

POPULATION

REGISTRATION

1975 - 1976

HANOSARD 3

Q. column 243-244

21 February 1975.

Immorality Act

56 Mrs H SUZMAN asked the Minister of Justice

- (1) How many cases under section 16 of the Immorality Act were referred to each Attorney-General during the period 1 July to 31 December 1974
- (2) how many of the persons concerned were (a) prosecuted, (b) convicted and (c) are still awaiting trial

239

The MINISTER OF JUSTICE

	(1)		(2)	
	(a)	(b)	(c)	
Pretoria	47	34	59	Not available
Cape Town	31	17	7	7
Bloemfontein	14	15	9	5
Grahamstown	23	41	23	16
Pietermaritzburg	14	28	17	10
Kimberley	7	7	1	6
Windhoek	6	7	6	1

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FORWARD 9

Q. column 645

8 April 1975.

239

Book of Life

*12 Mr W T WEBBER asked the Minister of the Interior

- (1) (a) What number of the identity documents known as The Book of Life has been issued by his Department and (b) when was the issuing of these documents commenced,
- (2) how many (a) applications for these documents have been received and not finalized and (b) identity documents remain to be issued for which applications have not been received,
- (3) when is it expected that all documents will have been issued

The MINISTER OF THE INTERIOR

- (1) (a) 2 112 600
(b) 1 February 1972
- (2) (a) 253 000
(b) Approximately 6 million.
- (3) Approximately 1980

HANDBOOK 9

Q column 674

11 April 1975

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2.239

Griquas X

*13. Mr C. W. IGLIN asked the Minister of Coloured, Rehoboth and Nama Relations:

- (1) What is the total number of Griquas in the Republic;
- (2) whether representations have been made to him for the registration of Griquas as a separate race group; if so, with what result;
- (3) whether representations have been made to him for the establishment of a Griqua homeland; if so, (a) what area was envisaged as such a homeland and (b) what was his reply to the representations.

†The MINISTER OF COLOURED, REHOBOTH AND NAMA RELATIONS:

- (1) Statistics not available.
- (2) No.
- (3) No.

HANSARD 10 Q 704

15 APRIL 1975

239

Contraventions of Immorality Act

*27 Mrs H SUZMAN asked the Minister of Police

(a) How many cases of suspected contravention of section 16 of the Immorality Act were investigated in 1973 and 1974 respectively and (b) how many charges of contravention were laid in each of these years as a result of these investigations

The MINISTER OF POLICE

Statistics in respect of the 1973 and 1974 calendar years are not readily available but the required particulars in respect of periods 17 1972 to 30 6 1973 and 17 1973 to 30 6 1974 are being furnished

	(a)	(b)
17 72—30 6 73	436	308
17 73—30 6 74	479	339

Reply standing over from Friday, 11 April 1975

15/4/75

Q. Column 709

239

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Reply standing over from Friday, 11 April 1975

Daily Dispatch 21/4/75 (239)

Sex across the colour line up — professor

JOHANNESBURG — In the present climate of detente, it would be reasonable to assume that sex across the colour line had increased, Professor Barend van Niekerk of the University of Natal said yesterday.

"Considering the fact that there is more racial tolerance, I must assume that there is more sex between the races," he added.

The professor was commenting on the increase in the number of investigations and prosecutions under the section of the Immorality Act dealing with sex across the colour line.

Between June 1973 and June 1974, there had been an increase of about ten per cent in the number of investigations and prosecutions.

Professor Van Niekerk thought it was significant that the increase "is not really substantial." The increase in population had to be considered, and he believed that the police were sticking to instructions to look into "serious cases."

His interpretation of the figures differed from that of Mrs. Helen Suzman, the Progressive Party MP, who said it was "depressing to find that the police have evidently been instructed to be as vigilant as ever, if not more so, in arresting people who commit the heinous crime of sex across the colour line."

"With respect to Mrs. Suzman, I disagree. When one considers that not very

long ago the figures were more than twice the present ones, the small increase basically means that the police are sticking to instructions," he said.

Mrs. Suzman said it was not possible to know whether Section 16 of the Act acted as a deterrent against sex across the colour line. "It is archaic and insulting. The state should not have the right to interfere in this aspect of the private lives of citizens," she said.

— DDC

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Inter-race sex suspicion

Natal
Mercury
Correspondent

21/4/75

JOHANNESBURG —

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"With respect to Mrs. Suzman, I disagree. When one considers that not very long ago the figures were more than twice the present ones,

the small increase basically means that the police are sticking to instructions," he said.

Mrs Suzman said it was not possible to know whether Section 16 of the Act acted as a deterrent against sex across the colour line. "And it is not important to know, because this law has no business to be on our statute book

INSULTING

"It is archaic and insulting. The State should not have the right to interfere in this aspect of the private lives of citizens."

Prof van Niekerk did not think the Act "really acted as a deterrent."

"In the hey-day of prosecutions, it didn't seem to deter people when a sentence of seven years hung over their heads I don't see how it could deter them now."

Mrs Suzman, who has twice moved a Private Member's Motion in Parliament to repeal Sections 16 of the Act "which has caused so much anguish to so many accused and their families," again called for its abolition

HANSARD 16 @ 1055
27 MAY 1975

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X **Determination of race of infants**

The DEPUTY MINISTER OF THE INTERIOR replied to Question *15 by Mr R M de Villiers

Question

What criteria are applied by officials of his Department to determine the race of infants whose parents' or fathers' race is not known

Reply:

Appearance and acceptance

Race rulings rocks family in Lenasia

*RJW
26/6/75*

By AMEEN
AKHALWAYA

A YOUNG Coloured woman, married to an Indian and whose children are classified Indian, has failed in her bid to get herself reclassified as an Indian.

Mrs Naomi Naick, who married Mr Arumooogan Naick of Lenasia in 1969 in both a religious and a civil ceremony, was this week informed of the decision in a letter from the Department of the Interior.

And a member of the Lenasia Management Committee, Mr Ismail Mayet, yesterday hit out at the

legislation "which decides who a person can or cannot be."

Mr Mayet was one of the three prominent Lenasians who submitted letters in support of Mrs Naick's reclassification bid, which began 18 months ago.

The department's letter to Mrs Naick and her request to be reclassified as Indian "has been duly considered, but in view of all the information available to me, your classification as Coloured is being regarded as correct and I am not prepared to amend it as requested.

"Kindly regard the matter as finalised," the letter said

The couple have two children, Roshni, 5, and Vanash, 18 months

Mrs Naick said she first wrote to the department in December, 1973. Seven months later, she was asked by the Department of Indian Affairs in Johannesburg to produce her husband's identification documents, his father's or brother's Transvaal Asiatic Registration Card, his passport and their children's birth certificates.

Mr Naick said he was "feeling very upset" about the decision.

"Naomi and I are worried about what could happen in the future," he added.

Mr Mayet described the decision as "making non-sense of Government pledges to do away with discrimination."

"What would the position be should something happen to Mr Naick? Will Mrs Naick then have to go back to a Coloured area and leave the children? Will they, too, have to go through the process until their future is decided by the stroke of a pen?" asked Mr Mayet.

A spokesman for the Department of the Interior declined to discuss the case.



Mrs Naomi Naick with her children Vanash, left, and Roshni, whose bid to be reclassified from Coloured to Indian failed this week

Mother

out to
get her

race
changed

Cape Times Reporter

MRS LYNETTE WILSON
22, the Cape Town divorcee who is prohibited by law from marrying the father of her seven-month-old son because they belong to different racial groups, said yesterday she would apply to the Department of the Interior to be reclassified Coloured.

Mrs. Wilson, who has adopted the Muslim faith and the Muslim name Faziem, sees this as her only chance of ensuring that she can remain with her baby and Mr Moegsten Solomon, the man she loves.

Although her baby, Marwan, was classified White at birth, he will probably be reclassified Coloured, according to a spokesman for the Interior Ministry. This is because the Population Registration Act states that no person may be classified White if one of his natural parents is of another race.

At birth, Marwan was registered as the son of an unmarried White woman and now bears his mother's name and race.

Mr Solomon, a Cape Town hookeyer, and Mrs Wilson are determined to continue their struggle to remain together and give their child the stability and status of a legal marriage — in South Africa.

AUSTRALIAN OFFER

The only alternative — is to emigrate.

A spokesman for the Australian Department of Immigration in Canberra said the couple would almost certainly be allowed to emigrate to Australia.

"We are grateful for the offer, but we would love to stay in South Africa," Mrs Wilson said yesterday. "All the people we love and know are in South Africa, and besides, we don't have the money to emigrate."

A spokesman for the Department of Race Classification yesterday refused to comment on the chances of success of a reclassification application.

"Every case is treated strictly on merit," he said.

Foreman admits morals change

was Baas Tom, the station foreman"

Du Plooy said he had worked for the Railways for 16 years and was not trained for any other work.

