. "It is a question of the demand for facilities, rather than race," he said.

Overcrowding of facilities, he said, had to be prevented and this could be done by providing enough facilities, rather than enforcing race bars.

He said it was clear that CP councillors were "now going too far" even for the white electorate in insisting on a return to old-style apartheid.

The CP's threat to enforce apartheid in towns under its control has provoked reaction from throughout SA and abroad. Last week a US State Department spokesman called on the SA government to take firm action to prevent the CP carrying out its threats after reports appeared in the US that Whites Only signs would soon start re-emerging.

Municipal whites-only signs not discussed at CP's mass gathering

By Clare Harper

Whites-only signs were not discussed at the weekend mass meeting attended by more than 400 representatives of Conservative Party-controlled town councils countrywide, the administrative secretary of the CP, Mr Andries Beyers, said yesterday.

The meeting, at Hoërskool Hendrik Verwoerd in Pretoria, discussed the CP's position regarding Regional Services Councils and group areas.

"But, as a party, we support separate facilities and signs are not the only method of enforcing these," Mr Beyers said.

DECLINED

He declined to say what the other methods were.

Asked how soon the CP would enforce its policies, Mr Beyers said it would be up to the different councils to decide but added that the councillors were told by leader Dr Andries Treurnicht not to act hastily.

Last week, town clerks of CP-controlled town councils said that no meetings had been held since the new representatives were elected.

The town clerk of Carletonville, Mr CJ de Beer, said the first meeting of the council would take place this week.

The chairman of the management committee, Mr Koos Nel, said the Carletonville central business district (CBD) had never been "open" but the council had cancelled a previous decision to have certain parts opened.

"We don't say blacks are not allowed to buy there but they are not allowed to own property there," Mr Nel said.

"It's not a matter of competition. We don't want to open white businesses in black areas and we don't want black businesses in white areas. We don't believe in grey areas."

In Lichtenburg, western Transvaal, councillors considered closing the CBD area but were approached by other organisations, including the local chamber of commerce, and asked to re-think, a council source said.

The town clerk, Mr PJ Jurgens, said the council wanted to have "another look at the whole situation" and it had been referred for investigation.

According to Mr Attie Vermaak, town clerk of Pietersburg where the CP has been in control since 1982, there were no "whites only" signs in the CBD and no plans to change the status quo.

The town clerk of Potgietersrus, Mr CFB Matthus, said before the meeting that there had been no moves to close the CBD or put up "whites only" signs.

Potchefstroom management committee chairman Professor BHJ van der Berg refused to say whether or not the council would move to close the CBD.

Mr Beyers conceded that Conservative Party councils would not have the power to enforce segregation as far as open restaurants, toilets and lifts in private buildings and entrances to Government buildings — such as post offices were concerned.

The Government can also repeal the Separate Amenities Act which presently gives local authorities the power to enforce segregation.

Law's on the right side for the CP

The Conservative Party is legally entitled to plaster platteland towns with "whites only" signs — any white local authority is, as the Act empowering town councils to segregate their areas down to a park bench has never been repealed.

But whether the CP will radically alter society in smaller towns with its decision to bring back rigid discrimination is a moot point.

Most towns outside the PWV area never opened their libraries, municipal swimming baths or park benches to all races in the first place.

Asked to give concrete examples of the desegregation the CP has vowed to wipe out, the party's director of organisation Mr Kobus Beyers said the CP was busy compiling a list.

He declined to give examples for reasons of strategy.

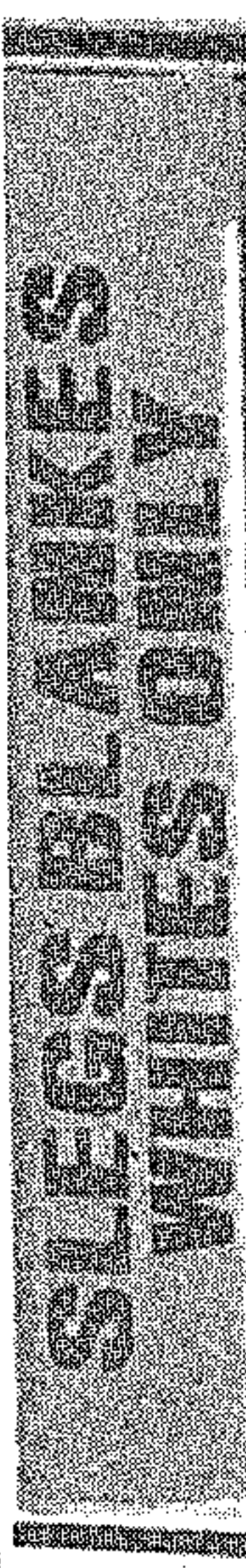
But a snap survey of small — and not-so-small towns — from Pietersburg to Potchefstroom as to whether libraries or municipal resorts were open to all races turned up not one.

Reactions from librarians in CP-

Star 15/11/53 By CLARE ROBERTSON, Pretoria Bureau

80

The Separate Amenities Bill passed in 1953, which empowers town councils to enforce segregation, has never been repealed.



controlled towns to the question: "May black people use your library?" ranged from "Oh no!" to "Unfortunately not... not yet".

Local authorities have been allowed to enforce segregation since 1953, when the Separate Amenities Act was passed.

The Act allows anyone in charge of public facilities — such as park benches, public toilets, counters or libraries — to set these aside for "the exclusive use of persons belonging to a particular race or class".

The Act does not force authorities to segregate facilities, but states that they *may* do so "whenever (they)

deem it necessary or expedient".

Anyone disobeying the segregationist notices — by, for example, a black man "wilfully" sitting on a "whites only" park bench — is guilty of an offence and liable to a fine, in those days of up to £50 or three months' imprisonment, the Act says.

The fact that a park bench, public toilet or other facility does not exist for races apart from those allowed that particular facility, makes no difference, according to the Act.

Such an order shall not be invalid "merely" for this reason or that facilities for other races are inferior.

After the passing of the Act on Oc-

tober 5 1953, South African towns, almost without exception, found it "necessary and expedient" to segregate amenities.

It was only in the larger centres — almost exclusively in the PWV area — that so-called petty apartheid has disappeared by degrees in the past 10 years as individual city councils abandoned the "whites only" signs that once festooned public amenities.

The smaller towns rarely, if ever, abandoned the policy.

The CP's decision to close or keep closed local amenities has drawn the reaction that this would harm South Africa's image abroad.

But foreign journalists hoping to photograph or film a "whites only" sign need travel only a few hours from Johannesburg.

Or they can open the northern Transvaal telephone directory under Nylostroom. Between "Caravan Park/Swimming Bath" (whites only) and "Waterberg Museum" ("All nations welcome"), is a listing for the "Indian Library".

... and then was moved ... African tour because of the deadlock over Forsyth.

Victory over Group Areas

CAPE TOWN — A Strand businessman has taken on the Group Areas Act and won.

Faced with possibly losing his home in a white suburb after he had married a coloured woman, he applied to have his wife and 11-year-old child reclassified as white.

This week his lawyer told him the reclassification had been approved.

"I would never have given up," the man, who does not want to be identified in case of repercussions in his neighbourhood, said.

"I would have done everything to keep the house that we have lived in together for nearly 12 years."

The plight of couples who had married across the colour line and were living in white areas was highlighted six weeks ago when government announced that two homes, one in the Strand, inhabited

in contravention of the Group Areas Act would be confiscated and sold.

The Strand couple married after the repeal of the Mixed Marriages Act and only then ran into problems with officialdom.

"Government officials visited us and we were told that it was illegal for my wife to live with me in this area," the man said.

"We applied for a permit for her to live here, which was refused, and then applied for reclassification."

Later he found government officials had been sent to scrutinise his family and visit his business.

But he said his problems were over now that his wife — whose maiden name was Heunis — and child had been reclassified white.

Own Correspondent

P W guilty of double standards — Hulley

By SYBRAND MOSTERT

THE Cape leader of the Progressive Federal Party, Mr Roger Hulley, has slammed President P W Botha for double standards in his condemnation of the Conservative Party's bid to re-impose petty apartheid.

In a war of words in which Cape beaches have again become a focal point, Mr Hulley said that Mr Botha could not condemn others for wanting to put up apartheid signs when there were still several on display within Mr Chris Heunis's constituency.

He said that on a personal visit this week he had counted at least five prominently-displayed apartheid signs at various beach access points.

"Mr Botha's criticism is breathtaking in its cynicism when one considers

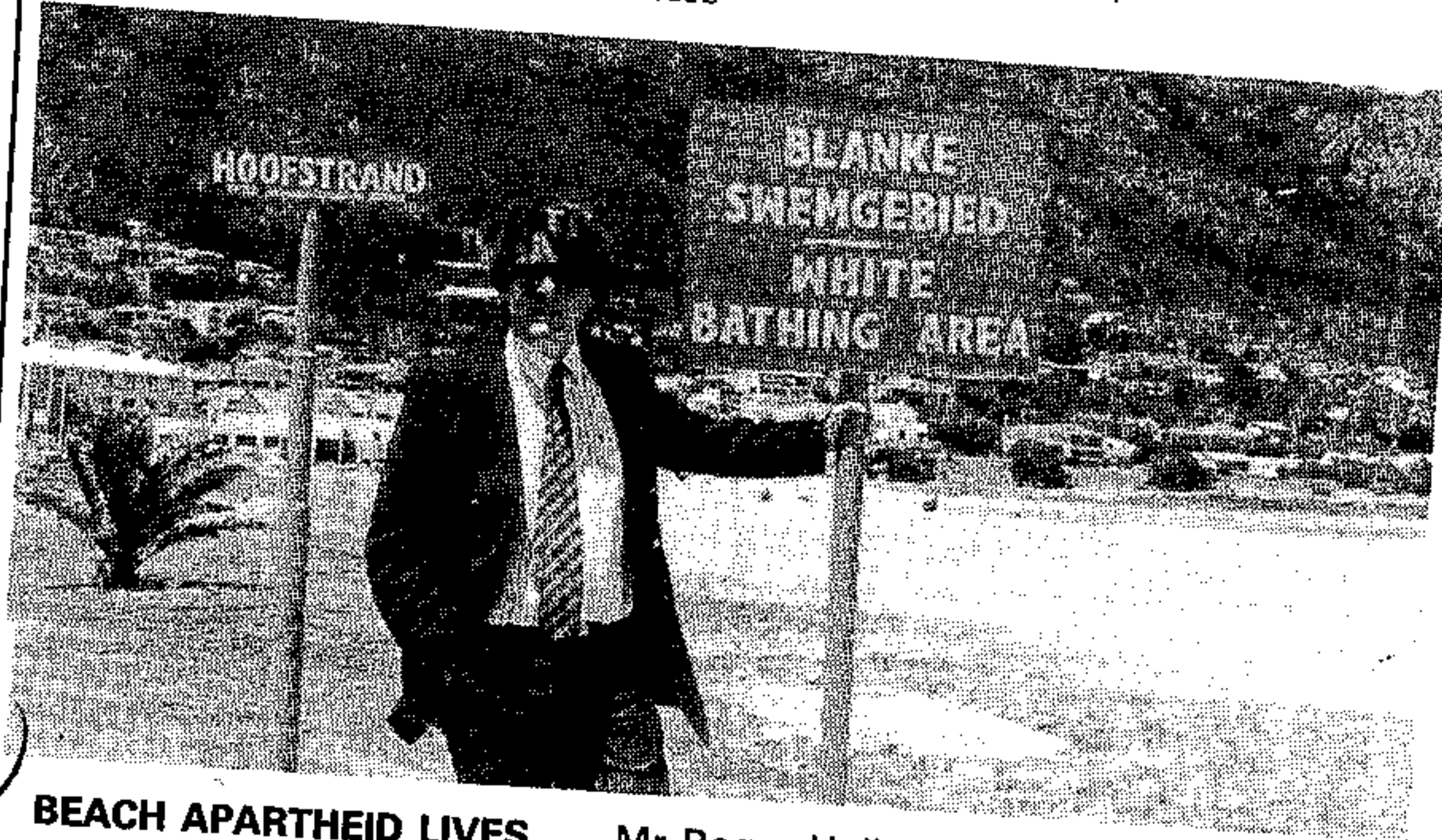
how much apartheid legislation is still upheld and imposed by his government," he said yesterday.

● According to a spokeswoman for the Administrator of the Cape's office, there is scant hope that beach apartheid signs will be coming down this summer.

She said that a commission had been appointed in July to look into the matter of segregated beaches in the Cape.

A spokesman for Mr Heunis's office referred all enquiries on beach apartheid in his constituency to the mayor of Gordon's Bay, Mr Danie Miller.

Mr Miller said that "it was a sensitive issue" in Gordon's Bay, as there was a diverse community opinion.



BEACH APARTHEID LIVES ... Mr Roger Hulley with the apartheid sign.

Assocom to fight CP on 'Whites only' plan

The Association of Chambers of Commerce and Industry (Assocom) launched forceful counter-attacks yesterday against threats of the reintroduction of "Whites only" signs in municipalities which came under right-wing control in the recent elections.

A circular to the nationwide network of chambers urged businessmen to challenge the first hints of such moves and to continue battles aimed at opening all central business districts to black traders.

By Michael Chester

Assocom said it planned to renew its efforts to secure the repeal of the Reservation of Separate Amenities Act as a matter of high priority.