Mr J Els, for Du Plooy, said there was already talk of divorce between Du Plooy and his wife.

floor of the station-master's office at about 440 am. He notified his sergeant and when the two men entered the office Du Plooy jumped up, pulling up his trousers

When asked whether he knew who the man involved was, Constable Moutung replied: "Yes, it

Miss Lekalakala pleaded not guilty to the charge and the trials were separated Her case will be heard later.

morality with Miss Elizabeth Lekalakala (21), a factory worker, in the early hours of February 20.

Du Plooy, a married man with an adult child, was sentenced to nine months' imprisonment, conditionally suspended for three years.

Pretoria Bureau

A Hammanskraal railway station foreman pleaded guilty today to committing immorality with an African girl in the station master's office.

Thomas Vero du Plooy (48) was charged in the Pretoria Regional Court with committing im-

MRS Lynette Wilson, the White woman who was convicted of contravening the Immorality Act with a Coloured pop musician, Mr Moegsten Solomon.



W/E ARBUS 7/6/75 (239)

MANY Black and White lovers in Cape Town risk arrest in terms of the Immorality Act. And now their twilight world has been highlighted by the case of a man and a woman who were convicted in court after the police found them living together illegally.

Mrs Lynette Wilson (22) and Mr Moegsten Solomon (24) were given a suspended sentence in the Cape Town Regional Court last week after being convicted of contravening the Immorality Act.

NIGHT CLUB

Mr Solomon is a good looking young man who met Mrs Wilson in the White Cape Town nightclub where he was performing with his band nearly three years ago.

Their case is not an isolated one. It is a typical example of the heartbreak caused by the Immorality Act.

It is a problem that occurs often in Cape Town where interracial parties are held regularly.

White and Coloured men and women fall in love at these parties and clubs and then it is a matter of avoiding the police.

Those who are arrested are not always prostitutes and men who have a 'fly-by-night' experience. Many are decent, respectable people who can only get married if the Government reclassifies them.

The only solution for most is to leave the country and get married overseas.

These lovers who play a 'cat-and-mouse' game with the police for fear of arrest under the Immorality Act, often have children who grow up with all sorts of problems. Most of these couples can only meet secretly at night.

RELUCTANT

I know of a Coloured woman dancer of Athlone who fell in love with a German tradesman. He visited her at her parents' home regularly. They had a child but could not get married. She was reluctant to leave South Africa and he went back to Germany, heartbroken.

A pretty White Cape Town girl once told me of her love for an Indian pop musician whom she met in a city nightclub. She had an affair with him and...

By Raymond Hill

his funeral after he died in a road accident

One way of solving the problem is by applying to the Government to be reclassified in terms of the Population Registration Act. If their applications are successful couples may then marry and live together legally.

OVERSEAS

In recent years many mixed couples have left South Africa to live overseas permanently because the law did not allow them to get married here.

An official of the Department of the Interior was unable to say whether love could be given as a reason for reclassification by couples of different races who wanted to get married.

An official of the Department of Justice said it was illegal for couples of different races to get married in terms of the Prohibition on Mixed Marriages Act. No statistics are available of mixed couples going overseas to get married.

AUSTRALIA

These are just some of the people who have been affected recently by the Immorality act.

● Mr Dirk Kotze, a 27-year-old White artisan and his Coloured lover, Miss Shayida Ida Adams, of Paarl, and their two children. They were forced to settle in Australia after several attempts to be reclassified had failed.

● A 46-year-old Cape Town Malay taxi-driver and his White lover. He was the father of her baby. The magistrate gave him a suspended sentence and warned him to stay away from the woman.

● A young Firgrove Coloured woman had to get married to her White boyfriend in Swaziland. They became the parents of a son and when they came back to South Africa they were told that their

marriage was not recognised here.

White girls were a great temptation, according to a pop musician who played at a Cape Town nightclub.

And if a band member fell in love with one of these girls only his fellow musician would know about it.

Several White and Coloured couples live together legally in Cape Town. They married before the Prohibition of Mixed Marriages came into force. The children of such parents are classified Coloured and are subject to the provisions of the Immorality Act.

The latest annual report of the Department of the Interior shows that 33 Coloured people were reclassified White in terms of the Population Registration Act in 1974.

A total of ten Whites were reclassified Coloured during the same period. The previous year 20 people were reclassified

from Coloured to White. During the same period 12 people were reclassified from White to Coloured.

In all cases the consent of the people concerned was obtained by the department.

COUPLES

Mr M. L. Mitchell MP, chairman of the United Party's constitutional committee, said he knew of many couples of different races who were living together.

He said 'large numbers' of these people had approached him for help.

'Some are luckier than others and can be reclassified in order to get married,' he said.

Mr Mitchell said the law relating to mixed marriages was confused and the result that many couples did not know what their rights were.

'The whole law needs revision in every respect,' he said.

HANDBOOK 2 Q column 79 .

11 February 1975

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Cases considered in terms of Population Registration Act

*21 Mr L G Murray asked the Minister of the Interior

(a) What is the total number of cases considered in terms of section 5(4)(c) of the Population Registration Act from 1970 to 1974 and (b) how many applications (i) were granted and (ii) are pending at present

The MINISTER OF THE INTERIOR

(a) Statistics are not kept

(b) (i) 361

(ii) Statistics are not kept

Mr I G MURRAY Arising out of the hon the Minister's reply, is he able to give us the nature of the reclassifications which totalled 361?

The MINISTER Mr Speaker, the reply is as follows. Classifications amended Coloured to White, 127, White to Coloured 60 Coloured to Indian, 50, Indian to Coloured 114, non-Chinese to Chinese, 3, Chinese to non Chinese, 4, and Bantu to Coloured, 3

Population Registration

1975 - '76

A WHITE painter from Belville sobbed bitterly this week when he was convicted for the third time and jailed for living with the Coloured woman he loves. She is the mother of his two young children.

parents had taken on Miss Dirksen, 21, as a domestic servant at their home in Durban Road, Oakdale.

His father has washed his hands of the affair. Mr P. A. van Breda, a painting contractor in Bellville, Cape, paid his son R34 a week, provided him with accommodation and is now said to be caring for one of the children. But he has now rejected his son. Last night he said angrily, "I am not interested in his case — he should have been sent to jail for longer."

When I told Mr Van Breda the Express intended to take up his son's case and investigate the humanitarian aspects — the sentence is believed to be one of the longest passed under the Immorality Act — he said: "Your intentions do not interest me at all. They can keep him there longer — he has caused too much trouble — your efforts wouldn't be worth it."

He was sick and tired of the "whole business" and declined to discuss the merits of the case. The love story of Pieter van Breda and Wilhelmina Dirksen unfolded before a packed gallery in the Parow Regional Court this week. Several White women burst into tears when the lovers told of how they had met and fallen in love six years ago. They continued their relationship after Pieter's

In October, 1973, Miss Dirksen gave birth to their second child. Pieter applied to be re-classified as Coloured, but was turned down. They continued to live together in a caravan bought for them by Pieter's father. They realised they were living together helplessly under the shadow of previous convictions. Both had been convicted twice before, but there was nowhere else for them to go.

Pieter lost his mother when he was six. His stepmother, Mrs Helene van Breda, said Wilhelmina was still working for her at home when she and Pieter were arrested. At the time she engaged Wilhelmina, she was not aware of her association with Pieter.

The couple lived together in the caravan at Richmond Estate, Newlands, but later moved with the caravan to the Van Breda home in Belville.

A Department of Social Welfare probation officer told the court he did not believe a prison sentence would make any difference to their association. Pieter and Wilhelmina were shaken when they left the courtroom. Wilhelmina wept as she said she felt bitter but she still loved Pieter.

"But this is the law and he is now in jail. So what can I do?" Officially that is where their love story ended. In a courtroom that has again barred them from living legally together.

And while Wilhelmina struggles to bring up her children, Petro, 3, and Glen, 2, their father will be separated from them by prison walls.

See Express 20/7/75 BY KIT KATZIN (239)

Labour rejects Race Boards

Cape Times 23/7/75

THE national executive of the Labour Party decided at a meeting in Durban at the weekend that members of the party will not serve on Race Classification Boards.

The resolution was taken because the party believed that race classification was the basis of discrimination. As it was striving for a non-racial South African society, it could not serve on the boards.

By serving on these boards, the party would be party to discrimination.

The decision made by the New Zealand Government not to allow sporting teams into the country unless the teams were selected on merit, was welcomed. It was felt that the quickest way to change the set-up in South Africa was for more countries to adopt New Zealand's attitude.

Other subjects discussed at the two-day meeting led to the following decisions:

- The Prime Minister's détente initiatives with Black Africa were condemned as immoral and fraudulent until détente became a reality in South Africa.
- A call was made for the immediate opening of all universities to all students;
- A call was made for full citizenship for all South Africans;
- A statement was issued saying that in spite of the party's intention to destroy the Coloured Representative Council (CRC), it would continue to use it as a platform for bringing about social change.