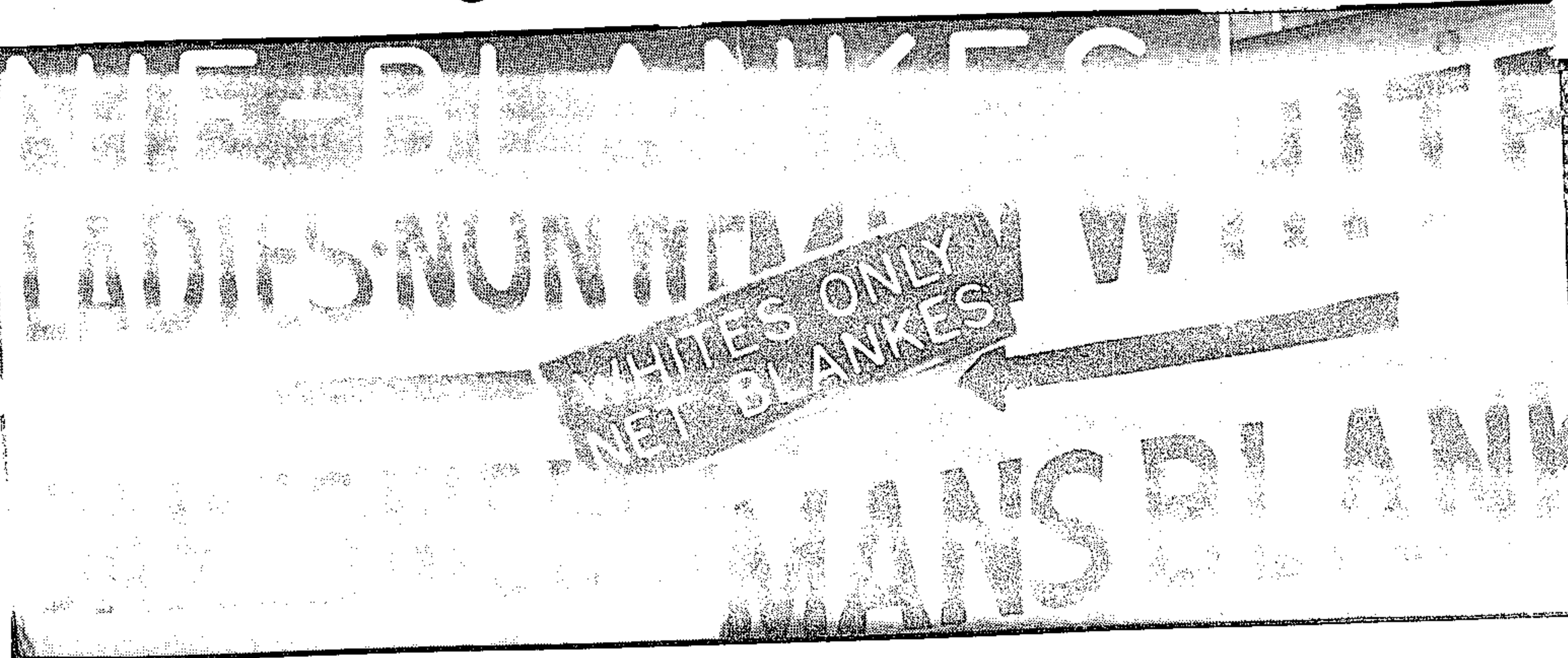
Its circular said the reintroduction of "Whites only" signs and racial restrictions on the use of various public amenities would be not only retrogressive but also threatened to discourage investment and cause South Africa unnecessary harm in international

relations.

Such moves could only give added impetus to international pressure for further sanctions and disinvestment against South Africa, with a negative impact on the economy and the level of job creation.

Chambers of commerce in municipalities where the threats emerged should seek early meetings with their local authorities to establish their precise plans and mount immediate resistance if necessary, said the circular.

Petty apartheid



Conservative Party preaching what many municipalities practise even in the "liberal" Western Cape

CONSERVATIVE Party plans to reintroduce apartheid signboards have drawn sharp reactions, most notably from President Botha. But the CP is only preaching what many municipalities practise even in the "liberal" Western Cape.

Although the CP line appears unlikely to succeed locally in view of its minimal following, many councils — especially in areas where the National Party enjoys substantial support — enforce segregation anyway.

And in spite of the gradual opening up of beaches, buses, trains and parks and the disappearance of many apartheid signs, the fact remains that laws enforcing separate amenities are still on the statute book.

So it was nothing new when the CP leader, Dr Andries Treurnicht, said apartheid signboards would help enforce his party's segregation policy. He was merely proposing turning the clock back to the days when the Nationalist government decreed that everything from park benches to toilets bear "whites only" or "non-whites only" labels.

The Reservation of Separate Amenities Act No 49 of 1953, as amended by Acts 10 of 1969 and 38 of 1972, provides for "the reservation of public premises and vehicles or portions thereof for the exclusive use of persons of a particular race or class".

But the Cape Town City Council largely ignored this and fought for open amenities.

"For instance, we refused to have apartheid signs on the beaches, so the Province put them up — and charged us for it," said the public relations officer, Mr Ted Doman.

In 1984 the council took a policy decision to open all its amenities. Previously the council had separate amenities for different races but the 1984 policy decision changed all that. No special permits were applied for, Mr Doman said.

Things are less open farther afield.

In the Tygerberg area, municipalities say that all amenities except public swimming pools are open. Separate swimming pools in white and coloured areas have been provided.

Bellville, largest of the centres east of

Cape Town, says it has two Olympic-size swimming pools, one for whites and the other for coloured people in Bellville South.

Individual "non-whites" were not allowed to use the Bellville pool unless they were part of a mixed team at a gala, said the public relations officer, Mr Steve Gouws. Parks and other public facilities had no restrictions, he said.

Parow's acting town clerk, Mr J J Victor, said the coloured area of Ravensmead had a modern pool which was as good as those in white areas. He declined to comment further but added that there were no whites only signs at any of the parks or toilets in the town.

Goodwood has no coloured suburbs. There was no demand for other races to use the town's swimming pool, said the town clerk, Mr F H Conradie.

Neighbouring towns such as Kuils River, Kraaifontein and Durbanville do not have public swimming pools. Spokesmen said other facilities were not restricted.

One area in which segregation is enforced

Nats and CP squaring up for new Transvaal battle

From Political Correspondent TOS WENTZEL in Pretoria

THE National Party and the Conservative Party are squaring up for a fight in the Transvaal as never before.

In the north there is increasing talk of a general election and April is most frequently mentioned as the possible month.

President Botha is playing his cards close to his chest. All he would tell the Transvaal Nationalist congress was that "when there is to be a general election I will tell you that the time has come".

The NP and the CP are

both confident that they can do well, for their own reasons.

The NP is set to exploit especially the CP's connections with even more extremist organisations such as the Afrikaner Weerstandsbeweging and its intention to turn back the clock to petty apartheid in municipalities it now controls.

The CP is already on the defensive on the question of restoring petty apartheid.

The party leader, Dr Andries Treurnicht, said apartheid signs had not been discussed when about 400

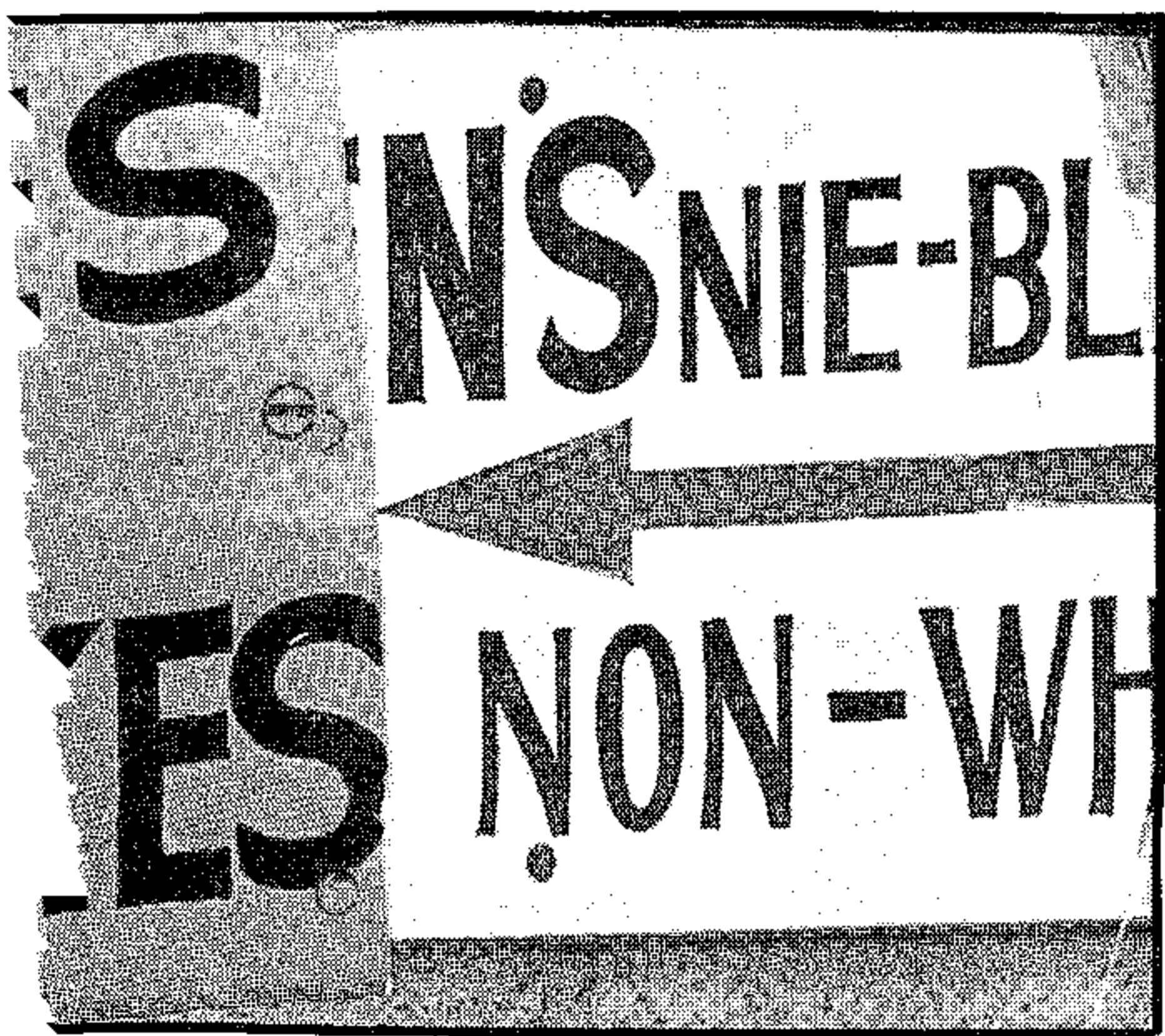
municipal councillors of the party met in Pretoria.

The general secretary of the CP, Mr Andries Beyers, maintained that it was not a question of "driving out" blacks.

The erection of apartheid signs was not an important feature of the party's principles. Instead, there would be a positive approach of creating separate facilities for blacks.

There are many platteland areas where facilities such as libraries have never been desegregated.

lingers on



LEFT: These apartheid signs may be obsolete, but in spite of the gradual opening up of beaches, buses, trains and parks and the disappearance of many discriminatory signs, the fact remains that laws enforcing separate amenities are still on the statute book.

Many municipalities, even in the "liberal" Western Cape, still enforce segregation.

Argus staff reporters investigate.

icipalities are still practising

— and signposted — is beach apartheid.

Residents of the Melkbos local area asked that their beach remain for whites only because of lack of facilities for crowds.

The Strand has segregated beaches but, according to the town clerk, Mr L J L Groenewald, nothing stops "members of any race" using local parks.

The parks, nature reserve, restaurants and shopping areas in the Somerset West municipality were open to all races, said the town clerk, Mr D J Human.

"Even in the fierce days of petty apartheid we did not have separate entrances or separate services for different race groups," he said.

The town clerk of Simon's Town, Mr Charles Chevalier, said the municipality had not practised any form of apartheid for years.

The Fish Hoek town clerk, Mr Eric Fry, said his municipality did not enforce separate amenity laws.

The Gordon's Bay town clerk, Mr Chris

Neethling, said enforcement of the Separate Amenities Act would depend on various circumstances.

"We have a small beach with insufficient parking and space for large crowds. That, and not political considerations, is the problem we will have to tackle," Mr Neethling said.

The Progressive Federal Party MP for Constantia and Cape leader, Mr Roger Hulley, has challenged President Botha "to put his own house in order" by scrapping apartheid legislation before attacking the CP for racist policies.

It was ironic to hear him ask the CP if it realised how much harm its attitude caused in the outside world, Mr Hulley said.

Accusing Mr Botha of cynicism, he said the National Party and its apartheid policies had inflicted "incalculable damage" on the country's international reputation.

Mr Botha himself had been "a champion and a leading implementer of the policy of apartheid".

Govt to block CP race laws revival

By BARRY STREEK

THE government yesterday bluntly told the Conservative Party that it would not allow the CP to subvert its reform process and restore petty apartheid.

Mr Chris Heunis, the government's chief constitutional spokesman, said powers would not be handed over to local communities if they took decisions to the detriment of other communities under the cover of 'local option'.

"The government is committed to the scrapping of discrimination and great progress has been made with this.

"It cannot be allowed to be undone," Mr Heunis, Minister of Constitutional Development and Cape leader of the National Party, said at Mossel Bay.

It is the first time the government has told CP-controlled local

authorities it will not permit the return of petty apartheid.

The government's pledge is bound to lead to a political row.

The CP has committed itself publicly to reinstating old apartheid measures, including notice boards, in areas under its control.

Yesterday CP MP Mr Clive Derby-Lewis criticized Mr Heunis and accused him of being dictatorial.

"This seems quite ridiculous when we still have the Separate Amenities Act on the statute books. It sounds as though local authorities which act in terms of this law will be acted against."

Mr Derby-Lewis demanded to know under which law Mr Heunis was acting in making these threats.

"The word 'democracy' has a totally different meaning for National Party cabinet ministers.

"It is Nat democracy, which is a

dictatorial 'democracy' if one can call it that. It is not a democracy, it is dictatorship."

In his speech, delivered at the annual congress of the South Cape Tourism Development Association, Mr Heunis said the government accepted "the principle of maximum devolution of power, decentralization of administration and minimum administrative control".

But the interests of local communities had to be balanced against national interests, and group interests had to be balanced against individual interests.

"If the power which local communities may get leads to a situation where such communities take decisions to the detriment of other communities under the cover of 'local option', the government will not hand such powers to local communities."

'FRANKENSTEIN' ACT

The monster that haunts the Nats

THE Conservatives have a Nationalist law to bring back apartheid signs in towns under their control.

The Reservation of Separate Amenities Act is still on the statute book in spite of a President's Council recommendation that it be scrapped.

It was passed in 1953, and among those who helped get it through was Mr P W Botha, then MP for George.

This week he spoke at length at the Transvaal NP congress on the CP's attempt to revive petty apartheid, accusing it of failure to consider the international implications for fighting off sanctions.

He spoke scathingly of the CP's "bordjje-beleid" (notice-board policy) and suggested the CP was seeking alternative structures to "carve up" South Africa. He warned that to bring back "whites only" signs could lead to impoverishment of the towns concerned and called on the CP to "come to its senses".

It was a far cry from the days when he and his colleagues vigorously defended the aims of the Bill.

One of the NP's early apartheid measures, it was introduced by then Minister of Justice Mr C R Swart, who defended it on the grounds that racial segregation was "traditional policy". He argued:

"I just want to refer to the horrible picture which recently appeared in the newspapers of a wedding which took place in London between the daughter of a former Labour Minister and a Native who posed there in his blanket to have his photograph taken.

"That would have resulted here if we did not have the traditional policy that there should be separation

THE government has removed apartheid signs in state buildings and public places, and many local authorities have followed suit. But by clinging to the legal pillar of petty apartheid, it has left the door open for the return of its own Frankenstein's monster. Political writer FRANS ESTERHUYSE reports.

between European and non-European. If a nation is not educated in that direction, that feeling will eventually become weaker.

"If a European has to sit next to a non-European at school, if on the railway stations they are to use the same waiting-rooms, if they are continually to travel together on the trains, and sleep in the same hotels, it is evident that eventually we would have racial admixture, with the result that on the one hand one would no longer find a purely European population and on the other hand a non-European population."

Mr Swart disclosed that he had in earlier days defended apartheid from a soap-box in London's Hyde Park after coming across a speaker who urged British girls to marry black men in the colonies in order to civilise the black people.

SO I got on to the soap-box and there I explained to those British ladies what awaited them if they followed this man's advice to marry black men. They began to applaud me and eventually I was applauded by the whole crowd. . . . I say that if we follow that policy we here in South Africa will not be able to prevent them from marrying one another and we shall



The Act provides for "the reservation of public premises and vehicles or portions thereof for the exclusive use of persons of a particular race or class". The 1953 version provided for a fine of £50, or imprisonment for three months, or both.

Foreign diplomats and certain foreign visitors were exempted from its provisions.

Public premises are defined as any land, enclosure, building, structure, hall, room, office or convenience to which the public has access, but does not include a public road or street. Provision is also made for racial separation at beaches and at any counter, bench, seat or other amenity. Public vehicles include "any train, tram, bus, vessel or aircraft used for the conveyance of members of the public."

The implementation of the Act gave rise to numerous embarrassing incidents, and the "whites only" boards became a symbol of racial oppression and a major reason for sanctions calls. Only recently the "swim incident" involving Labour leader Allan Hendrickse called renewed attention to it.

Next to the Group Areas Act, it is one of the laws that has caused most bitterness among people of colour, who have repeatedly called for its repeal.

Under pressure from all

over, the government has removed apartheid signs from post offices, railway stations, buildings and trains, and many local authorities followed suit. Yet, the law itself was kept on the statute book.

In response to last year's President's Council recommendation that it be scrapped, President Botha said it would be "irresponsible" to repeal legislation on "such sensitive issues" without knowing the consequences of such action and without laying down policy guidelines for the future.

Its summary repeal would not automatically solve the problems experienced. "It would, in fact, especially in the short term, create more problems than it could solve."

He gave an assurance, however, that the government intended to introduce reforms in the field of group areas and the use of public amenities.

AND now the CP intends using the same act for its "back-to-apartheid" plan for local authorities — in spite of warnings that it could intensify the sanctions war. The Association of Chambers of Commerce described it as "retrogressive" and warned it could discourage investment and cause damage to towns affected.

Labour MP for Addo Mr Peter Hendrickse said the government's disapproval of the CP plan was surprising because apartheid notice-boards were still part of NP policy.

Such boards could still be seen in the constituencies of Cabinet Ministers, notably Mr Chris Heunis's Helderberg where "whites only" boards were to be found at Gordon's Bay and elsewhere.

The CP's move had been made possible by the government's own inability and unwillingness to move away from its racist policies. "The Labour Party demands the repeal of the Act," he said.

Star 24/11/88

Assocom advises on race signs

The Association of Chambers of Commerce and Industry of South Africa (Assocom) is distributing a circular to all constituent Chambers of Commerce and Industry to voice its concern over the possible erection of "Whites Only — Slegs Blankes" and other discriminatory signage and restrictions placed on the use of public amenities.

Assocom noted, with "grave concern", media reports about discriminatory signs which are likely to be erected on public property falling under the control of certain local authorities and that the use of public amenities may be restricted following changes in the composition of some town councils after the recent municipal elections.

Assocom said it would appear that these signs would be displayed and the restrictions would be applied in terms of the Reservation of Separate Amenities Act, an Act whose repeal Assocom has consistently called for and which the President's Council has also recommended to Government.

COMMITTED

"South Africa is committed to a path of reform — to the dismantling of institutionalised racial discrimination wherever possible — and considerable progress has been made over the past few years," it said.

"Organised business has consistently upheld the view that the need for reform is not only required in the interests of economic growth and internal political stability, but also to improve external perceptions of South Africa."

Assocom said the intended actions of certain local authorities were not only "retrogressive" in that they could discourage investment in, and cause damage to, the economies of the towns themselves, but also that they would cause SA "unnecessary" harm internationally.

It suggested that constituent Chambers of Commerce set up meetings with local authorities to clarify their intentions regarding the possible reintroduc-

80 (70/80)

Assocom to discuss CP apartheid threat

Political Correspondent

THE CP threat to turn back the apartheid clock in municipalities the party now controls is expected to be the major focus of the first meeting between Dr Andries Treurnicht and Assocom on Wednesday.

Dr Treurnicht said yesterday that he viewed the meeting as an informal "getting to know you" exercise.

He said he did not envisage a "severe agenda" for the meeting.

And Assocom's law adviser, Mr Ken Warren, had indicated that the organisation was not looking for confrontation with the CP and would approach Wednesday's meeting in a spirit of dialogue.

The meeting, organised at Assocom's request, follows the CP warning that it would reintroduce apartheid signs and lobby against open CBDs in towns it won in the October municipal elections.

The CP's spokesman on economic affairs, Mr Clive Derby-Lewis, has also been critical of Assocom recently, saying his party would not allow business leaders to be intimidated to dance to a liberal tune.

Group Areas: Urge changes

ARGAS 29/11/88 80



POLE POSITION: It's the kind of weather that keeps pedestrians and their destinations poles apart. Commuters had to inch their way from pole to pole in the city as the south-easterly gale raged on unabated. The weatherman expects to wind to continue until tomorrow.

Picture: JIM McLAGAN, the Argus

By TOS WENTZEL, Political Correspondent
RECONSIDERATION of some of the aspects of the controversial Group Areas Amendment Bill, including the harsh penalties, have been recommended by a committee of the President's Council.

In a report released today the committee also recommends that attention should be given to decriminalising contraventions of the Group Areas Act, that clauses affecting blacks should be reconsidered and that the formula for compensation for property in free-settlement areas should be revised.

Instead of giving a decision on the Bill, which was referred to it by President Botha after the House of Representatives and the House of Delegates had declined to vote on it, the council's constitutional committee decided to recommend that the council should advise Mr Botha on the matter.

If he accepts the recommendations it could mean a redrafting of the present Bill with a new measure going back to Parliament next year. The present Bill has already been considered by Parliament twice.

Not working

There have been strong suggestions in legal circles that the Group Areas Act in its present form is not working and the cautiously worded President's Council report may have been influenced by this.

In its debate on the report and the Bill this week the council has to decide finally on advising the President.

The committee found that the statutory provision for the regulation of communities and residential patterns was a given fact and that the question to be answered was whether the proposed legislation served its purpose and was technically accountable and practical.

The Bill contained positive aspects such as the protection of group rights, including residential areas.

On the other hand the proposed increases in maximum penalties were the subject of serious criticism. The drastic increases in penalties could not in all instances be justified.

Stiffer penalties in themselves did not offer final solutions.

The whole matter of penalties should be reconsidered with a view to greater differentiation in legislation or regulations, as well as in respect of consistency with penalties for comparable offences.

The clauses affecting blacks were, however, not wholly satisfactory.

Up to now blacks have not fallen under the Group Areas Act. Their separate residential areas have been dealt with in terms of other legislation.

The report states that the proposed uniformity in dealing with the respective communities should be implemented on merit only after consultation with blacks.

The report also urges that the valuation reduction formula in free-settlement areas should be thoroughly re-examined.

This provides for compensation for residents who lose fi-
(Turn to page 3, col 1)

New problems dog night series

By ROBERT HOUWING, Sports Staff

NORTHERN Transvaal are having problems of their own on the eve of tomorrow's Benson & Hedges night match against Western Province at Newlands.

Pretoria Defence have refused to release all-rounder Steve Elworthy or to allow Rudi Bryson and Martin Venter to play for Northern Transvaal B in a match which also starts tomorrow, at Centurion Park.

All three players are in Windhoek for the annual Defence Force tournament.

Dr Willie Basson, president of the Northern Transvaal Cricket Union, said urgent moves were being made to secure their release.

"We have offered to fly them back at our own expense," he said today.

"Defence must abide by our bylaws. We can't allow clubs who enter our leagues and accept our constitution to dictate terms over who is available for selection and who is not."

The hitch follows Western Province's problem with the Daryll Cullinan walkout.

Cullinan was reprimanded and suspended for tomorrow's match at a meeting of senior Western Province Cricket Union officials at Newlands last

Wind may ease tomorrow night

Staff Reporter

THE gusting wind which blew over a wall, killing a mother and her five-year-old child, is expected to make its presence felt again in the Western Cape today.

But it may ease tomorrow night.

Mrs Fiela Claasen, 55, and her son Clinton Francke were killed when a wall, built recently to protect the homes of labourers against the wind, blew over on top of them at Amperbo Farm in Kuils River yesterday.

Workers discovered the bodies about 2pm.

The weather office at D F Malan Airport said the gale-force wind was being caused by a high-pressure system west of Cape Town.

"We are in for a windy spell and I expect it will continue blowing today. It will ease off from tomorrow night," a fore-caster said.



Good horses at Milnerton

RACING returns to Milnerton tomorrow for three weeks, and the change of course coupled with the return of a number of good horses will make the meeting an interesting one.

The fields, selections and permits for tomorrow's meetings at Milnerton and Newmarket are on page 32.

Tomorrow's Argus will contain details of Thursday's meetings at Greyville and the twilight meeting at Fairview.

Press curbs

JOHANNESBURG. — Big business yesterday prepared to hit back at Boksburg — South Africa's new apartheid town.

With 60 Conservative Party-controlled municipalities in the Transvaal ready to follow Boksburg's lead in turning back the apartheid clock, commercial giants led by OK Bazaars and Tradegro joined the growing row, threatening to drag the government along with them.

OK Bazaars managing director Mr Gordon Hood said the indications were that Boksburg's black residents were already taking their business to neighbouring towns.

Sales at the Boksburg outlet were markedly down, while other East Rand stores have improved.

"If a race group decides it is not wanted in town, it may boycott the businesses in that town," Mr Hood said. "It has happened before."

Tradegro chief executive Mr Donald Masson said his group would not make any new investments in towns like Boksburg where CP councils re-imposed old apartheid measures.

'Financial sabotage'

Both men voiced total opposition to the CP's actions. Mr Masson said he was convinced the government will take steps to counter the CP's move.

Tradegro would maintain its existing investments in Boksburg, mainly in the form of retail stores like Dions, but would not stand for any discrimination in its stores, he said.

The Boksburg Chamber of Commerce condemned the town's partition as "financial sabotage" and predicted that massive disinvestment of overseas companies could result.

The president of the chamber, Mr Johan Viljoen, said the decision to segregate amenities would only apply pressure to multinational companies operating in industrial Boksburg and give them the excuse to disinvest.

Some of the multinationals who had promised to remain in South Africa could be "pushed over the edge".

"We are very concerned at the effects that the decision will have on the welfare of the town. It could cost us millions of rands.

"Not only will South Africa lose, but the people of Boksburg will suffer in lost jobs and reduced buying power."

Interleisure chairman Mr Ian Heron, whose firm runs a string of fast-food outlets and restaurants including Bimbos and Captain Dorego, said Interleisure was "totally against racism".

Even if the CP only managed to re-impose apartheid on property controlled by CP councils, Interleisure would "make the strongest representations to government".

Mr Raymond Ackerman, chairman of Pick 'n Pay — which has one supermarket and one hypermarket in Boksburg — has promised to lobby for change and possibly discuss the Separate Amenities Act with the government.

"Through our own efforts and those of business organisations we will try to have their action reversed."

The action could mitigate against the positive overseas reaction to South Africa following government moves over Mr Nelson Mandela, the Sharpeville Six and Angola, he said.

The managing director of leading multinational Colgate Palmolive, Mr Gerald Kocker, said the situation was "just ridiculous" and vowed to do everything to "convince those people they are not doing the right thing".

While disinvestment was not an option, his organisation might decide to support an increasingly popular idea to have their factory rezoned to near-by Benoni.

But even as the volume of protests against the CP's return to old-style apartheid grew yesterday, the unrepentant Boksburg town council said it

To page 3

From page 1

would stick to its guns. The chairman of the Boksburg town council management committee, Mr Gideon Fourie, said the CP represented most of the town's wards and would carry out its mandate from last month's elections.

He also announced that a new suburb, Willemore Park, would be reclaimed for exclusive white residence and Indian families living in the area would have to move out.

Meanwhile the PFP is expected to join Boksburg's outraged black residents in taking court action against the right-wing council's moves to restore Verwoerdian-style apartheid.

A party source said the matter was being considered by the Boksburg PFP, though local chair-

man Mr Tony Dutton could not be reached yesterday for confirmation.

Black residents have indicated they are investigating the feasibility of an urgent court application to set aside the council's apartheid measures.

A municipal by-election is now expected to give an indication of whether Boksburg residents believe their council has gone too far.

Parties to the left of the CP have rallied around independent candidate and president of the SA Amateur Swimming Union Mr Issy Kramer, who is fighting the election with the unofficial backing of the NP and has also been offered support from the PFP.

A major protest meet-

ing in the town is being planned by numerous sports bodies for Thursday.

CP leader Dr Andries Treurnicht will address a public meeting in the town next week when he is likely to insist that the party continue to implement its policy at local level, regardless of the reaction.

Own Correspondent

RESISTANCE

80

APL
Toni's
29/11/88

APL Toni's 29/11/88 (88)

CP/Temp 29/11/88

CP driving black business away

Political Staff

IN SPITE of assurances that it is serious about removing discrimination, the government appears powerless to stop Conservative Party-controlled local authorities from enforcing "board apartheid".

Moves by Boksburg to prevent blacks, coloureds and Indians from sharing local amenities such as the Boksburg Lake have created a new racial furore in South Africa and abroad.

Court cases have been threatened and the large coloured community — about 50 000 — near Boksburg are threatening to turn it into a ghost town by taking their business elsewhere.

Asked what the government intended to do about the situation and the CP's attitude, a spokesman in the office of the Minister of Constitutional Development and Planning referred inquiries to a speech by Mr Chris Heunis in Mossel Bay recently.

In the speech Mr Heunis said devolution of power to local authorities could not take place without qualification.

The government would not pass on powers to local authorities or they could be used under the guise of "local option" to prejudice the rights of others.

Change Group Areas Bill — PC

CMC Tavis
30/1/88

80

Political Staff
FOR the first time the President's Council has recommended that a race bill be changed instead of merely rubber-stamping it.

Yesterday the council suggested changes to the controversial Group Areas Amendment Bill. This means the bill will be sent back to Parliament for a third time — provided President P W Botha agrees.

But the council's decision will not end the controversy about separate residential areas, which dumped the tricameral system into its worst crisis when the House of Representatives and House of Delegates refused to vote on the new law.

The council's constitutional committee has recommended a new name for the legislation — Community Settlement Act — as

well as softening harsher penalties and other administrative changes. But the concept of separate group areas remains.

This will mean that the deadlock between Mr Allan Hendrickse and Mr Botha about prolonging the life of Parliament will also remain.

Spokesmen in both the Indian and coloured chambers have said they wanted the measure scrapped totally and yesterday Mr James Rennie of the PFP and Mr Billy Ross of the Labour Party, while supporting the committee's recommendations to the President for changes to the legislation, made it clear they favoured its repeal.