Mr Sonny Leon, chairman of the Coloured Peoples' Representative Council executive, and members of his executive committee, also had discussions with the Zulu leader, Chief Gatsha Buthelezi, members of his Cabinet, and the South African Indian Council.

26/7/75

Race Act:

foreman

guilty

EAST LONDON — A foreman, Mr Malcolm Clive Hitge, 39, of Suffolk Road, here and Miss Mina Mata, 18, of Unit Two, Mdantsane, were found guilty yesterday in the regional court on a charge of contravening the Immorality Act

Mr Hitge and Miss Mata pleaded guilty

They were sentenced to nine months imprisonment which was conditionally suspended for three years

Mr H. Ley said he was driving along the beach from Cove Rock to West Bank on April 16 at 12,10 pm when he saw a car driven by a white man approaching him

He also spotted Miss Mata just before he got to Hickman's Raver, seated on the side of the road.

"I looked into my rear view mirror and saw the car making a U-turn. When the car did not pass me I became suspicious and turned my car around and drove back

"I found the car which had passed me parked alongside the road. I then took its number and began searching the area. In the bush I came across Mr Hitge who was fumbling with his trousers

"Further on I found Miss Mata adjusting her panties and I asked her what she was doing with a white man. She became very apologetic and asked me to leave her in peace," Mr Ley said

"I took her to a nearby tearoom from where I contacted the police who took her away," he said

Mr Hitge and Miss Mata had nothing to say in their defence. — DDR

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Farmers guilty of raping African woman

Staff Reporter
TWO WHITE farmers were found guilty in the Rustenburg Circuit Court yesterday of raping a young African woman. An other man was acquitted. Mr Justice Myburgh found Hendrik Odendaal, 20, and John Kruger, 24, farmers in the Groot Marico district, guilty of raping the African woman, aged 20, on December 21 last year.

He acquitted Odendaal's uncle, Mr Matthys van der Mescht, also of Groot Marico. The judge said he was giving him the benefit of the doubt. Odendaal and Kruger were remanded for sentence until September 4.

REPORT

The judge said he would then have had an opportunity of examining a Department of Social Welfare report on the men.

Odendaal was granted bail of R100 and was told to report to the police every Saturday.

Mr Justice Myburgh refused to grant bail to Kruger and he was remanded in custody.

At an earlier hearing the African woman said three men ordered her into a van while she and two friends were walking along road.

She was driven to a farm and taken to the back of a store where she was raped by Odendaal and then by his uncle.

After that Kruger raped her twice.

She said Odendaal had threatened to put dogs on her if she did not stop shouting.

Kruger told the court the African woman had not strongly objected to his lovemaking.

RELATIONS

He admitted he had pre-

THE Government is investigating racial discrimination in South Africa.

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1239

There were strong suggestions in Nationalist political circles this week that a top-level inquiry was started some months ago and that this could lead to a new statement of policy.

By EUGENE HUGO

A Cabinet committee of senior ministers is understood to be wrestling with the problem of what "irritating" measures leading to racial friction can be removed from the statute book.

Ministers almost certainly will be asked to consider Mr. Marais Viljoen (Labour), Mr. M. C. Botha (Bantu Affairs), Mr. Schalk van der Merwe (Coloured Relations), Mr. A. H. du Plessis (Community Development) and Mr. Jimmy Kruger (Justice).

The cabinet would not confirm nor deny the investigation which could have far-reaching implications for the country and in particular the National Party — already facing suspicions among its conservative followers over the extent of relaxation it might be planning.

This follows South Africa's firm commitment at the United Nations to move away from discriminatory practices and Mr Vorster's famous "Give me six months" speech.

And it comes after repeated calls from Opposition politicians for a multi-racial committee to investigate discrimination.

At this stage it is not known to what extent the Cabinet committee is consulting Black, Indian and Coloured leaders.

But these leaders have already made it clear to the Government which of the network of discriminatory laws they find most abhorrent.

The leakage of information about the investigation comes at a time when suggestions in Opposition political circles are increasing that the Government has made as many minor relaxations as it can offer in terms of conservative reaction.

It also comes at a time when Mr Vorster is consolidating his relations with Black leaders within his domestic exercise.

Perhaps equally significant though is the fact that this is made known during the week which there has been a new security crackdown with the arrest of 1000 students under the Terrorism Act.

A clear pattern has emerged according to the Government of a new security crackdown with the arrest of 1000 students under the Terrorism Act.

force the pace of change.

This fresh indication of his olive branch and iron glove approach has emerged the week before the Transvaal Nationalist congress which starts in Pretoria tomorrow night.

It also precedes the Cape Nationalist congress which opens in East London in a week's time.

At both congresses delegates are expected to seek clarity over moves away from discrimination and assurances over the protection of the White Afrikaner identity.

The Cabinet committee's work almost certainly led earlier this year to the removal from the statute book of the outdated Masters and Servants Act.

Now it is being suggested that the investigation will lead to programmed moves away from discrimination according to a basic plan which will clearly indicate to anxious Nationalists how far the Government intends to eliminate racial measures.

It can be accepted that the committee will regard four basic measures as not negotiable:

- No sharing of political power.
- The Population Registration Act (influx control).
- The Mixed Marriages Act.
- The Immorality Act.

Suggestions are that the committee's investigation will not be complete for at least another year, although some of its recommendations might be implemented in the interim period.

A policy statement at the highest level is expected in Nationalist circles as soon as the committee has completed its investigations.

Meanwhile it can also be accepted that South West Africa will be used as a barometer for future decisions of discriminatory measures.

A number of relaxations have already been implemented in the territory and a further move away from discrimination is expected on September 14 when the Legislative Assembly is almost certain to give the Liquor Act.

This will allow all racial groups free access

EDITORIAL



OPINION

THE 'STUD BOOK'

SOUTH AFRICA'S race classification laws embody one of those special refinements in the dispensation of human distress which makes apartheid such a universally detested creed. A central feature of this humiliating legislation is a sort of "stud book" in which every South African must record his ancestry and the colour of his skin. No other country in the world keeps such a register, because no other nation is so obsessed with colour.

The first entries in the "stud book" go back to 1950 when the Population Registration Act was implemented, and since then the registry has acquired fame for its vignettes of heartache and tragedy, punctuated with excerpts of sick humour such as the case of the Hassan twins reported in our columns yesterday.

Shereen and Sherazad Hassan are the attractive twin daughters of Malay parents. Yet their respective Books of Life, which among other things represent their certificates of colour, proclaim that one is Malay and the other Coloured. One's first reaction is to roar with laughter — then one realises the implications.

Whoever perpetrated this blunder was dealing with something far more serious than the issue of a driver's licence or a permit to fish in Durban bay. A person's race classification determines their

life style. It can affect their job, their choice of school for their children, their right to vote, their pension and a wide spectrum of amenities and facilities which they may or may not enjoy. That is not a field in which mistakes can be tolerated.

Yet we are all familiar with the indignities, humiliations and tragic consequences which have flowed from the ill-advised and careless applications of this objectionable legislation. There have been cases where children have been removed from their parents, and where married couples have faced prosecution under the Immorality Act because of different race classifications.

The chronicle ranges from the shocking to the bizarre. There have been Whites who have crossed the colour line and become classified as Coloured in order to save their marriages, and several instances in which members of the same family have been classified White and Coloured. No more distasteful affront to human dignity has been devised and none is more steeped in human distress.

If there is to be race classification at all — and that is inevitable if apartheid is not to disappear altogether — then at least the simple criterion of "appearance and acceptance" should be reintroduced as the basis for classification. Moreover, officials should be made more aware of their grave responsibilities.

PE Fire Chief wins Immorality Act appeal

The Argus Bureau 12/9/75

GRAHAMSTOWN. — A conviction and sentence under the Immorality Act was set aside in the Supreme Court here today.

The conviction and sentence of four months' imprisonment imposed on Mr Geoffrey Brian Estment (45), Chief Fire Officer of Port Elizabeth for an alleged offence under the Immorality Act with an African woman in October last year was set aside on appeal by the Judge President of the Eastern Cape Division, Mr Justice Jennett

After reviewing the evidence, the judge said that in his view the State case was not proved beyond reasonable doubt.

Under the court's review powers, a similar order was made in respect of the conviction and sentence of the woman, Mrs Nosipho Joyce Yose (25), who had been sentenced in the Port Elizabeth Regional Court in February to four months' imprisonment.

Mr Justice Jennett said there were many unsatisfactory features in the evidence for the State.

Dealing with the general probabilities, he said Bird Street, where it was said the offence had been committed about 10 30 pm in a big American car, was a busy, well-lighted street.

Light from across the street actually shone into the car where the State alleged it had been parked.

In view of his position as Chief Fire Officer, the appellant must have known of many other much more secluded places than this one.

It was highly improbable that he would have had

(Continued on Page 2, col 6)

Immorality Act appeal

ARGUS 12/9/75

(Continued from Page 1)

relations with an African woman in his car parked where the State witnesses said it was, with the car window wide open.