National People's Party representative Dr I M Jajbhay moved that the committee's report be rejected and that Mr Botha be called on to scrap all legislation concerning group areas.

In its report the committee said

it had taken as its point of departure that "own" areas should be retained, but that provision should also be made for "free" residential areas.

"The Amendment Bill contains certain positive aspects by means of which, inter alia, the protection of group rights, including own residential areas, can be executed in a fair and effective manner," it said.

However, it felt that clauses affecting blacks were "not wholly satisfactory" and that the tempo of black urban development could be retarded.

The committee also recommended that the system of recompensing people who had property in newly-declared "free" areas, but did not want to stay there, should be reconsidered.

Harsh penalties for contravening the group areas laws were also "subject to serious criticism".



NOSEDIVE ... An Indian Airlines Airbus A-300 lies tilted on its nose after the nose wheel assembly collapsed during parking at the Indira Gandhi domestic airport in New Delhi yesterday. At least six people were injured in the accident.

Picture: REUTERS

News in Brief

Rai to seek legal redress in tanees row

ARGW 30/11/88

Areas Bill to be sent back to PW

Political Correspondent

THE President's Council has decided to send the Group Areas Amendment Bill back to President Botha with the advice that certain amendments should be made.

A report of the council's constitutional committee suggesting modifications to some of the harsh penalties and steps to decriminalise group areas contraventions was passed with only the two Conservative Party members indicating their opposition.

The report also suggested that the application of the Group Areas Act to blacks should be reconsidered and that the formula for compensation for property in free settlement areas should be revised.

Mr Peter Marais said that the Group Areas Act was the umbrella Act of all the evil apartheid laws.

These gave the Conservative Party the right to turn back the clock and to catapult South Africa back into the Dark Ages by using the Separate Amenities Act to bring back apartheid boards. The CP had the protection of the law.

"TOSSED IN DUSTBIN"

Mr Marais said the Group Areas Amendment Bill should be "tossed in the dustbin where it belongs".

Mr Japie Basson of the National Party said the council wanted to send a constructive message to the President that it was not prepared to send the Bill back to him with its failings.

Mr Jan Hoon of the Conservative Party said it was not necessary to put up apartheid signs in a town such as Kuruman, which now had a CP-controlled town council, because the signs had always been there.

There were still a number of beach apartheid signs in the Gordon's Bay area in Mr Chris Heunis's constituency and he wanted to know what would happen to these.

There was a big furore in Boksburg but the fact was that the CP had won the municipal elections there.

Each race group had the right to self-determination in its own areas.

Sowetan
Two laws
30/11/86
hamper
builders

MAJOR problems faced by black builders in their attempts to help reduce the acute shortage of homes in South Africa were the Land Act and the Group Areas Act, delegates at a conference were told this week.

The vice-president of the national African Federated Chamber of Commerce, Mr Joe Hlongwane, said in the Pretoria-Witwatersrand-Vaal area less than 15 percent of the land had been set aside for black, coloured and Indian occupation.

Backlog

And yet, he said, "we make up at least three quarters of the population of this region. These laws must be scrapped if blacks are to help reduce housing backlog."

He was speaking at the inauguration of the Professional Builders Federation at Crown Mines, Johannesburg.

The federation, was formed to promote the interest of small black builders and merchants.

Scrap Separate Amenities Act' ^{ARGUS} 30/11/88 ⁽²⁾ challenge ⁽⁸⁰⁾

By PETER FABRICIUS
Political Staff

THE government was today challenged to scrap the Reservation of Separate Amenities Act to prevent the Conservative Party destroying race relations in Boksburg and other CP-controlled municipalities in the Transvaal.

The call came from politicians and lawyers' organisations who said that by keeping the Act the government was indirectly responsible for moves to reimpose segregated facilities in Transvaal towns whose councils were taken over by the CP in the October elections.

Lawyers for Human Rights warned that unless the government acted swiftly the racial conflict in Boksburg could "burgeon into racial warfare".

The Boksburg initiative spread this week to Pietersburg, Brakpan and Carletonville.

RELUCTANCE

But the government seems reluctant to act and government sources say it would be politically "crazy" to scrap the contentious Act now as this would make it look as though the government is obstructing the CP.

Instead, the government apparently intends to "give the CP enough rope to hang itself", as more than one senior government member has put it.

However, the Minister of Constitutional Development and Planning, Mr Chris Heunis, whose department administers the Reservation of Separate Amenities Act, said today he would issue a statement later.

The leader of the National Party in the Transvaal, Mr F W de Klerk, said he might also issue a statement.

Mr de Klerk was directly challenged today by the Progressive Federal Party's Transvaal leader, Mr Douglas Gibson, to take the initiative in scrapping the Act — for the "honour of the Transvaal".

NOT CONDEMNED

Mr Gibson also asked why Mr de Klerk did not condemn the fact that the NP-controlled Pretoria City Council still reserved the City Hall, swimming-pools, buses, libraries, trim parks and recreation centres for whites.

The Foreign Minister, Mr Pik Botha, who this week criticised Boksburg Town Council for reintroducing petty apartheid, today responded to queries about remaining segregation in Nationalist-controlled Johannesburg, including the bus service.

He said the NP was committed to ending petty apartheid and it was wrong to equate the remaining segregation in Johannesburg with the CP's deliberate moves to reintroduce it where it had been abolished.

Independent Party leader Dr Denis Worrall urged the government to do "something quite dramatic" to stop the CP.

Mr Colin Eglin, the PFP's parliamentary leader, appealed to President Botha to scrap the Separate Amenities Act.

"It's not good enough to play politics with this Act; it must be scrapped to show the world the government has really turned its back on apartheid," he said.

● Boksburg businessmen have reported a drop in sales to blacks, saying the first effects of a consumer boycott were being felt.

JOHANNESBURG. — More Conservative Party dominated town councils have followed Boksburg in reverting to Verwoerdian-style apartheid by again barring non-whites from using municipal-owned amenities.

Pietersburg, Brakpan and Carletonville have become the latest towns to make changes at local government level.

The Pietersburg council also decided at its monthly meeting that it would no longer negotiate with the Northern Transvaal Regional Services Council for funding of its projects.

The council also decided that the RSC would be given notice to vacate its present premises in the municipal offices as soon as possible.

And, in response, the Minister of Constitutional Development and Planning, Mr Chris Heunis, said consideration would have to be given to whether Pietersburg would remain as the seat of the Northern Transvaal RSC.

Brakpan Town Council yesterday unanimously voted to ban blacks from all municipal parks, toilets and sports facilities except on an international level.

The council also decided to ban blacks, with immediate effect, from the swimming pool and the Charl Baard Stadium.

Earlier this year the council spent R600 000 to rebuild the Brakpan municipal pool and now sporting events like inter-school galas will not be able to take place there.

No "Whites Only" notices are to be posted but municipal officials will patrol parks and inform "offenders" of the new ruling.

Tried for years

Brakpan Athletic Club will be among the hardest-hit by the ban on blacks. It has battled for 10 years to gain top status in the Transvaal league and was last year granted admission to the cross-country league.

Carletonville's all-CP Town Council voted last night to reintroduce a ban on mixed gatherings at municipal facilities.

But it decided that one exception would be an international swimming gala at the municipal pool.

Notices are to be put up again in all parks and recreation areas in the residential areas, reserving their use for whites only, and the reintroduction of a night curfew is being investigated.

At an extraordinary meeting earlier this month it was already decided to rescind a decision by the previous town council to allow a free trading area.

A portrait of President Botha was removed from the council chamber last night and replaced by the town's crest.

Dr Willie Hoods, the Transvaal MEC in charge of Group Areas, said today the decision taken by Boksburg to reinstate apartheid has "taken the country back several steps and is to the detriment of the country".

In the Cape, the Town Clerk of Mossel Bay, Mr W S van Heerden, said the town was not in the same category as towns like Kuruman and Boksburg when it came to applying petty apartheid.

Mossel Bay was the largest of the sprinkling of towns in the Cape which have fallen into Conservative Party hands.

Mr van Heerden said no changes were envisaged in the town's policy — which allows mixed audiences and municipal parks, but which has segregated beaches.

Mr van Heerden said the council had resolved several years ago to leave the decision of whether to allow mixed audiences at the City Hall to the Town Clerk and the Mayor.

Reacting to the Boksburg Town Council decision at a function last night, the Minister of Foreign Affairs, Mr Pik Botha, appealed to all South Africans, including the CP, to look at what was being

done to the country, "to your own jobs, to your own future by the returning to a system and a sentiment that is past".

"We are on the threshold of moving into a new era, with equal opportunities, sharing of power, sharing in the wealth of this country," he said.

"Black and whites are becoming friends, casting off the old suspicions of the past and are moving towards a new South Africa."

The Squash Rackets Association of Southern Africa has banned Boksburg squash club members from all interprovincial or other tournaments run under its auspices.

Boksburg's squash players will automatically forfeit their membership of the Eastern Transvaal SRA and will no

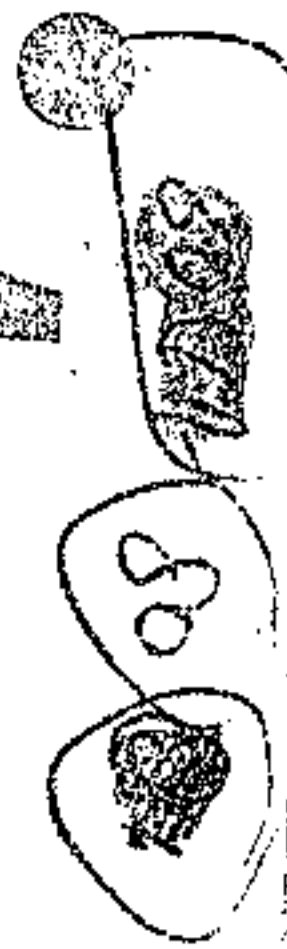
(Turn to page 3, col 1)

Meanwhile, sports administrators have reacted speedily to the closure of sports facilities by various municipalities.

Mr Rafangee

SO
W
I
T
H
E
C
I
T
I
E
S
O
N
L
Y

Areas 30/11/88



Boksburg misses the bus . . .

By MICHAEL MORRIS, Staff Reporter

AN EERSTE River transport company has cancelled a R300 000 order for two buses made in Boksburg in protest against the Conservative Party-controlled town council's re-imposition of a whites-only policy.

Clarries Passenger Service, which owns two supermarkets, will also stop orders for other commodities made in Boksburg.

Company owner Mr C J Ratangee said: "If my colour is not good enough for them, my money is not good enough either."

He said his bank approved a loan to buy the two 60-seat buses from Bus Centre in Boksburg on Friday, but he decid-

ed to cancel the order yesterday "in sympathy" with the protest against the re-imposition of petty apartheid by the town's CP-controlled council.

Mr Ratangee said: "I have also instructed the shop managers at my two supermarkets in Eerste River and on the West Coast to sell out all stocks of goods manufactured in Boksburg and not order any more.

He said that even if this action failed to produce any change in Boksburg, he would still not do business with companies based there.

"Boksburg can keep their white areas and I will keep my money — and I'll spend it where I'm accepted as a human being," he said.

CHANGES TO AREAS BILL

Sowetan 30/11/88

80

RECONSIDERATION of some of the aspects of the controversial Group Areas Amendment Bill, including the harsh penalties, have been recommended by a committee of the President's Council.



PRESIDENT BOTHA

In a report released yesterday the committee also recommends that attention should be given to decriminalising transgressions of the Group Areas Act, that clauses affecting blacks should be reconsidered, that the formula for compensation of property in free settlement areas should be reconsidered.

Instead of giving a decision on the Bill which

SOWETAN Correspondent

has referred to it by President Botha after the House of Representatives and the House of Delegates had declined to vote on it the council's constitutional committee decided to recommend that the council should advise Mr Botha on the matter.

If he accepts the recommendations it

could mean a redrafting of the present Bill with a new measure going back to Parliament next year. The present Bill has already been considered by Parliament twice.

There have been strong suggestions in legal circles lately that the Group Areas Act in its present form is not working and the cautiously-worded President's Council report may have been influenced by this.

Two to hang

TWO people awaiting the men today to find out

PC rejects group areas Bill

CAPE TOWN - The President's Council (PC) has decided to recommend to President P W Botha that the contentious group areas legislation, adopted earlier this year by the House of Assembly, be sent back to Parliament for redrafting.

Botha must now decide whether or not to accept the PC's effective recommendation that the legislation be rejected in its present form.

If he does, the Group Areas Amendment Bill will automatically lapse when Parliament resumes on February 3.

PFP constitutional expert Nic Olivier said this would open up new opportunities for negotiation with opposition parties to reach an accommodation for the eventual removal of the Group Areas Act.

Agreement was almost unanimous

30/11/88 CHRIS CAIRNCROSS (80)

within the PC yesterday that the legislation contained limitations and defects and should, therefore, not be accepted in its present form.

The official stance adopted by the PC on the Group Areas Amendment Bill — which was rejected in its entirety by the Houses of Representatives and Delegates — was presented by the council's constitutional affairs committee in a report tabled yesterday.

In it the committee stresses it supports the main principles of group areas. But it concludes that the Bill contains certain basic flaws and legal defects which raise questions as to whether the legislation can be implemented without causing serious problems.

Group Bill goes back to PW for a decision

By Tos Wentzel, Political Staff 80

CAPE TOWN — The President's Council yesterday decided to send the Group Areas Amendment Bill back to President Botha with the advice that certain amendments should be made.

A report of the council's constitutional committee suggesting modifications to some of the harsh penalties and steps to decriminalise group areas contraventions was passed with only the two Conservative Party members indicating their opposition.

A motion by Dr IM Jajbhay of the National People's Party that the council call on Mr Botha to scrap all group areas-related legislation was not supported by anybody else.

During the debate the CP's Mr Jan Hoon moved as an amendment that the council express its support of the principles of the Group Areas Act and that it call for the scrapping of any measures detrimentally affecting those principles.

If the Bill were referred back, it would be the fourth time it had gone before Parliament, Mr Hoon said. The NP was making a farce of the Act, and what was happening was casting a dark shadow over the workings of the legislative machinery.

Beach signs challenge

Defending the decision of the CP-controlled Boksburg Town Council to reintroduce separate amenities, Mr Hoon challenged the next NP speaker to say that Somerset West, in the constituency of Constitutional Development Minister Mr Chris Heunis, should remove its beach apartheid boards. Those boards had been put there by an all-NP council, he added.

Mr Peter Marais, a former member of the United Democratic Party who has applied to join the Labour Party, said the Group Areas Act was the umbrella Act of all the evil apartheid laws.

These gave the CP the right to turn back the clock and to catapult South Africa back into the dark ages by using the Separate Amenities Act to bring back apartheid signs.

The CP had the protection of the law in spite of the fact that the President's Council had recommended in September last year that the Separate Amenities Act should be scrapped.