The defence case was that Mr Estment was trying to eject the woman from his car when the main State witness arrived on the scene.

Her evidence was that she had entered the car seeking a lift because she was fleeing from the attentions of three men who wanted to snatch her handbag.

Mr Justice Cloete concurred in the judgment.

In an interview after the court's ruling, Mr Estment said in Port Elizabeth:

'It is an experience I would not wish on my worst enemy; thank God it is over.'

For Mr Estment, who was told the decision by telephone soon after the hearing, it was the end of 10 months of heart-ache and living from day to day with a four-month

prison sentence hanging over him.

Visibly moved by the news he had received a short while before, Mr Estment said: 'I cannot say anything else than thank God justice has prevailed. It will be like starting a new life.'

Slightly built, and wearing his neat dark blue uniform, Mr Estment said: 'It is impossible to describe what something like this does to a man's family. We have been living under constant strain for 10 months.'

Fire chief tells of

San Express
14/9/75



Mr Geoffrey Estment . . . acquitted.

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SEX CASE AGONY

PORT ELIZABETH. — Mr Geoffrey Brian Estment, Port Elizabeth's 45-year-old fire chief who was cleared this week of having sex with a young African woman, told me afterwards: "I died a million deaths under the Immorality Act."

He added, his eyes filled with tears: "And now I feel as if I have been brought back to life."

Eleven months of agony and humiliation ended on Friday for Mr Estment when his wife telephoned and told him, "It's all over, Brian. You have been cleared and I love you."

Behind Mr Estment's acquittal lies a story of a bitter struggle for acceptance in a society that had branded him a criminal.

He was sentenced to four months' imprisonment in November last year, when a local magistrate found him guilty of having sex in the front seat of his car with 25-year-old Miss Joyce Yose.

But this week the Judge President of the Eastern Cape, Mr Justice Jennett, revoked the conviction and prison sentence on the grounds that the State's case had not been proved beyond reasonable doubt.

In the lower court case, two police reservists said they had discovered the couple having sex in the car in Bird Street on the night of October 26 last year.

But Mr Estment alleged the African woman climbed into his car because she was trying to escape from three tsotsies. He said he was trying to eject the woman when Sergeant C. R. Eke and Sergeant J. H. Bosch arrived.

Summing up, Mr Justice Jennett said there were so many unsatisfactory features in the State evidence that the conclusion that the crime

By **TIM O'HAGAN**

titanic struggle to 'destroy the social stigma as a result of the case

"You probably think I am being melodramatic," he said this week, "but the private hell of being convicted under the Immorality Act is indescribable. The social stigma is almost as bad as if I was a murderer."

"I died a million deaths under the shadow of the Act and I have not spent a single night with a free mind."

"During these past months, I have had the vilest, most vituperative insults hurled

at me. One man phoned me up one night and said 'Are you going to — some more kaffirs tonight?'

"I have seen strain and tears in my wife's eyes throughout this period as she stood by my side like a pillar. And I have lived with a burden 24 hours a day, thinking how my children must feel."

Mr Estment's eldest son walked into his father's office after he was cleared this week and shook his hand with tears streaming down his face.

Although the conviction and sentence imposed on Miss Yose was also set aside, I believe she has already served part of the four-month prison term

had been proved beyond reasonable doubt was not justified.

The Judge President said the defence version of the incident involved movements by the fire chief which would have brought his body into close contact with that of the woman, even to the extent of seeming at times to be over hers.

I first spoke to Mr Estment immediately after his conviction in November. He was a crushed man.

He told me in a quavering voice: "I will move hell and high water to prove my innocence."

That was the start of a

Couple sentenced under Morals

Act

ARGUS

17/9/75

SENTENCING a 35-year-old White man and a young Coloured woman under the Immorality Act, a Cape Town Regional Court magistrate said today he would take into account that a large section of society did not agree with the Act.

Frederick Johannes de Wet Mostert of Wilkinson Street, Gardens, was sentenced to one year's imprisonment, of which six months were conditionally suspended for three years.

Mostert was sentenced to six months' imprisonment for a similar offence in May last year, and the magistrate regarded this as an aggravating circumstance in determining sentence.

SUSPENDED

The Coloured woman, Connie Jacobs (21), of Kloof Street, Tamboerskloof, who had no previous convictions, was sentenced to five months' imprisonment, suspended for three years.

Evidence was that Mostert and Jacobs were arrested by Sergeant A D Barkhuyzen and Constable J F Koegelenberg in De Waal Park on the night of May 19.

The magistrate, Mr D J van Eeden, said that as long as the Act was on the Statute Book courts had to apply it although large sections of the community did not agree with it.

Mr F Silbert appeared for the State.

Judge hits at marriage bar

TIMES 19/9/75

A CAPE TOWN judge said yesterday that a section of the Bantu Affairs Administration Act which has the effect of discouraging marriage was "remarkable" and "socially destructive".

Mr Justice Steyn said this during argument in the hearing of an application by the Bantu Affairs Administration Board to have a claim by a Guguletu man, Mr Gideon Mtima, against it dismissed on the grounds that it was bad in law.

Mr Mtima wants an order declaring him and his wife, Vuiswa, qualified and entitled to be in the prescribed area of the Cape Peninsula in terms of the Act.

In addition he asks for an order directing the board to endorse their reference books to the effect that they are qualified

and entitled to remain in the area

In papers before Mr Justice Banks and Mr Justice Steyn, Mr Mtima said that he married his wife in October, 1961, and that they were both qualified and entitled to remain in the prescribed area.

He had worked continuously in the area for one employer for not less than 10 years since December, 1963, and had not been fined more than R100 or sentenced to imprisonment for more than six months.

His wife had married him when he was quali-

fied to be in the area and had lawfully lived with him in it since August, 1973

The board opposed the application on the grounds that what Mr Mtima stated did not qualify or entitle him and his wife to remain in the area.

The board said that Mr Mtima had failed to make allegations which disclosed a cause of action on which the relief he claimed could be founded and asked that his claims be dismissed.

RIGHT LOST

Mr G D van Schalkwyk, for the board, submitted that in terms of the Act a person who qualified to live in the area because his parents did lose that right when he married, and had to leave the area.

Mr Justice Steyn said that it was remarkable that Parliament could have deliberately enacted socially destructive legislation which had the effect of discouraging marriage and could result in illegitimacy.

He and Mr Justice Banks reserved judgment.

Mr D I Ipp, instructed by Fuller, Moore and Son, appeared for Mr Mtima. Mr G D van Schalkwyk, instructed by Silberbauers, appeared for the board.

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The Cape Times

FRIDAY, SEPTEMBER 19, 1975

The migrant myth

PROFESSOR MONICA WILSON exposed a number of myths in her Hoernle memorial lecture* last week the myth, for instance, that White South Africans occupied an empty land, or that its population was very small, and the myth, which itself contradicts the first one, that Southern Africa, before the advent of Whites, was in a permanent state of turmoil. Another myth is that people who are physically different prefer to remain apart and do so "naturally", contradicted in turn by the mass of legislation that distrusts such "natural" inclinations and in fact enforces segregation in marriage, residence, education, recreation, travel, industry and nearly every other facet of life. Two other myths are of particular relevance to the unhappy situation of South Africa's urban Blacks. The first is that the policy of reducing the number of Africans in towns has cut down on the number of men employed. The second is that South Africa represents, for urban Blacks, an orderly society. Both beliefs are demonstrably false.

As Professor Wilson noted, endorsing Africans out of the towns has only increased the number of migrant workers and contributed to the destruction of family life. In 1953 Langa had a male-female ratio of four to one. By 1974 this ratio had risen to 11 to one. In spite of the regret sometimes expressed by Government spokesmen and their descriptions of migratory labour as a "necessary evil", the system has been deliberately encouraged over the past 20 years. According to Professor Wilson, it is the "single most destructive force in our society". It is the antithesis of what makes for order. In her own words:

South Africa is not now, as is claimed, an orderly society. Life is

extremely insecure in African townships, the murder rate and capital punishment rates are higher than in most countries, the prison population is exceptionally large. The number of those imprisoned is immediately linked to pass laws regulating the movement of population to work.

How can order and stability be regained? The answer is simple: to allow the settlement of families at the breadwinners' place of work. It is already happening at the De Beers mines in Kimberley. And it was happening at the Cape until the trend was reversed by Government pressure. This week the Government belatedly showed some appreciation of the problem and its solution. The Deputy Minister of Bantu Administration, Mr Cruywagen, told the Bloemfontein congress of the National Party that a 1945 law—presumably the Bantu (Urban Areas) Consolidation Act—which prevented Black women from joining their husbands in urban areas was being reconsidered. This is good news indeed, though goodness knows how long it will take for such a revision of policy to have any noticeable effect. In the Western Cape for instance, no family housing has been built for Africans since 1966. There is an enormous backlog to catch up.