While supporting the committee's report because of the changes suggested, Mr James Rennie of the Progressive Federal Party said the Act remained the most hated of all.

Instead of spending millions of rands and wasting millions of work-hours on unproductive and negative issues such as group areas enforcement, it was time to dismantle the remaining apartheid laws, starting with the Group Areas Act, Mr Rennie said.

Today the President's Council will debate the Prevention of Illegal Squatting Amendment Bill.

NP reminded of apartheid at Strand

Staff Reporter

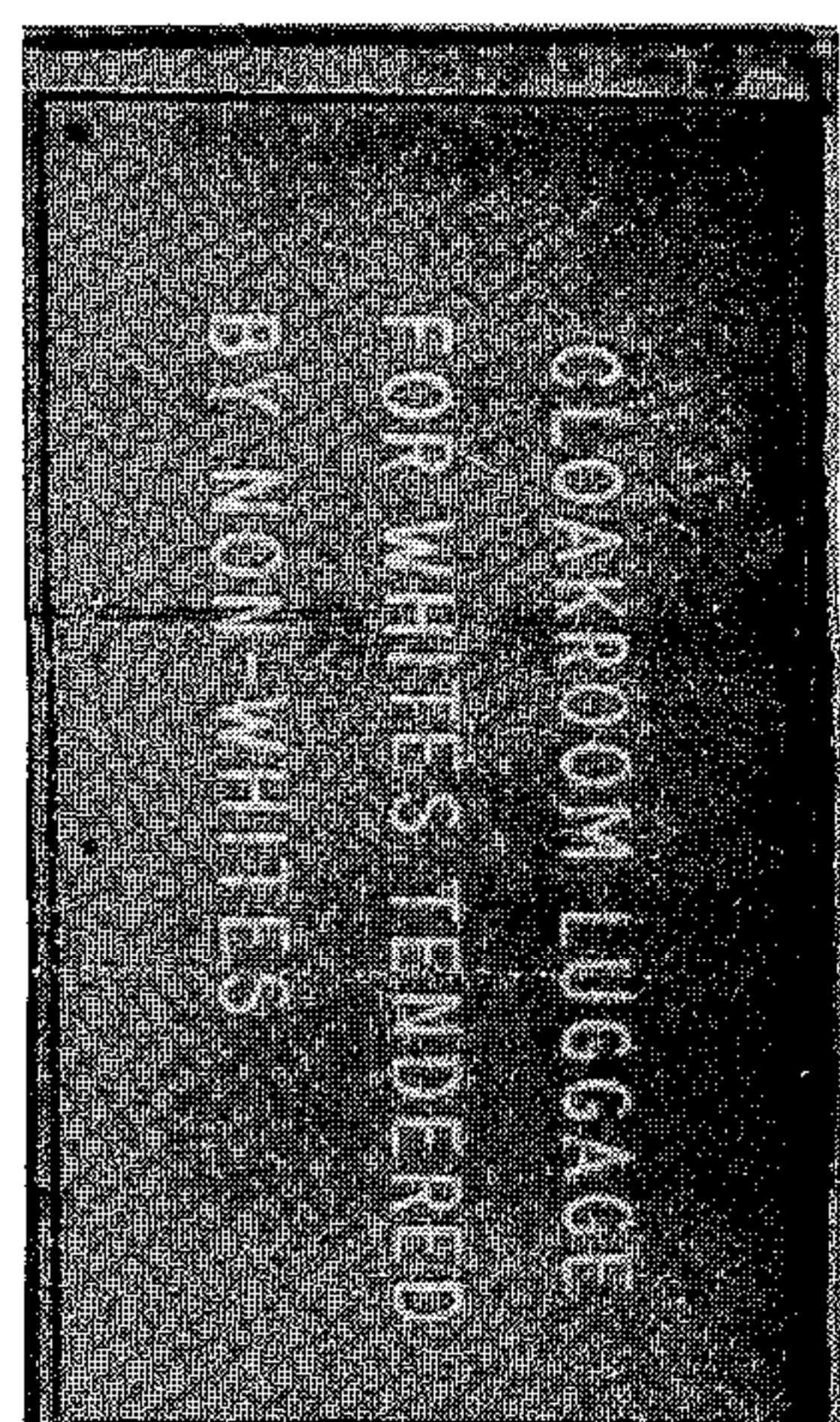
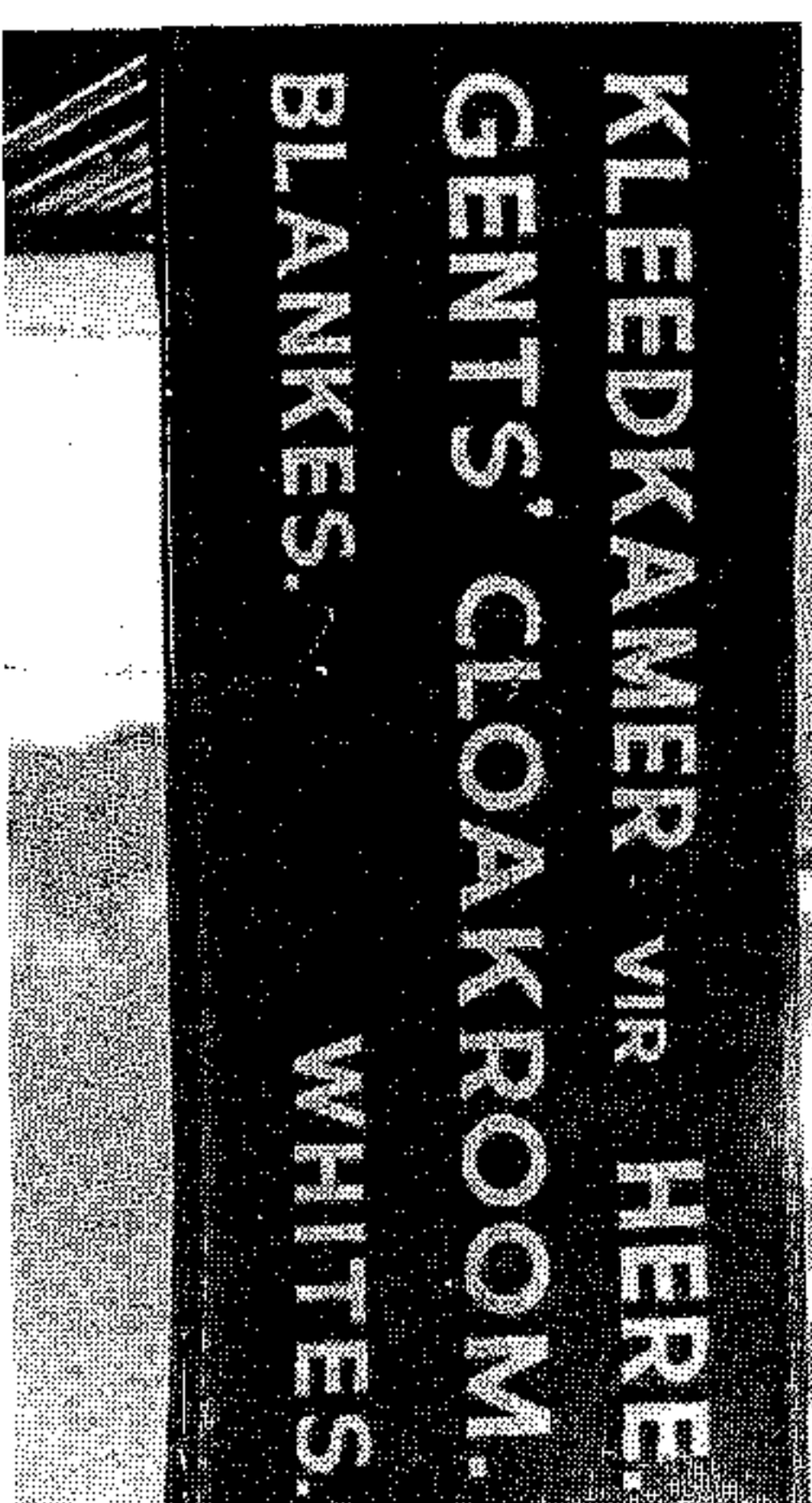
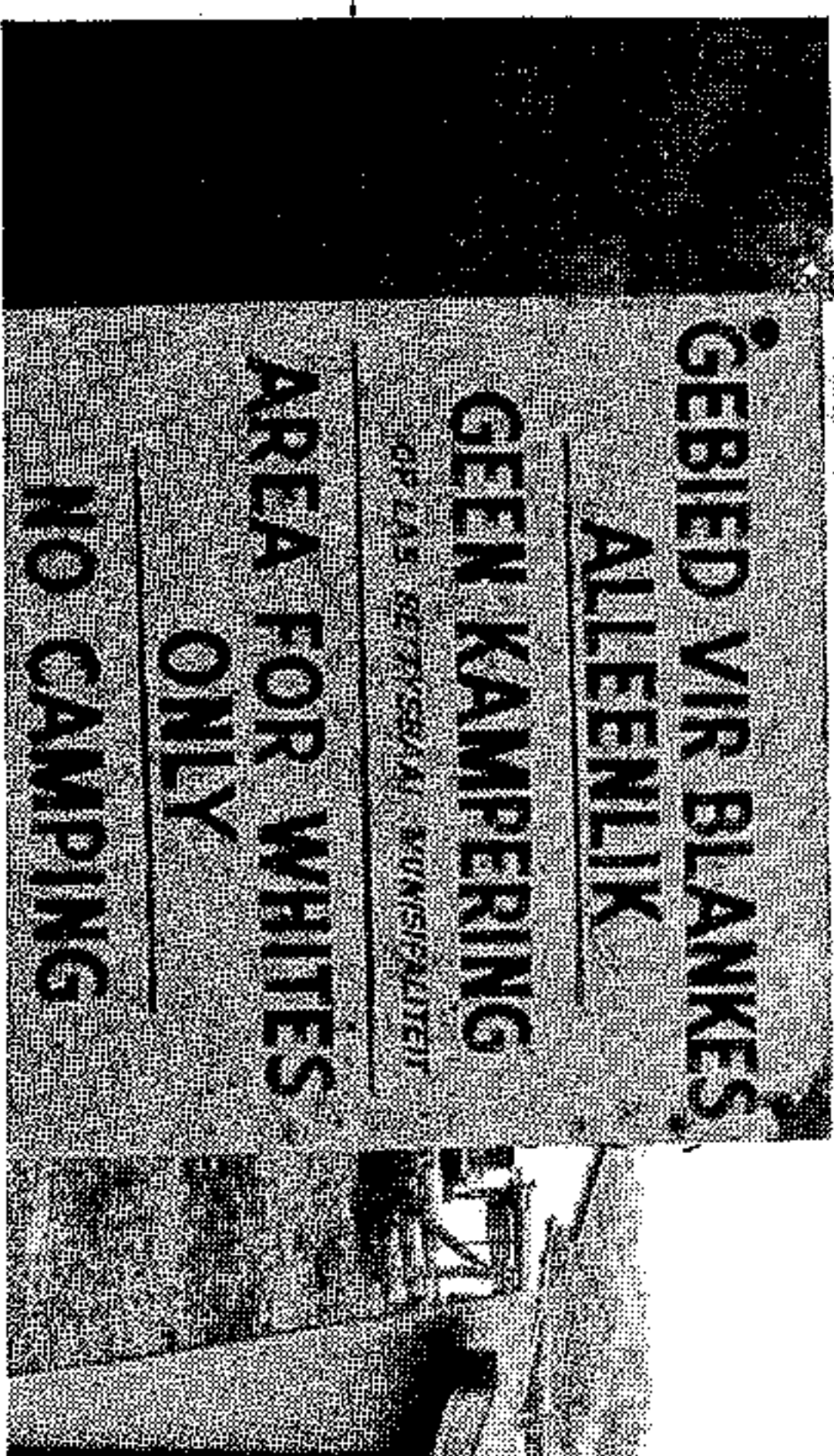
AKLUS 30/11/88

THE attack by Foreign Minister Mr Pik Botha on Boksburg's reimposition of petty apartheid was slammed by the Independent Party leadership, who told a Plumstead meeting that the same whites-only regulations were applied in Nationalist-run Strand.

IP leader Dr Denis Worrall said: "All he (Mr Botha) has to do is repeal the Separate Amenities Act and make it illegal for any public authority whose economy depends on all races to practise discrimination."

Party co-chairman Mr Jannie Momberg said: "Who does Mr Botha think he's bluffing? I challenge Pik Botha: If you are so worried about Boksburg, do something about it. Scrap the laws — that will give you the right to say they are wrong."

To loud applause Mr Momberg said: "The only difference between the NP and the CP is that at least the CP are honest racists."



Threat to economic reform

BOKSBURG-style apartheid threatens to halt economic reform in almost two-thirds of the Transvaal towns which had hoped to open their trading centres to all races.

The Conservative Party controls 12 of the 19 Transvaal areas whose applications to be declared free trading areas are still pending, according to lists supplied by the Department of Constitutional Development and Planning.

The CP has vowed to do its

utmost to see that these towns' central business districts (CBDs) stay "white". At least six of the town councils involved have already decided to fight their pending desegregation, says a CP spokesman, and the rest are set to follow suit.

The towns controlled by the CP are Carletonville, Lichtenburg, Randfontein, Rustenburg, Middelburg, Swartruggens, Wolmaranstad, Balfour, Boksburg, Heidelberg, Secunda and Standerton.

Applications from the previous town councils for open trading areas in these towns

are still being investigated by the Group Areas Board.

Mr N Terreblanche, deputy chairman of the board, which recommends which applications should be granted, says the CP's chances of halting desegregation depend on how far the process has gone.

The 12 towns are still in the investigation stage and the new town councils may submit extra reports — which are likely to contradict those submitted by the previous councils — objecting to the

From The Argus Correspondent in Johannesburg

declaration of free trading areas.

Meanwhile, Boksburg's apartheid drama, which has attracted world-wide publicity, will not necessarily be repeated in other Transvaal towns controlled by the CP — not because other CP town councils have been scared off by the furore but because apartheid has been firmly established under former National Party rule.

Spokesmen for various CP-controlled councils said that because separate amenities

had been the rule rather than the exception in their towns, the councils did not have to reintroduce apartheid: it was still alive and well.

Mr Cas Pieterse, chairman of Vanderbijl Park's CP-controlled management committee, said: "Vanderbijl has been white all along."

Although the town's CBD had been declared open under NP rule, most black businesses were around Serfontein Square, an area close to the black taxi rank which was not visited by whites, he said.

"In other words, the NP was just as conservative as us."

"Most public facilities are still white, so we need not do much to segregate them. Where there are small cracks, for example where swimming pools are used by blacks on specific times of the day, we will take action."

Mr David Swanepoel, chairman of Delmas's management committee, said the CP-dominated council had accepted a resolution that the previously open town hall in future be used by whites only. The two NP members on the

council had supported the recommendation, he said.