The elimination, or at least reduction, of migrant labour would not only stabilize Black life in the cities. It would have an equally beneficial effect on the homelands whose problem, Professor Wilson observed, is too large a population and a disproportion of dependants. Which pricks yet another myth—that the homelands are a sort of ethnic dustbin into which problems of urban Black family life can just be emptied.

* So truth be in the field. ** The Alfred and Winifred Hoernle memorial lecture 1975 by Professor Monica Wilson. Published by the Institute of Race Relations.

6/24/9/75

Book of Life deadline: 'No need to panic'

(239)

THE Department of the Interior today asked motorists not to panic about getting their Book of Life identity documents before January 31 next year as the deadline would be extended to January 31, 1978.

The new date was announced today.

From early this morning offices of the Department of the Interior were flooded with calls from worried motorists who had heard of an AA announcement today that they would have to be re-tested for driver's licences if they did not apply for their identity documents by January 31, 1976.

However, a spokesman for the department in Pretoria today assured motorists that they would have more than enough time.

There are about a million driver's licences still outstanding. Although the Road Traffic Ordinance gives the deadline as February 1, 1976, we have already asked for an extension.

There will be enough time for everyone to put in their applications.

The spokesman confirmed that, in terms of the ordinance, motorists who did not have or who have not applied for their identity documents by February 1, 1976 would have to be re-tested for a driver's licence.

PROCEDURE

'People should ignore the 1976 deadline,' he said. 'But I would urge those who do not have their new identity documents not to wait until the last moment to apply for them.'

The department was handling between 70 000 and 80 000 applications a month.

When applying for a Book of Life the following procedure should be followed to ensure that there are no delays.

- Fill in application form BI 9, obtainable at the offices of the Department of the Interior and at police stations.
- Enclose with the form your original driver's licence.
- Also enclose your original identity card or two recent passport-size photographs.

The spokesman said people born or married outside South Africa must enclose copies of their birth or marriage certificates.

He urged motorists to make a copy of their driver's licence before sending the original to the department.

It took between six and eight weeks to issue the new document, he added.

Transvaal drivers get extension

Pretoria Bureau

Transvaal motorists will be given until February 1, 1977, to apply for their identity document, or book of life, which will incorporate the driver's licence, a spokesman of the Transvaal Provincial Administration said in Pretoria today.

After that date existing licences not incorporated in the book of life would be invalid. The motorists would have to be re-tested before getting another driver's licence.

The Provincial Administration spokesman made it clear that the extension of the grace period, original-

ly to have lapsed at the end of January next year, had not yet been approved formally by the administrator-in-executive-committee. It was unlikely the recommendation would be turned down.

An announcement extending the period of grace would probably be gazetted soon.

Each province will set the date in consultation with the Department of the Interior on which existing drivers' licences must be incorporated in the identity document.

Originally Transvaal drivers' licences had to be incorporated in the book of life by 1973. Since then the period of grace has been regularly extended.

RDM 1/10/78

I'd rather be Black, says rapist farmer

Staff Reporter
A 47-YEAR-OLD White farmer who told a Rustenburg Circuit Court that he had "no sympathy with Whites" and would rather be Black, was sentenced to six years' imprisonment in the Pretoria Supreme Court yesterday for raping an African woman.

John Kruger, a farmer in the Groot Marico district, was found guilty — with Hendrick Odendaal, 21, in the Rustenburg Circuit Court earlier this year of raping a 20-year-old farm labourer.

Odendaal was sentenced

to two to four years' corrective training. One year of Kruger's six years' sentence was suspended.

According to evidence led in their trial, the two men picked up the woman on a road in Groot Marico and took her to a nearby farm and raped her.

During the trial, Kruger told the court that he had had relations with African women before.

"I have no sympathy with Whites, and would choose to be Black if I could", he said.

Leave to appeal was refused

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- (2) 239
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EDM 9/10/75

Immorality law probed

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Staff Reporter

THE Secretary for Justice, Mr J. P. Coetzer, said yesterday he had called for a copy of the judgment by a Krugersdorp magistrate in which an omission in the Immorality Act was criticised.

The regional magistrate, Mr J. J. Smit, at a trial of a woman charged last

month with committing an indecent or immoral act with a 14-year-old boy, said it was tragic and inexplicable that there was no provision in the Act for the prosecution of the woman in the circumstances of the case.

Mr Smit said there could be no prosecution of a woman where the other party involved was a girl under

the age of 16 or a youth under the age of 19, whereas a man could be prosecuted in such circumstances.

Mr Coetzer said he had called for a copy of the judgment and when it was received the Department of Justice "would go into the matter and the magistrate's recommendations".

marriages

①46
②239

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THE CAPE SYNOD of the Ned Geref Kerk today decided to urge the Ned Geref general synod, its national body, to reconsider decisions taken last year on mixed marriages and on racial differentiation.

There was no scriptural basis for a belief that mixed marriages were 'undesirable' or that differences were 'God given,' Professor Jac J. Müller of the Ned Geref Kerk Theological College, Stellenbosch, said at the Cape Synod of the Church today.

Professor Müller, chairman of the Cape Synodic Commission on race matters, proposed the synod should ask the Ned Geref Kerk to reconsider decisions it took last year on human relations and on mixed marriages.

FACTORS

The commission report, placed before the synod today, referred to the general synod decision on mixed marriages, which said that certain factors 'ultimately destroy the God-given difference,' and factors such as differences in religion, social structure, cultural pattern and biological heritage could make such marriages 'undesirable'.

At the same time it must be considered that the relevant circumstances are not necessarily normative in all times and in all circumstances,' the report said.

'We must take cognisance of the fact that no pure race exists, and that ethnic differences are continually changed in the dynamic process of history.'

It added that there were no grounds in Scripture for the statement that mixed marriages were destructive of 'God-given differences.' The differences 'changed throughout history.'

'If you say that, then you say existing differences must stay for always. The New Testament accepted the differences as they then existed, but new peoples and new languages are constantly developing,' said Professor Müller.

POINTING

The Rev Willem Landman, former scribe of the synod, said there was not a single scriptural reference which supported the idea of maintaining existing differences.

'Then the creation of a new nation is a sin,' he said.

'Even at this moment someone who is not a friend of this church is pointing to the word 'maintenance' and saying there is a Nazi theology in the

Ned Geref Kerk in South Africa.'

The Rev At van Wijk, assessor of the synod, said that if once-existing differences were to be maintained, 'then we reject the history of the Afrikaner people, who were created from many peoples. Differentiation is never static and has never been so.'

'MAINTAIN'

Some delegates asked that the word 'maintain' should be retained in the general synod's decision on race matters.

Many amendments to Professor Müller's motion were put to the synod, and the proposers were asked to get together to form a single motion acceptable to the synod.

The synod subsequently accepted a motion suggesting that the General Synod should scrap the word 'maintenance'.

● See Page 19

'Stud book' trauma

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Sunday Times 8/6/75

THE POPULATION Registration Act of 1950 was one of the first apartheid laws passed by the Nationalist Government. It provided for the compilation of a register, which became known as South Africa's "stud book."

If you are going to create an apartheid society, you must have a human stud book, of course. You must know who is White, African and Coloured. The Population Registration Act set up the machinery to label every South African in one of these three major categories, or in one of the seven subdivisions of the "Coloured" category, (which includes Asians)

For 99 per cent of the population, race classification has been straightforward

Disaster

For the remaining one per cent, it has been hell. They were the "borderline" cases, the people who lived in the twilight zone between African and Coloured, Asian and Coloured, and Coloured and White

For them "demotion" meant disaster. There are powerful reasons why people want to belong to an "upper" race category: it means better jobs, better

houses, better schools, better facilities of all kinds.

It means escape from discrimination, or at least from the discrimination suffered by the "lower" category.

One would have thought that, by now, 27 years after the Nationalist Party came to power, the process of race classification would have come to an end, and everybody would know what his or her category was

But last year, 1138 South Africans felt desperate enough to appeal against their classifications. Only 120 of these appeals succeeded.

Surely, it is time the Government put a stop to this nauseating process? Even looking at race classification from an official point of view, what practical purpose is served by continuing to harass and humiliate the handful of borderline cases who are left?

Race classification, as it is being practised in South Africa today, is not keeping the masses out of one race group or another: the numbers are small

It can be justified only in terms of the concept of "race pollution." Is this tenable in an age of detente?

Before the Act was enacted, some people used to "pass" as Whites or "pass" as Coloureds. The purpose of the Act was to rigidify the system so that

Stanley Uys



race boundaries could be clearly drawn, the sense of colour feeling reinforced, and an apartheid edifice constructed on this foundation.

Shame

Even Nationalist politicians, one hopes, recall with shame the indignities South Africans were made to endure when the first "investigators" of the Department of the Interior went out among the populace to classify the pencils that were twirled in frizzy hair; the ear lobes that were fingered; the half-moons on fingernails that were scrutinised.

Apartheid will have a lot to answer for one day. Let us not forget these basics while we float on the cloud of detente euphoria.