"For the rest we don't have a problem because other amenities are still segregated thanks to the previous NP council."

The Nylistroom town clerk, Mr Burger Plenaar, said that in the Waterberg "things are going very well indeed" thanks to the "vision" of the previously NP-controlled town council.

There were separate facilities for various population groups, with the result that most white facilities had never been desegregated.

Race laws will go in time, says MP

308A 80251
The Government would eventually scrap all laws which discriminated on grounds of colour, the National Party's Mr Andre Fourie said last night.

He was taking part in an SABC TV debate with Mr Koos van der Merwe of the Conservative Party over the moves to segregate certain municipal facilities.

Mr van der Merwe said moves by some town councils to restrict municipal facilities to whites only had caused hysteria whereas similar situations had existed for years in NP constituencies and had been glossed over.

Mr van der Merwe pointed out that buses and recreational areas in Pretoria were segregated.

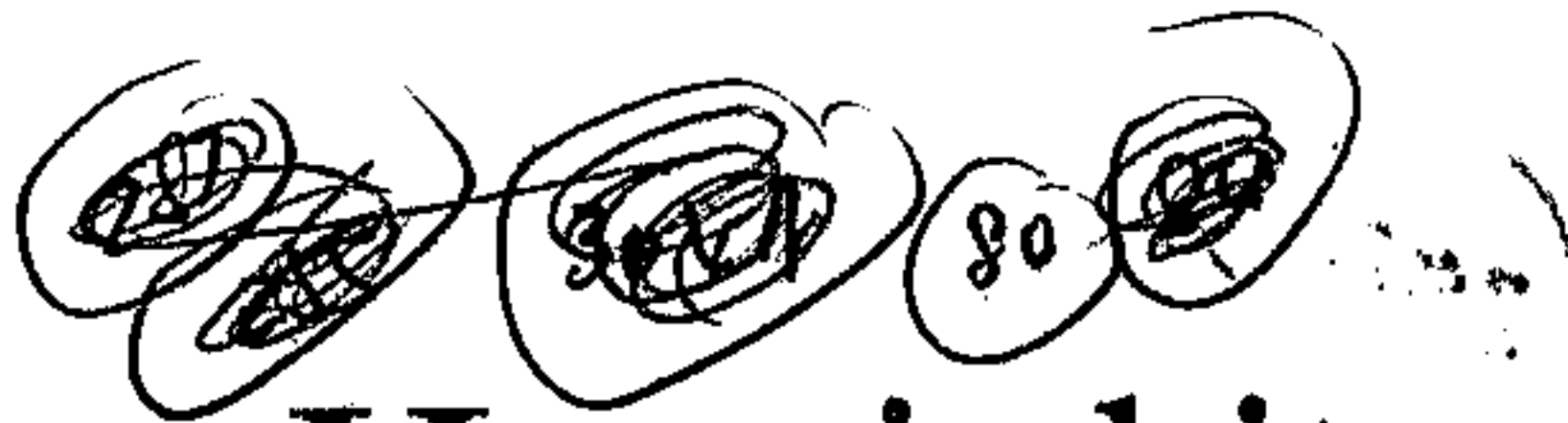
He added that a similar situation existed in Vereeniging, the seat of the NP's Transvaal leader,

Stev 1/12/38
Mr F W de Klerk. Blacks were also discriminated against in George, hometown of the State President, Mr P W Botha, he said, adding that no fuss had been made of these situations.

Mr van der Merwe said the CP in the areas that had introduced the discriminatory legislation had acted within the law and cited the Separate Amenities Act.

Mr Fourie admitted the legislation was still on the statute books but said the Act was not there to bring hardship to any part of the community and had been handled in the past few years with circumspection.

He said the NP would "eventually do away with all the laws dealing with racial discrimination on grounds of colour".



1/12/88

Cape Times, Thursday,

By BARRY STREEK
Political Staff

Heunis hits out at CP

THE government last night slammed the Conservative Party for restoring petty apartheid, but stopped short of saying what action, if any, it planned to take.

The Minister of Constitutional Development and Planning, Mr Chris Heunis, criticised the CP for its "ill-considered" decisions and said its actions had "resulted in the nurturing of dissatisfaction and resentment in communities where there is order and peace".

"No government can allow its policy to be sabotaged at a local level," said Mr Heunis, but he did not say what action the govern-

ment would take to stop the CP reimposing petty apartheid in white towns under its control.

All Mr Heunis said was: "Through their defiant actions the CP city councils can prejudice the transfer of more authority to local authorities.

"It will, therefore, have to be considered anew over how functions and authority can be entrusted to local government with the assurance that the policy of the country will be taken into consideration."

In a recent speech, Mr Heunis

stressed that the government wanted local authorities to have greater powers provided they agreed to operate within the framework of official policies.

Mr Heunis said last night that the government was committed to eliminating discrimination. All communities would be treated on a non-discriminatory basis with the protection of individual and group rights.

"It will not be tolerated that we move backwards towards practices and customs that have long since been abolished," he said.

Cape Town councillors reject Group Areas Act

CAPE TOWN — Cape Town City councillors rejected the Group Areas Act and associated legislation last night by 17 votes to two, saying they wanted the whole of Cape Town "restored as an open city".

Arthur Weinburg moved a motion opposing the Free Settlement Areas Bill and other recently introduced racially discriminatory legislation.

Monday 1/12/88
The motion asked the executive committee to apply for the "recision of the Group Areas Act as applied to the City of Cape Town".

It also called on "all bodies and organisations within the city to support this and other initiatives in this regard". The two who opposed the motion were Chris Joubert and Gerhardus Sullivan. — Sapa.

QAL TMS 80

December 1, 1988 3

Group Areas is as is for moment

PRETORIA. — The Group Areas Act, as it stands at present, will be applied until the State President's Office and the Department of Development Planning consider the recommendations to the Bill made by the President's Council on Tuesday.

A statement issued by the State President's Office yesterday said the report would be studied as soon as it was received. — Sapa

[Faint, mostly illegible text on the left side of the page, possibly bleed-through from the reverse side.]

[Faint, mostly illegible text on the right side of the page, possibly bleed-through from the reverse side.]

Think again 2/12/88

The Constitutional Affairs Committee of the President's Council (PC) recommended this week that the council advise the State President that the controversial Group Areas Amendment Bill be reconsidered and amended before being presented to him for his assent.

The decision must be seen as a personal triumph for the Labour Party's (LP) Allan Hendrickse who opposed the Bill relentlessly, upstaging parliamentary procedures when he led his party in a walkout, much to the irritation of Constitutional Development and Planning Minister Chris Heunis.

The seriousness with which the LP and the PFP opposed the Bill probably provoked the PC's decision. Having often been described as merely a rubber-stamp of government in the event of Bills being opposed by the other Houses, the latest developments for the first time give credibility to the PC.

The committee said the question for it to decide was whether the proposed legislation

answers its intended purpose — to deal with situations arising from the acceptance of the principle of free settlement areas, and to make the protection of group areas more effective; and whether it is technically practicable.

The committee's major comments and suggestions were:

Some of the clauses in the Bill affecting blacks were not wholly satisfactory. That is, that the proposed substitution of procedures that apply to a group area for those presently applied to black development areas might retard the tempo of black urban development and the provision of housing. An alternative needs to be investigated;

The whole matter of penalties should be reconsidered. The proposed increase in maximum penalties was said to be "subject to serious criticism." This was said to be particularly so in regard to the "insufficiently differentiated nature as well as in respect of the drastic increase thereof, which cannot . . . in all cases be justified." It was also said that attention should be paid to the matter of "consistency with penalties imposed for comparable offences;" and that

"The administrative handling of transgressions be looked at afresh with a view to greater decriminalisation, as well as with the objective of completing administrative action before resorting to criminal procedures."

Various legal technicalities were also addressed. These include a recommendation that in the case of eviction orders and disposal of property illegally held, the administrative process "should ensure a fair trial in order to comply with elementary principles of justice."

The majority of the committee concluded, "on the basis of the predominance of limitations and defects . . . that the Bill, in its present form, does not in all respects comply with its objectives." Hence their reluctance to recommend that the Bill go forward to the State President for his assent. ■



Nat criticism of CP 'hypocritical'

M vs
2/12/88

The Argus Bureau

PORT ELIZABETH. — National Party criticism of the Conservative Party for reintroducing racial segregation was hypocritical because it was the NP which had passed laws like the Separate Amenities Act.

This was said here last night by Dr F van Zyl Slabbert, director of Idasa, who was speaking at the Human Rights conference.

He said the CP "was only acting in terms of legislation which was still on the statute books and it was laughable to see the government criticising these moves".

The NP, by criticising the right, was trying to come out "smelling like roses".

Dr Slabbert said he was excited about the current dynamic in South Africa. Never had he seen the government without vision or plan for the future. They did not know whether to placate the right or concede to the left.

CIVIL DISOBEDIENCE "DAILY"

While they still had strong coercive power the results of rapid urbanisation following the scrapping of influx control had resulted in a situation like Hillbrow, where people of colour had spilled over into former white areas. Civil disobedience was thus being committed on a daily basis.

Externally the situation was also changing rapidly. There was the possibility of common strategies by the United States, Britain and the Soviet Union to bring new kinds of pressure on South Africa.

Progressive Federal Party leader Dr Zac de Beer said discussions were continuing on moves to unite the PFP, National Democratic Movement and the Independent Party.

"All agree that there should be a single party committed to nonracism."

Dr de Beer said that some good remained in institutions such as Parliament and the courts in South Africa "in spite of, and not because of, those who govern us".

80

80
3/12/88

by FRANS ESTERHUYSE, Political Staff

Mat APARTHEID VS CP apartheid

THE spotlight is increasingly falling on Minister Chris Heunis and his Helderberg constituency where petty apartheid lives on in spite of Government protestations against the CP version of the same thing.

It is Mr Heunis's Department of Constitutional Development and Planning which administers the Reservation of Separate Amenities Act, the main pillar of petty apartheid and its accompanying apartheid notice boards now being restored by CP-controlled local authorities in the Transvaal.

The Government's apparent failure to come to grips with the CP's new apartheid drive threatens to halt economic reform and to disrupt race relations in a large part of the Transvaal.

In the face of a major political storm, there is still no clarity from the Government on any steps it will take, if any, to counteract the CP move.

Politicians, lawyers and businessmen this week called for the repeal of the Act, which they saw as the CP's main support base for its action.

Mr Heunis, in a statement, side-stepped this central issue while warning that the Government would not tolerate the "sabotaging" of its policies by town councils. He seemed to dismiss increasing calls for the scrapping of the Reservation of Separate Amenities Act, but indicated that the Government may withhold further powers from local authorities.

What he did not say was how or whether this could stop the CP's revival of petty apartheid in terms of the existing law.

Meanwhile Mr Roger Hulley, Cape leader of the Progressive Federal Party, accused President Botha and his National Party of inflicting "incalculable damage" on South Africa's international reputation with their apartheid policies and apartheid signs over the years.

In a challenge to Mr Botha and Mr Heunis this week on the issue of apartheid signs in Helderberg constituency, Mr Hulley called on the Government to:

● Announce the complete desegregation of all natural amenities and public places before the coming holiday season; and

● Repeal the Reservation of Separate Amenities Act during the next session of Parliament "so that no local authority, whether CP or NP-controlled, would be in a position to put up any further apartheid signs in any public place."

DESPITE moves by some local authorities in Helderberg to dismantle apartheid, the area still has glaring examples of the "whites only" signs which the CP is restoring in municipalities under its control.

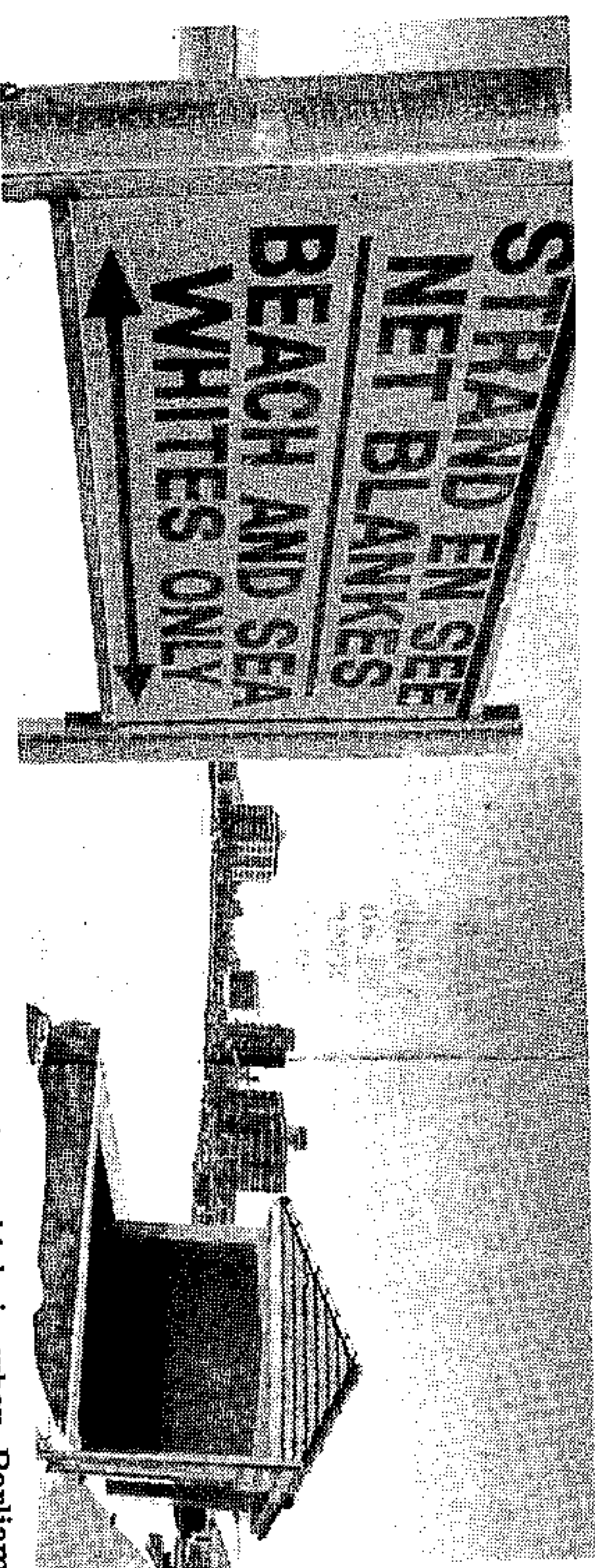
The main Helderberg towns — Somerset West and Gordon's Bay — have to some extent moved away from apartheid but government policies and laws are in the way of any further advance.

Independent Party leader Dr Denis Worrall, who came close to defeating Mr Heunis in last year's general election, has lashed out at the "hypocrisy" of the Government in attacking the CP for actions similar to the Government's own petty apartheid actions.