Assume for the moment, that for some reason you have avoided having your name entered in the Pretoria stud book and an identity card issued to you. Assume, further, that you have been living as a

White person, but that one of your parents, say, was of "mixed" race.

Then the Pretoria stud book catches up with you and on the basis of documentation you are classified as Coloured.

This is where the trauma begins.

Your job

You might just succeed in holding on to your house (because the Group Areas Act has its own definition of race), but what about your job, your children's school, your right to vote, your pension, the whole spectrum of amenities and facilities that you enjoyed when you were a White man?

It could all come to an end, dramatically and traumatically.

Would your friends stand by you? Your workmates?

You decide to appeal, knowing that the onus is on you to prove your claim, and that, depending on the complexity of the hearing, the case

could cost you thousands of rands, and knowing further that you have no right to demand to see your official file which contains the damning evidence against you

First, you will have to find people who will testify that they have always accepted you as being White

Ordeal

If you survive this ordeal, and your friends and workmates rally around you and do not shrink back, then you are ready for stage two: your appearance before the Race Classification Court

The court asks you to step forward so that it can form an opinion on your race. You stand silently while you are examined. This is a visual test, and the court then announces a finding.

Then the battle begins to establish whether you are White or Coloured. You discover that, a few weeks before the hearing began, investigators from the Department of the Interior arrived in your neighbourhood and began to make their own inquiries among neighbours, friends and workmates.

By now, of course, almost everybody in your circle of acquaintances and workmates knows that your claim to being White is being challenged. Possibly, your children's

school friends know it, too. The humiliation is biting deep

The court hearing strips open your private life: your ancestry, your birth certificates, your youth, your school and church associations, whether you mixed with Whites or Coloureds, whether your workmates accept you as White or Coloured and so forth.

It is all laid bare. One hearing lasted 12 days

Blame

The blame is not the court's. It is the Government's for passing the stud book Act. For 300 years South Africa got along without it—why did it have to have one in 1950?

Why cannot the Government allow the handful of Whites, Coloureds, Africans and Asians who have not yet been classified to decide on their own classification? If somebody has "passed" as White, what practical purpose can still be served from a Nationalist point of view if he is refused official classification in this category?

Aren't the Nationalists supposed to be trying to strengthen the White population?

In the name of civilisation, let the Government do something about race classification. For 25 years the stud book has claimed its victims. Enough is enough

Sunday Times
8/6/75

By HERB KIMMEL and
CHRIS MORGAN

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BLACK and Coloured sex-for-sale girls are doing a roaring trade with White clients in Johannesburg.

A SUNDAY TIMES team this week investigated the growing phenomenon of prostitution across the colour line in South Africa's largest city.

The girls take to the streets of Hillbrow and the city centre at night and openly solicit men.

At a Bok Street corner near Joubert Park, we saw groups of up to eight well-dressed Coloured girls calling out to passing motorists.

On Tuesday night we

saw about 25 African and Coloured girls waving down White clients in Hillbrow and in the city.

In the region of Bok Street we saw dozens of lone men in cars cruising round the same block up to 30 times. Most of the men drove expensive cars with Reef and out-of-town number plates.

We kept a record of one tall, slim Coloured girl's movements on Thursday night. She was picked up six times. She took the men to a flat in Twist Street and spent 20 minutes with each. Late that night we spoke to her.

Friend

She said her name was Barbara and she was 24. During the day she worked for a computer company.

"You can find me either at Bok Street or at my flat every night of the week."

heart of Johannesburg's flatland. Many work at other jobs during the day, but make more in a night than they are paid for a month's work.

Men cruise slowly past in cars, eyeing the girls. When they stop, a girl saunters up to the car and negotiates a price. We saw groups of Coloured and White girls operating together. From what we saw the White men seemed to prefer the Coloured girls.

Thursdays

On Thursday afternoons (domestic servants' day off) a lot of African girls go on to the streets. One of the most popular spots is the Zoo Lake. Dozens of White men drive there to pick up girls.

From the openness and volume of the trade there appears to be little fear of

she said. "I always ask the men what they are prepared to pay but I will not take less than R15. For R30 I bring a friend along and give the client a really good time."

She takes the men to a small bachelor flat containing a bed and record player. "All my customers are White — mostly business men. It is easy to earn more than R1 500 a month. I seldom see the police, and I have got more than enough customers"

Most girls operate in the

the law on the part of either the girls or the men

A Black girl, Anna, who operates in Quartz Street, Hillbrow, and takes her customers to parking lots, told us she did a brisk trade at R5 a time. "The men tell me they like Black girls better than White girls," she claimed.

One man we approached coming out of a house with a Coloured girl told us he was not concerned about the law. "I'm not frightened, I will go with anyone I like," he said

SUN. TIMES 19/10/75

Mixed marriages not illicit, NGK synod decides

① 239 ② 46

SUNDAY TIMES REPORTER

THE Cape Synod of the Nederduitse Gereformeerde Kerk this week resolved, in conflict with legislation on marriages across the colour line, and apartheid, that mixed marriages are not illicit according to the Scriptures, nor does the New Testament support apartheid.

The Synod has recommended that at the next General Synod of the NGK, which will sit in 1977, it should reconsider its decisions last year rejecting these aspects of the Landman Commission's suggestions.

The General Synod resolved then that a racially mixed marriage "destroyed the God-given diversity and identity of men, and that the Scriptures teach and uphold the ethnic separation of the human race."

The Cape Synod has recommended that the first part of the resolution be reversed, and that in the second the word "uphold" be deleted.

The Rev J. P. van der Merwe, chaplain to the South African Railways in Cape Town, said differen-

ces between races would always exist, so the word uphold should be retained.

Supporting this view were Dr P. C. Potgieter, of Welgemoed; Dr J. J. Fourie, of De Doorns; and the Rev O. S. H. Raubheimer, of Stellenbosch. Dr J. L. de Villiers, the Rev W. A. Landman and the Rev A. J. van Wijk spoke in support of the amendments.

Professor R. A. Verhoef, a member of the church's commission on race affairs asked: "What diversity is God-given? The Negroid people are not named in the pertinent part of the Scriptures."

The Rev Z. B. Loots, of Philadelphia, Cape Town, said that nowhere in the Scriptures did it say that mixed marriages were illicit.

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Explanation by ARGUS 20/10/75 NGK on mixed marriages

The Argus Religious Affairs Correspondent

THE Cape Synod of the Ned Geref Kerk said today that while 'the Bible does not forbid mixed marriages,' there were various circumstances which made mixed marriages 'undesirable' (ongewens).

A statement clarifying its decisions last week on mixed marriages and race relations was adopted unanimously by the Synod.

This said that by its decision on mixed marriages it did not 'abolish' (ophef) differentiation, but said 'the New Testament accepts the differentiation of peoples as a positive premise (gegewe) for all time.'

'RECOMMENDATIONS'

It emphasised that its decisions on race relations and mixed marriages were 'recommendations' to the Ned Geref Kerk general Synod, its national body.

The statement was drawn up by a synodic committee under Dr J S Gericke, former Cape Moderator, following Press reports on Friday's proceedings.

Dr Gericke said the reports could cause 'country-wide misunderstanding' on an issue which was 'enormously important for the whole country and especially for the Church.'

NGK decision

'may lead to mixed marriages'

Cape Times

21/10/75

By PIERRE CLAASSEN

THE CHAIRMAN of the Landman Commission — the NGK Commission into race relations — said last night that the Church's influence on future public and Government attitudes was such that the Cape NGK Synod's new stand on mixed marriages may pave the way to racially mixed marriages "like they have in South America".

The Cape Synod reversed a decision by the General Synod — which debated the report extensively last year — that racially-mixed marriages were forbidden and therefore sinful in terms of the Bible.

On Friday the Cape Synod of the Ned Geref Kerk referred the matter back to the next General Synod, after endorsing the Landman Commission's recommendation that racially-mixed marriages could not be condemned scripturally, and though they were undesirable, could not be regarded as sin.

At the weekend the Rev Willem Landman, chairman of the Landman Com-

mission, said that the Synod's decision to accept his commission's recommendation was "the greatest day of my church life and the most important decision any synod has made in the past 50 years".

On leaving the Synodal Hall last night he explained the position in terms of the latest decisions.

"We are recommending to the General Synod that they reconsider their last decision to classify mixed marriage as a sin and biblically forbidden.

"We admit only that the Church finds a mixed marriage undesirable in view of the social problems, and cultural dif-

ferences which retard the happy development and existence of a marriage under the circumstances existing in South Africa.

"We also accept that such circumstances will not necessarily prevail for all time and in all circumstances," Mr Landman said.

This was in essence what his commission had recommended when the General Synod decided, after protracted debate, to describe mixed marriage as sinful.

When asked about the social and political repercussions should the General Synod decide to follow the Cape Synod's view, he said:

"The Church is not concerned with what the Government does. Whatever they do is entirely their matter and no concern of the Church."