Dr Worrall said what the CP was doing had, in fact, been practised by National Party-controlled local authorities throughout the country. All this was lawful in terms of the Reservation of Separate Amenities Act.

If Government spokesmen such as Foreign Minister Pik Botha were really genuine in their concern about the CP's action to restore petty apartheid, they should ensure that Nationalist councils would remove the segregation they practised.

"They should work for the repeal of the Act at



the first opportunity, which is when Parliament meets again," Dr Worrall said.

An example of Government hypocrisy was to be found in the attitude of Mr Heunis. A case in point was that of a leading coloured businessman whose application to buy a house in Somerset West had been refused in spite of a unanimous approval of the application by the local town council. Mr Heunis had opposed the application, and it was turned down by the provincial authorities.

Dr Worrall said petty apartheid was a moral issue. What was needed from the Government side was outright condemnation of the practise as being morally indefensible.

SOMERSET West, the main centre in Mr Heunis's constituency, has actually moved away from petty apartheid to a large extent, but still finds itself up against Government policy and the Group Areas Act.

Mr Walter Stanford, a town councillor and former mayor of the town, said this week the progress made in the past was largely due to the efforts of enlightened local authorities.

Today, most facilities in the town were open to all races. Hotels, restaurants and cinemas were open. The central business district was open and so were the country club, sports clubs and the golf club. There were no racial restrictions on municipal sport.

However, the town was still up against Group Areas restrictions which had been inherited from the Verwoerd era of rigid apartheid.

Mr Stanford said that as long ago as 1963, when Somerset West was declared a white group area, the town had opposed group areas. Group Areas

had made "nonsense" of the history of the town where coloured people had lived since early days.

In 1983 the town succeeded in relieving the situation by having two areas declared coloured and for the last few years it had been fighting for more such areas.

Labour Party spokesman Mr Peter Hendrickse, MP for Addo, is among the strongest critics of petty apartheid, especially beach apartheid signs, still existing in Mr Heunis's constituency.

"We challenge the Government to repeal the Reservation of Separate Amenities Act. As long as the Act is there, the CP is acting legally when it restores petty apartheid," he said.

In addition to Helderberg, there were many areas in the Cape where petty apartheid was continuing.

Mr Hendrickse said Gamtoos River Mouth, in his constituency, still had "whites only" signs, in Port Elizabeth the beach apartheid issue had still not been resolved in spite of a request from PE City Council that beaches be opened.

At Ceres, in the constituency of the Minister of National Health, Dr Willie van Niekerk, the local hospital still had separate gates and separate doors for whites and non-whites.

The PRP's Mr Roger Hulley, in his challenge to the Government to scrap the legal base of petty apartheid, said: "It was the NP, not the CP, which imposed the pass laws, the Prohibition of Mixed Marriages act, the Immorality Act, the Bantus-Mariages act, the abolition of the common voters' roll, forced removals, the population register, the Group Areas Act, the Reservation of Separate Amenities Act, and the racist tricameral constitution.

"It was the NP and Mr Botha who have given us the permanent scar of District Six to remind us of the devastation they have caused in the lives of Capetonians and to South Africa's international reputation.

"The fact that some of these measures have now disappeared — mainly for practical reasons of unworkability rather than for moral and idealistic reasons — is no consolation and does not provide grounds for Mr Botha now to castigate the CP in current circumstances."

President Botha's criticism of the CP for their apartheid signs policies was "breath-taking in its cynicism when one considers how much apartheid legislation is still upheld and imposed by his Government."

Monday, December 5, 1988

NP commissions 'anti-CP survey'

JOHANNESBURG. — The National Party opposition in the Boksburg council has commissioned an independent survey of the town in the hope it will prove that residents oppose the ruling Conservative Party administration's return to petty apartheid.

Leader of the NP opposition Mr Chris Smith said the survey would be undertaken by a reputable private company. He said he also expected at least 20 000 voters to sign a petition against the council's decision to bar blacks from amenities in the town.

All 12 CP councillors on Friday declared their allegiance to the CP's policies and measures taken in Boksburg, putting paid to a claim made by Mr Smith the previous day that three members, including CP whip Mr TJ Ferreira, were preparing to cross the floor, effectively robbing the CP of its majority.

However, CP sources said at the weekend that CP mayor Mr Beyers de Klerk was one of three CP members planning to leave the party. One CP

AWB guards 'white homeland'

Own Correspondent

JOHANNESBURG. — AWB members are carrying out unofficial border control duties at the entrances to the proposed "whites-only homeland", Morgenzon, a recent visitor claimed at the weekend.

A salesman who asked not to be identified said AWB members were stopping cars arriving in the town and asking drivers what their business was.

Mr Hendrik Verwoerd of the Oranjewerkers — an Afrikaner separatist movement based in Morgenzon — said he did not know of such activities. The Oranjewerkers had no official ability to control who entered the town, he said, but could not vouch that other groups did not do so.

Brakpan blast at govt offices

Own Correspondent

JOHANNESBURG. — An SPM limpet mine exploded in Brakpan's Victoria Avenue yesterday morning causing slight damage to the exterior of the Department of Home Affairs regional offices, a police spokesman said.

No one was injured. Minor damage was caused to windows and the door of the Home Affairs building. Windows of a doctor's consulting room across the street were shattered.

On Friday morning a limpet mine exploded outside the offices of the Boksburg Receiver of Revenue causing R20 000 damage.

leader said Mr De Klerk had received a "lucrative" offer to cross sides.

Black communities meanwhile began their boycott of white businesses on Saturday in

Boksburg in earnest, and vowed to continue shopping in Benoni and Alberton for as long as the Conservative Party-run council remains adamant in its decision

to close public amenities to people who are not white.

Security forces maintained a high profile in the town, but few black shoppers were spotted, with hundreds being bussed to nearby Benoni and Germiston.

The CP's Johannesburg chairman, Mr Fred Rundle, claimed that the Natal Building Society had lost out on a stake in a R10-million townhouse development in Johannesburg's southern suburbs because of its action against Mr De Klerk.

The NBS last week ended its agency agreement with Mr De Klerk because it said it could not reconcile the CP-controlled Boksburg town council's decision to implement petty apartheid with its stance as an equal-opportunity employer.

● The African Council of Hawkers and Informal Businesses urged all Reiger Park and Vosloosrus residents whose jobs could be threatened by the consumer boycott, to consider becoming self-employed as hawkers. — Own Correspondent and Sapa

Benoni's buses and libraries still segregated

Own Correspondent

JOHANNESBURG. — Buses and libraries remain racially segregated in Benoni.

A survey of nine cities around the country showed that while NP municipalities generally employed less petty apartheid than Boksburg and other towns under CP control, they remained way

behind centres such as Cape Town and Somerset West which have moved decisively to remove local discrimination.

A Benoni city council spokesman said the city had very little, if any, petty apartheid left "due to the council's enlightened attitude".

He admitted, however, that

blacks were not allowed on white buses. The town's libraries were also segregated.

He said that although the town council did not subscribe to a policy of "separate but equal" facilities between the races, amenities were shared only where inadequate separate amenities existed.

Own Correspondent

PORT ELIZABETH. — If passed, the Illegal Squatting Amendment Bill — to be debated in the President's Council this week — will lead "with absolute certainty" to situations similar to what are now occurring in Boksburg under the Separate Amenities Act.

"Places like Boksburg will run riot demolishing houses," said Mr Geoff Budlender, director of the Legal Resources Centre.

He was replying to a question at the Human Rights Conference in Port Elizabeth on Saturday.

The government, Mr Budlender said, had created the legislation which would now be "used in ways it doesn't like".

He said in terms of the bill, all powers would rest in the hands of local authorities.

He predicted that the

Legal director

CAT Tink 6/12/88

warns on illegal squatting bill

legislation would "enable the Conservative Party to run riot in urban and rural areas".

"You are going to find vast numbers rendered homeless with no recourse at all."

"The government will express shock and horror and astonishment."

The bill, he said, was "frightening" because it represented the wrong attitude to urbanisation, which had led to a huge demand for housing in South Africa.

He said it sought to smash houses rather than to let those that had been built remain. What

was needed was to make large areas of serviced land available for housing development.

In reply to another question, Mr Budlender said there was a need for the private sector to take a "broader and longer" view of trade unions to protect human rights in the long-term.

He was referring to the "attitude of a large portion of the private sector to the Labour Relations Amendment Act", which he said would weaken the unions. It would be a backward step after the "significant development" of the unfair labour practice.

Heunis to meet Labour today

Cape Times
6/12/88
By BARRY STREEK
Political Staff

THE leaders of the Labour Party and the Minister of Constitutional Development and Planning, Mr Chris Heunis, are to meet in Cape Town today for the first time since they clashed heavily in Parliament in September.

Today's meeting follows a warning in the President's Council last week by LP representative Mr Billy Ross that if the government forced through its proposed laws on the Group Areas Act and squatting the government could expect every law to end up in the President's Council next year.

Mr Ross hinted that the Labour Party, the ruling party in the House of Representatives, would refuse to pass any bill submitted to it.

A Labour Party spokesman said yesterday that today's meeting was being held at Mr Heunis's request.

Members of the party's leadership and the Ministers Council in the House of Representatives, including the party leader, Mr Allan Hendrickse, will be involved in today's discussions.

The talks are the first since Labour Party MPs walked out of a joint sitting of Parliament to discuss the trilogy of group areas bills in September.

Earlier the party's national executive passed a resolution accusing Mr Heunis of being unwilling to negotiate.

No indication has been given of what will be discussed at today's meeting, but it seems likely that it will be aimed at trying to develop a more harmonious working relationship.

Group Areas 'middle road' seems unlikely

Third ambush to come?

One step forward and two steps back. Parliamentarians are likely to be led a merry dance to the group areas polka again next year.

The decision of the President's Council to recommend changes to the Group Areas Amendment Bill will very likely lead to Parliament having to consider this controversial draft law for the third time in the space of 12 months.

For the moment the Bill is back with the Government's legal advisers, having nearly broken up the tricameral Parliament and causing huge embarrassment for the Government as the National Party rammed it through the legislature this year.

The stormy passage of this Bill is therefore by no means over.

The Labour Party has threatened to block the Bill again at every stage of the legislative process if it should reappear on the parliamentary order paper. The results could place further strains on the tricameral system.

The Group Areas Amendment Bill was introduced to Parliament originally as a package of three draft laws which the Government had hoped would improve the application of the Group Areas Act.

The Group Areas Act, which provides for the reservation of residential areas for the exclusive ownership and occupation of property by a particular population group, had largely broken down over the years.

There had been massive "infiltration" of white group areas by people of colour as a result.

Some estimates placed the number of illegal residents in white areas as high as 200 000.

A combination of factors had caused this infiltration.

There was the huge shortage of housing for people of colour and the growing surplus of white housing.

Whites, generally upwardly mobile and also a decreasing population, have tended to desert inner-city sub-economic homes as they move into the leafy suburbs.

Some of this has been made possible by the relative ease with which many whites have been able to obtain home loans from employers and institutions.

People of colour, often encouraged by desperate or unscrupulous landlords, simply moved into places like Hillbrow and Mayfair in Johannesburg, often paying outrageous rentals for the privilege of getting a roof over their heads.

The authorities became powerless

The harder the Government tries to graft an acceptable face on to the Group Areas Act, the more the Indian and coloured Houses, backed by the PFP, give it the thumbs down. NP experts at the Department of Development Planning are back at their drawing boards tinkering with the proposed legislation for a third time before again presenting it to Parliament — but no-one expects the latest version to be received with any more enthusiasm. **DAVID BRAUN, Political Correspondent**, reports.



The Rev Allan Hendrickse . . . right place for the Bill is in the dustbin.

to act when, in the now-famous Govender case, the courts ruled that offenders of the Group Areas Act could not be evicted unless suitable alternative accommodation could be found for them. Given the massive housing shortage for blacks, this was not possible.

The Government's inability to enforce the law became a major issue in the general election of 1987, with the Conservative Party claiming the National Party simply could not, or did not wish to, apply the Group Areas Act.

The National Party therefore devised what it believed was the ideal solution to its problems: It would provide henceforth for both integrated residential areas and for segregated group areas.

A trilogy of Bills was introduced to Parliament. Two of them provided for free settlement areas, where people of all groups could own and occupy properties.

The third, the Group Areas Amendment Bill, provided for a drastic toughening of the present law with regard to segregated residential areas.

In its original form, it made it obligatory for any offender to be evicted even though no alternative accommodation had been obtained. It also provided for a massive increase in penalties.

There followed a huge outcry as the public realised that 100 000 or more people could be evicted from their homes. Lawyers and organisations threatened to clog the courts with actions if the authorities proceeded in terms of the new law.

The Conservative Party aggravated matters by announcing it would take it upon itself to seek out all offenders of the law and ensure the authorities acted against them.

The Government hastily withdrew the legislation and introduced a new Bill which provided for the Minister of Local Government and Housing in each of the three own affairs administrations (for whites, coloureds and Indians) to make the final decision whether offenders should be evicted or not.

It became clear the Government would not act against offenders of the law in irretrievably integrated

areas such as Hillbrow.

The new Bill, like the previous version, was rejected in principle by the House of Representatives and the House of Delegates which meant it could not be amended by the remaining chamber, the white House of Assembly.

The Progressive Federal Party moved amendments, effectively blocking the legislative process as any amendments had to be considered by all three Houses.

The PFP also accused the Government of plunging Parliament into its worst crisis and it refused to have anything more to do with procedures concerning the legislation.

Lengthy talks between the NP and the LP resulted in an agreement by the Government to withdraw the legislation which had been dealt with by means of rules changed by the Assembly.

The Government agreed to re-introduce the legislation and the two minority Houses agreed to take part in procedures dealing with it, provided that the three Houses could debate and vote together on the measures in a joint sitting.

The Group Areas Amendment Bill was therefore withdrawn for the second time.

When the three Houses debated the legislation the Conservative Party slammed the procedure as a farce, saying the Government had made a mockery of Parliament and wasted white MPs' time.

The Labour Party and other opposition parties used the joint debate to berate the Government in the strongest terms for the policy of group areas. The debate generated heavy and damaging publicity against the Government.

At the end of the debate, the minority Houses refused to vote on the legislation, prompting the Government to claim bitterly that the agreement between the NP and Labour to dispose of the legislation had been breached.

Labour leader the Rev Allan Hendrickse said the only way the legislation could be disposed of was by putting it in the dustbin.

The State President has announced the Bill has been referred back to the Department of Development Planning for consideration.

It is now very likely a revised Bill will be introduced in Parliament next year.

What will remain of the Government's original intentions with regard to the legislation, and when it will eventually be implemented, no one is venturing to predict.

SIMON BARBER

WASHINGTON — A Soviet journalist permitted to tour SA for three weeks has returned home with the news that the Group Areas Act is obsolete and withering away.

"Go to Hillbrow and you will see it for yourself." Izvestiya correspondent Boris Belatskin urged Radio Moscow listeners in a broadcast to southern Africa aired on November 30.