It was to be hoped, however, that the circumstances which made it difficult for racially-mixed marriages to be happy and fruitful would, in time change. "It could be," he said, "that we will see racially-mixed marriages here as they occur in South America".

The Church was a great influence and opinion guide (*oordeelswyser*) and the Synod decision sociological and political implications in the long term.

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Cape NGK synod's significant decisions on race

The Argus
Religious
Affairs
Correspondent

ARGUS
22/10/75
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DECISIONS of the Cape Synod of the Ned Geref Kerk on both race relations and mixed marriages were described this week by Dr J. S. Gericke, a former Cape and national leader, as extremely important matters for the whole country and especially for the church.

In essence, the Cape Synod's decisions seek to re-examine the Ned Geref's stated attitude on relations the impression that mixed marriages forbidden by God or existing ethnic or cultural differences are given and therefore acceptable.

The decisions are therefore most significant. They are recommendations to the church's national synod, its national attitude, that it reconsider. If accepted, would remove from politics any Biblical foundation for the Mixed Marriages Act and the Population Registration Act, which specifically make racial differences immutable.

It must be clear, however, that the Cape Synod's decisions cannot be taken in isolation. The Cape synod accepted the decisions of last year's general synod relating to the same subjects. Therefore it is against

that background only that the Cape decisions can be read with any accuracy.

Last year's general synod had before it a weighty report of its Landman Commission on race matters. In the debate on this report, which was dotted with Scriptural references, some of the wording was changed.

In the opinion of the Cape synod, two of these changes 'went too far,' to quote Professor Jac J. Muller, chairman of the Cape synod's commission on race matters. The Cape commission found no Scriptural support for these two propositions.

The first was that the Scriptures supported the 'maintenance' of existing differences in people — whether cultural, language, ethnic or biological.

The disputed statement of the general synod read: 'The New Testament accepts and maintains the fact of the differentiation (verskeidenheid) of peoples.'

The general synod also decided. 'The New Testament accepts differentiation as a fact, but does not promote it to the only and highest principle. Under certain circumstances and conditions, the New Testament allows for the regulation of the co-existence of different peoples in one country along the road of separate development.'

With these last two statements there was no dispute at the Cape synod. The only debate centred on the word 'maintains' (handhaaf) in the original statement.

According to the Cape synod commission: 'The word "maintain" in the decision of the general synod suggests the idea that the New Testament lays down as normative the differentiation of peoples as a concrete premise in a particular situation, without allowing the possibility that the nature and extent of the differentiation may change in the course of history.'

'Such a view is by nature untenable.'

The Cape synod agreed with its commission, and will recommend to the next general assembly — due in 1978 — that the words 'and maintains' should be removed.

It added the following: 'The New Testament accepts the differentiation of peoples as a positive premise (gegewe) for all times.'

The second issue was that of mixed marriages — a point on which the Ned Geref Kerk daughter-churches have already differed sharply from the all-White mother church. The daughter churches say bluntly that there is nothing Scriptural against mixed marriages.

Last year's Ned Geref Kerk general assembly said: 'There is a difference of opinion over the role of the church and state in regard to mixed marriages. According to the General Ecumenical Synod of Reformed Churches (the international Reformed body), church and state must refrain from prohibiting such marriages, since they have no right to limit the free choice of a marriage partner.'

The general synod described this view as 'apparently one-sided and an over-simplification,' since both church and state had an interest in marriage.

The general assembly's own statement on the issue was:

'In assessing mixed marriages, the following considerations must be borne in mind:

'Such marriages are physically possible.

'Factors which restrict the contented existence and full development of a Christian marriage, as well as factors which eventually destroy (vermetig maak) the God-given differentiation and identity, make such a marriage undesirable (ongewens) and forbidden (ongedorloof).

'Such factors are found where there are great differences between the marriage partners in regard to matters such as religion, social structure, cultural pattern, biological heritage and so on.

'Such marriages remain

and is therefore irresponsible as a policy decision.'

'It creates the question as to how the "God-given differentiation and identity" are determined, and precisely when these lines are overstepped.

'We must take into consideration the fact that not a single pure race that exists, and that the ethnic differentiation is continuously changed by the dynamic process of history.

'The phrase in question starts with the presumption that the church is in a position to define the "God-given differentiation" as a normative premise in a concrete historical situation.

'We are of the opinion that the church finds no ground in Scripture for this pretension, and that in determining its attitude it is dependent on the status quo of the historical situation.'

The commission also questioned the use of the phrase 'forbidden' in regard to mixed marriages. 'Nowhere in Scripture is marriage between people regarded as "forbidden" for reasons of social structure, cultural pattern or biological heritage,' the commission added.

After debate, the Cape synod passed a motion stating:

'The synod recommends (to the general synod) the following:

'In assessing racially mixed marriages, the following considerations must be borne in mind:

'Such marriages, in accordance with the complete unity of mankind, are physically possible.

'The hindering factors which in given circumstances restrict the contented existence and full development of a racially mixed marriage as, for example, the circumstances found in a certain social structure and cultural pattern, as in South Africa, make the contracting of such marriages undesirable.

'At the same time it must be remembered that these "circumstances" are not necessarily normative in all situations.'

In essence, this wordy statement appears to say that while God does not forbid mixed marriages, they may be 'undesirable' in certain situations and conditions, such as those prevailing in South Africa at present.

This is a far cry from

RDM 24/10/75
Immorality
Charge:
suspended
sentences

Staff Reporter

A FORMER newspaperman who is now a copywriter, and a young African woman were yesterday found guilty in the Johannesburg Regional Court, on a charge under the Immorality Act.

Thomas Richard Dennen, 33, was sentenced to six months' jail, suspended for three years, and Stella Mogape, 22, to 12 months' jail, suspended for three years.

The only reason for the difference in the sentences was the fact that Mogape had two previous convictions for prostitution, the magistrate, Mr G. Swart, said.

Mr S Joseph, for Dennen, asking for mitigation of sentence, told the court that at the time the offence was committed, Dennen was a reporter at the Rand Daily Mail.

Shortly after the incident his employment was terminated and he now worked as a copywriter for a firm in Johannesburg.

"He has been ostracised in certain circles and forced to leave his job," the court was told.

He said Dennen was engaged to be married and his fiancée was pregnant. There were now "certain differences". Dennen also had to maintain a child from a previous marriage.

Sentencing the couple, Mr Swart said that as a newspaper reporter Dennen should have been well acquainted with the legislation and its consequences.

Dennen's record did not show him to be "a man of very high moral standards".

Mr Swart rejected Dennen's evidence that he did not know what he was doing at the time. The offence took place on July

PLEDGE ON CITIZENSHIP TO INDIANS

Mercury
1/11/75

239

Mercury Reporter

THE MINISTER of Interior, Dr. Connie Mulder, has agreed to give Stateless Indians in South Africa proper citizenship rights, and South African passports.

Mr. J. N. Reddy, chairman of the South African Indian Council executive, said yesterday that the Minister, when he met the SAIC leaders in Pretoria this week, promised that the "door would always be open" for them to discuss their problems.

He said Indian parents of children born overseas would not have to petition the Minister, as in the past.

"The Minister agreed that children could be registered through the South African embassy in the country where a child is born. Where there is no Embassy, applications should be made to the Minister of Interior."

Mr. Reddy said the question of overseas brides was discussed.

"The Minister was sympathetic and he promised to look into the matter. He is expected to give us an answer soon."

The Minister of Indian Affairs, Mr. Marais Steyn, is to meet the South African Indian Teachers' Association in Durban this morning to discuss the take-over of Indian education by the SAIC.

SAITA, expressing its dissatisfaction to the proposed takeover by the Indian Council in a letter to the Minister, asked for a meeting between him and SAITA to discuss the question.

Homeland registration denial

O.D.

20/11/75

PRETORIA — Reports claiming urban blacks had to register their children with the homelands before they could get birth certificates were incorrect, a spokesman for the Department of Bantu Administration and Development said here yesterday.

The position was that parents were asked to fill in their homeland citizenship and ethnic group, or ethnic group alone, if they were not homeland citizens, he said.

"This is definitely not a pre-condition for registering a birth, but it is certainly desirable that these parts on the form are filled in."

This was not a new provision, but was part of the implementation of the 1970 Bantu Homelands Citizenship Act, the spokesman said — SAPA.

- (1) 239
- (2) 107
- (3) 377

Homeland

rule to
ARGUS 20/11/75
register

at birth

The Argus Correspondent

JOHANNESBURG —

Africans applying for birth certificates for their children are compelled to register them with a particular homeland even if they were born in an urban area.

This was intended to assist the children when they wished to go back to their homelands, said a spokesman of the Department of Bantu Administration in an interview in Johannesburg.

The spokesman said the homeland governments wanted their citizens to be registered with them and 'if they want to go back we help them that way.'

If for any reason, the spokesman said, a homeland government rejected the application for citizenship, the parent was free to apply to another homeland.