(92) B/press 14/12/28
Soviet reporter says GAA is 'withering away'

Belatskin said that in the course of a "packed programme" that included about 60 interviews, "on one occasion ... did I feel anything unpleasant or hostile".

He was especially pleased that "despite ... censorship, people in the RSA do know about the Soviet policy of openness and about the personality of the Soviet leader

Mikhail Gorbachev".

Belatskin saw just one "whites only" sign — on a public lavatory in Pretoria — and was impressed by the degree of racial integration he encountered.

"At a show I attended at the State Theatre of Pretoria, a good half of the spectators were blacks. The downtown areas of the largest

cities ... are filled with noisy, multi-coloured crowds of people."

He noted that identity documents still classified holders by race, even though "the words have been replaced with digital codes".

And while "grey areas" were increasingly common, the living conditions were comparatively equal.

Furthermore, President P W Botha had been putting "pressure" on Parliament to "renovate the Group Areas Act" to step up evictions of "illegal settlers".

Belatskin had mixed feelings about the SA Black Taxi Association which, he said, received "all sorts of government support", including "access to the President

himself", even while putting up "serious competition" to government-subsidised bus services.

Sabta officials "all told me that the main thing is to give room for business activity, to have the international sanctions blasted because these led to a reduction in the number of available jobs, and to prevent any interference in the work of the government on the reform".

The granting of ownership rights to blacks was an "important" advance, the correspondent thought.

SIMON BARBER

WASHINGTON — A Soviet journalist permitted to tour SA for three weeks has returned home with the news that the Group Areas Act is obsolete and withering away.

Soviet reporter says GAA is 'withering away'

Belatskin said that in the course of a "packed programme" that included about 60 interviews, "on not one occasion... did I feel anything unpleasant or hostile".

He was especially pleased that "despite... censorship, people in the RSA do know about the Soviet policy of openness and about the personality of the Soviet leader Mikhail Gorbachev".

Belatskin saw just one "whites only" sign — on a public lavatory in Pretoria — and was impressed by the degree of racial integration he encountered.

"At a show I attended at the State Theatre of Pretoria, a good half of the spectators were blacks. The downtown areas of the largest cities... are filled with noisy, multi-coloured crowds of people."

He noted that identity documents still classified holders by race, even though "the words have been replaced with digital codes".

And while "grey areas" were increasingly common, the living conditions were comparatively equal.

Furthermore, President P W Botha had been putting "pressure" on Parliament to "renovate the Group Areas Act" to "step up evictions of illegal settlers".

Belatskin had mixed feelings about the SA Black Taxi Association which, he said, received "all sorts of government support", including "access to the President himself", even while putting up "serious competition" to government-subsidised bus services.

Sabta officials "all told me that the main thing is to give room for business activity, to have the international sanctions blasted because these led to a reduction in the number of available jobs, and to prevent any interference in the reform."

The granting of ownership rights to blacks was an "important" advance, the correspondent thought.

"Go to Hillbrow and you will see it for yourself." Izvestiya correspondent Boris Belatskin urged Radio Moscow listeners in a broadcast to southern Africa aired on November 30.

250
6/13/83 11/12/83

(80) B/dang 21/12/88

A MUSLIM anti-apartheid activist said yesterday he had been sent a pig's head gift-wrapped in Christmas paper.

Mohammed Dangor, secretary of Actstop which campaigns against group areas evictions, said the parcel was addressed to him and delivered last Thursday to a welfare office in Johannesburg.

Office workers found the rotting head on Monday after the long weekend.

Dangor said the delivery followed telephoned death threats against him

Pig's head 'gift' sent to Actstop's Dangor

and Actstop chairman Cassim Solojee.

An Irish woman was arrested last April for dumping pigs' heads daubed with swastikas outside a synagogue and Jewish club in Durban. The incident prompted President P W Botha to denounce neo-fascist behaviour. — Reuter.

(b)

'Conflict in Parliament if Areas Act not dropped'

Political Staff *ARGUS 78/12/88*
BLOEMFONTEIN. — White voters will be going back to the polls in the new year and the next Parliament will be marked by conflict and confrontation unless the Labour Party gets its way on the Group Areas Act.

This was the thrust of the message to the State President, Mr P W Botha, from the leader of the Labour Party, the Rev Allan Hendrickse, at a public meeting here last night.

Opening the party's 23rd annual congress, Mr Hendrickse

appealed directly to the white community to get rid of the Group Areas Act lest it rebound and eventually threaten white survival.

If the white community persisted with laws such as the Group Areas Act and the Reservation of Separate Amenities Act, the degree of eventual vengeance could increase and the survival of whites in a future South Africa could be in jeopardy, he warned.

Mr Hendrickse told the congress this year's unpleasantness around the Group Areas Act once again clearly demon-

strated that many whites did not show the vaguest conception of how much damage the Act had done to South Africa.

He said: "The National Party and the white voters will in years to come have to pay a high price for this unholy and unChristian act."

He said the LP was convinced the great majority of Nationalists believed the Act was the greatest obstacle on the road to reform.

Mr Hendrickse challenged Mr Botha's contention that there was majority white and coloured support for the Act

and said he would never dare to call a referendum on the Act.

"I would like to caution the State President not to present such statements (on alleged support for the Act) to the people of South Africa as Gospel," he said.

Mr Hendrickse also dealt at length with the Boksburg issue, saying the re-introduction of petty apartheid in the town by the CP town council was the government's own fault for not scrapping the Reservation of Separate Amenities Act.

Hendrickse warns white community:

'Scrap these Acts or face extinction'

Star 28/12/88

80

A d i c J . R L t i a P d d t w e o p

Bloemfontein

The Labour Party leader, the Rev Allan Hendrickse, last night appealed directly to the white community to get rid of the Group Areas Act in case it rebounded and eventually threatened white survival.

If the white community persisted with laws such as the Group Areas Act and Reservation of Separate Amenities Act, eventual vengeance could be worse and the survival of whites in a future South Africa could be in jeopardy, he warned.

Mr Hendrickse, who has been fighting the Government for five years over the Group Areas Act, made his appeal to the white electorate at the opening of his party's annual congress in Bloemfontein.

The Labour Party leader arrived at the City Hall with an escort of municipal traffic policemen.

Among the approximately 1 300 people present were guests of honour Dr Zach de Beer, leader of the PFP; Mr Nelson Ramodike, Chief Minister of Lebowa; and Bophuthatswana Cabinet Ministers and diplomats.

No conception

Mr Hendrickse said this year's unpleasantness around the Group Areas Act demonstrated clearly once again that many whites, be they National Party or Conservative Party supporters, did not show the vaguest conception of how much damage the Act had done.

He said: "The National Party and the white voters will in years to come have to pay a high price for this unholy and unchristian act. I wish to emphasise that the contempt and revenge in respect of this very Act on those who implement and administer it will only increase in the years ahead."

He said the LP was convinced that the great majority of Nationalists felt the Act was the greatest obstacle to reform.

He said: "To those who are of this opinion, the Labour Party wishes to re-confirm its view quite unequivocally: while the Group Areas Act remains on the statutes, the co-operation on the part of the Labour Party in the current dispensation will be marked by confrontation and conflict."

"It is clear the National Party and the whites are clinging determinedly to the Group Areas Act and regard it as a sort of second Calvinist Bible."

Mr Hendrickse challenged the State President's contention that there was majority white and coloured support for the Act.

He said Mr P W Botha would never dare to call a referendum on the Act. The basis of his Government would be shocked by the results of such a referendum.

Mr Hendrickse said the tragedy was that most whites had a mental block about open areas and the implications these would have for their own lives.

He said: "As far as I am concerned, this has to do with my dignity as a citizen of South Africa, to enjoy that which my country offers me."

Take a tip, this pool



An indoor bowling club badge given in lieu of a tip that has probably made Ordwell Makaimure the most Makaimure, who patrols the front desk of Zimbabwean Canadian tourist to heart and has not stopped collecting over the world — many more than his scarlet livery as he hasn't considered tak

Rejection by De Klerk rewrangle over leader of new

Star 28/12/88

By Esmaré van der Merwe, Political Reporter

The leadership vacuum in a new left-of-government political party was emphasised yesterday with Dr Willem de Klerk's rejection of the post.



NI Pierr still lead was amal invol

CP 7 in 10
28/12/88
**'60% CP
favour
selected
mixed
areas'** *80*

Own Correspondent

JOHANNESBURG. — About 60% of Conservative Party voters favour an "intermediate" approach to group areas, while only slightly more than a third of right-wing supporters believe in the rigid retention of residential segregation, a recent survey of 1 450 voters in the Pretoria-Witwatersrand region shows.

Wits University academic Professor Lawrence Schlemmer writing in Optima magazine says 64% of NP supporters, 60% of CP voters and 17% of liberal opposition voters prefer an "intermediate option" including some selected open areas and residential quotas.

Only 37% of CP supporters want strict segregation, while this option is favoured by just 16% of NP voters. Curiously 3% of CP supporters favour the complete abolition of group areas.

According to the survey, the CP would have fractionally more support than the NP if some 28% of NP supporters who consider the CP a second choice, in fact, move to the right.

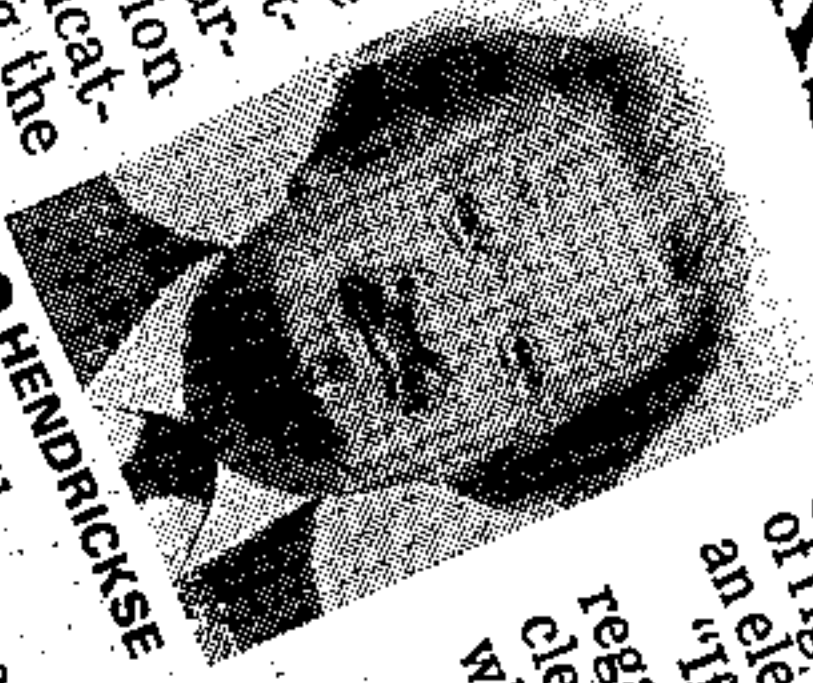
A shift to the right along these lines would give the CP 47% of white voter support, compared to 45% for the NP.

At the same time, support for liberal opposition parties would fall from 15% to 8%.

White voters, he says, are overwhelmingly concerned with the issue of blacks in their immediate environment. The state of the economy seems "curiously disconnected from popular white politics".

and CAPE 80c (71c + 9c tax)

Hendrickse tells P.W. you scrap Areas



HENDRICKSE

LABOUR Party leader Allan Hendrickse last night urged the government to negotiate with his party on postponing a general election until 1992, but indicated that scrapping the Group Areas Act was the price the NP would have to pay to delay a poll. Hendrickse told the LP's national con-

gress in Bloemfontein the NP was afraid of right-wing whites and wanted to delay an election until 1992. "If they are looking for support in this regard, they will first have to give us a clear indication as to the direction in which they wish to send the country. "If the Group Areas fiasco of the past year is anything to go by, then I am afraid the NP will have to contend face to face with the CP at the polls." Hendrickse told the Congress — the 10th he has addressed as national leader — it would not matter to the LP whether

PETER DELMAR

the NP or CP won the House of Assembly elections. The LP was ready to face its voters, he said. Addressing himself to State President P.W. Botha, Hendrickse said it was no disgrace to negotiate with the LP and CP. He warned the LP would not allow Parliament to be used as an instrument in the struggle between the NP and CP. "While the Group Areas Act remains on the statute books, the co-operation on the part of the LP in the current dispens-

ation will be marked by confrontation and conflict," he said. The three-day congress will decide whether the LP, the majority party in the House of Representatives, should stay in Parliament. Hendrickse said the Congress should spell out clearly to the party leadership what approach it should adopt on participation and the election date issue. All three houses will, in terms of the Constitution, have to hold an election by the end of March 1990 if the LP does not

A TIMES MEDIA PUBLICATION

Act, we'll halt early election

agree to a postponement. Hendrickse said the LP had achieved considerable success in uplifting the Coloured community and now "totally dominates parliamentary policy." However, the fact that the President's Council had been forced to decide on its own Group Areas recommendations had turned the whole parliamentary system into a farce, he said. The LP, he said, should start negotiations with leaders such as Mangosuthu Buthelezi, Nelson Mandela, homeland leaders, the ANC, the UDF and others.

8/1 day 28/12/88

Star 30/12/85

(80)

Majority of coloureds oppose segregation but want own areas

Political Correspondent

BLOEMFONTEIN — While 83 percent of the coloured population oppose the Group Areas Act, 79,5 percent would not want people of other race groups to settle in areas reserved for their own community, a survey commissioned by the Labour Party has found.

The results of the survey were published in the Labour mouth-piece, *Steadfast*, and distributed at the party's congress in Bloemfontein this week.

The poll was based on 1 307 questionnaires sent at random to people registered as voters of the House of Representatives.

A total of 842 questionnaires was completed by ministers of religion, businessmen, teachers, public servants, artisans, clerks, policemen, salesmen, general workers and pensioners.

Another 30 questionnaires were returned by the Post Office.

COMBAT APARTHEID

Nearly 92 percent of those who responded said the LP was correct to work within the system for change and to combat apartheid; 76 percent said the party was effective in Parliament; 85 percent believed the LP should continue to participate.

Just over 71 percent rejected violence as a solution to the country's problems, but 25,3 percent found it acceptable.

There were 91 percent opposed to sanctions on South Africa.

A little more than 56 percent agreed the African National Congress and Pan-Africanist Congress should be banned, although 63,5 percent believed that Nelson Mandela and other political prisoners should be released without condition.

Although 83 percent did not support the Group Areas Act, 79,5 percent said that while there was a shortage of houses and land for the coloured community, they could not agree that persons of other ethnic groups should acquire homes and buy properties in areas set aside for their community.

According to the poll, the most popular political figure named by the respondents was Labour Party leader the Rev. Allan Hendrickse, who was selected by 81 percent.

Mandela polled 8 percent, Archbishop Desmond Tutu 4 percent and Dr Allan Boesak 2 percent.