It was also revealed that if parents of a child, say, born in Johannesburg, came from outside South Africa that child's citizenship was regarded as alien.

In a case where the father came from outside South Africa and the mother was a South African, then the citizenship of the mother is taken for purposes of classifying the child.

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The Indian S. African

By R. S. NAIDOO

IN 1945, the late R. R. Pather, one of our best known leaders, was convicted under the Pegging Act and imprisoned for buying a house in Moore Road, Durban, and attempting to occupy it.

This matter was raised in the House of Commons in the course of the discussion, the late L. S. Amery who was Colonial Secretary at the time, defined us as British subjects of Indian origin.

Once again the idea that we were an alien element among the people of South Africa was brought to the fore.

In spite of this definition Britain said nothing about us, when South Africa elected to leave the British Commonwealth of Nations in 1961. However, history will record that the Nationalist Government of South Africa was the first government of this land to accept the Indian community as a permanent part of the population of South Africa and for internal administration this step was heralded by the creation of a new State Department, the Department of Indian Affairs.

Marais Steyn

A few months ago, Mr. Marais Steyn, Minister of Indian Affairs, in the course of an address in the Transvaal referred to the Indian Community as Indian South Africans giving emphasis once more to the fact that we are indeed South Africans.

One hundred and fifteen years ago, on November 16, 1860, a paddle steamer, the Truro, docked in Durban with the first batch of indentured Indians — 342 of them from Madras.

The Mercury describing the first shipload declared that the first arrivals were not so much field labourers as mechanics, household servants, domestics, gardeners and trades people and added that there were accountants, carpenters, barbers and grooms among them (quoted by Bishop Ferguson Davie in Early History of Indians.)

The SS

Relvedere

● A past president of the Indian Teachers' Association for eight terms until July, 1975.

● President: S.A. Federation of Teachers' Associations.

● President: Andhra Maha Sabha of South Africa.

● Vice-chairman: Institute of Race Relations (Natal region).

Murphy - 25/11/75

ters recorded this detail of caste and the home district (India), for each person disembarking in South Africa.

They embarked at Madras (South Indians), and Calcutta (North Indians), and this was the pattern followed up to 1911 when immigration to South Africa was stopped by the Indian Government.

This evidence is available to anyone from the archives, libraries and records in State departments in Southern Africa. Yet Europe and South Africa Part II — A History for Standard X published in 1974 by A. N. Boyce, Rector of the Johannesburg College of Education says in Chapter 49, Page 292, "At first the Indian Government refused to permit Indians to go to Natal, but in the end it was agreed to allow a few agricultural workers from Madras and southern India to go as an experiment. Most of them were untouchables living in poverty, and emigration to South Africa meant an escape from the rigid caste system in India."

The same story

On page 75 of New Syllabus History for Standard IV by four teachers of the Pretoria College of Education, Peacock, Cronje, Loots and Vivier, the same story about untouchables and South Indians is retold to little children of 10 or 11.

The tragedy is that these books are read by all children in South African schools, even the Indians. In the face of the Government standpoint since 1961, one wonders what the motive is behind the perpetuation of this type of story by White authors

"And already Mohandas Gandhi, a well-to-do Indian barrister in Johannesburg, has been moved by Tolstoy's interpretation of the Sermon on the Mount to throw up his practice and organise passive resistance among the Transvaal Indians, while anxious questions flashed across the wires from Simla and even Peking. Plainly, South Africa must face Asia with a United front if it was to deal with a problem which had its roots in Natal and bore fruit in the Transvaal." (Pages 522 plus; 1972 edition).

People, not problems

We are not problems! We too are people! Is this so difficult to accept?

Is it not a shame, that Gandhi himself, one of the greatest figures of this century, is presented so often as a trouble-maker? The tragedy is that you find echoes of this in most books for school study.

In 1945, in the course of delivering the first Hoernle Memorial Lecture, the late J. H. Hofmeyr, then Deputy Prime Minister of South Africa, said: "The self interest of the European brought the Indian to South Africa, self-interest has sought to get rid of him from the country, self-interest in so far as this cannot be achieved, is determined to keep him in what is regarded as his place."

"Within" — last year

we have seen how the Pretoria Agreement, a sincere and honest effort to find a solution of the problem in its most important aspect, that is, in so far as it affects Natal, has been shipwrecked as a result of a display of mass intolerance."

We make an urgent plea. Can we not have forbearance and understanding, an objective presentation of us, and our contribution to the common weal in South Africa?

We would like to see our children walk hand in hand with other South African children to face together the challenges of the future.

All of them have a great future and their common heritage is a great country provided they learn to respect and accept one another.

Greatest fears

One of the greatest fears of the Indian parent is the possibility that his child might learn to become a South African by first hating everything his own parents stand for. One has to be an Indian South African to appreciate the enormity of this predicament.

Perhaps our thoughts and hopes are best expressed in a prayer from Tagore's Gitanjali:

"Where the mind is without fear and the head is held high;

Where knowledge is free;

Where the world has not been broken up into fragments by narrow domestic walls;

Where words come out from the depth of truth;

Where tireless striving stretches its arms towards perfection;

Where the clear stream of reason has not lost its way into the dreary desert sand of dead habit;

Where the mind is led forward by Thee into ever widening thought and action—

Into that heaven of freedom, my Father, let my country awake."

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Exiled by choice

By G. R. NAIDOO

A DURBAN Indian laboratory technician, Mr Balan Pillay, 23, has gone into voluntary exile in New Zealand because of his love for a beautiful White girl whom he married last month in the town of Hamilton.

Mr Pillay cannot return to South Africa with his wife (seen above on their wedding day) because of

SA Indian marries a Kiwi

the country's race laws which prohibit them living as man and wife

Mr Pillay's cousin. Mr

Abendra Naidoo, is in a similar position. Mr Naidoo, an American science graduate, married a White American girl last year and is now settled with her in London

Mr Pillay went to Australia 18 months ago to visit a cousin and her husband who had emigrated to Melbourne. He took three months' leave from the petroleum company where he worked as a laboratory assistant.

After two months in Australia he planned to visit New Zealand before returning home. When he met the girl who became his bride — she was a clerk in Hamilton — it was love at first sight, and after a courtship lasting over a year they were married at the Assembly of God Church in Hamilton last month. Mr Pillay is now employed as a laboratory assistant.

Mr Pillay's mother, Mrs M. G. Naidoo, said this week that her son knew he could not return to South Africa with his wife before he married her.

EXPRESS

'WIFE' BLAMES NEIGHBOURS FOR SEW CASE

LADYSMITH. — Mrs Gertrina Johanna Peters-Newman, 29, who was found guilty under the immorality Act this week of having unlawful intercourse with her Muslim-rites husband, 25-year-old Yunus Vorajee, told me yesterday: "It was the Whites in the neighbourhood who went running to the police and complained about us."

"They have broken up a happy marriage"

Mrs Peters-Newman was widowed last year when her former husband was drowned while fishing.

She and Vorajee appeared in the Ladysmith Regional Court

Mrs Peters-Newman, who has an eight-year-old daughter, told me: "I was properly married to Yunus under Muslim rites, and love him. There was no shame in our association."

"I don't know what I will do now. The Whites in this road are decidedly hostile to me, and are determined to interfere in my business. I may leave Ladysmith altogether after this nasty mess"

By **TIM CLARKE**

The couple lived in Farquhar Road, Ladysmith.

Mrs Peters-Newman, who was also found guilty in the Ladysmith Magistrate's Court on Friday of being in possession of indecent photographs and pornographic literature, blamed a White couple living nearby of interfering in her marriage.

"I am convinced it was them who began snooping when we moved to my home after our marriage in August"

She said she was also bitter that the police had come barging into her home on the night of October 30.

"They did not even knock on the door. Have they the right to do this just because some neighbours objected to me living with an Indian?"

During the case, which aroused great interest in the Natal town, Mr Jacko Maree (for Peters-Newman and Vorajee) told the court this was one of the most exceptional cases he had come across. The relationship had brought great tragedy

Peters-Newman was now a social outcast as far as the White community in Ladysmith was concerned

I learnt that the couple met earlier this year when Vorajee, who is light skinned, worked as a carpenter for a firm which has connections with a bakery where Mrs Peters-Newman is employed. At first they met in secret. Later they de-

ecided to marry according to Muslim rites

The couple pleaded guilty to having unlawful intercourse when they appeared before Mr J D Crafford in the Ladysmith Regional Court on Friday. The lovers were each sentenced to six months' imprisonment conditionally suspended for three years.

The only witness the State called was Lieutenant Johannes Hendrik van Wyk, who told the court he went to Mrs Peters-Newman's house in Farquhar Road, Ladysmith, on October 30.

He went quietly to the main bedroom and opened the door. He peered inside and saw Peters-Newman, who was naked. She rushed to the door and tried to prevent him from entering

He saw Vorajee disappearing into the adjoining bathroom, but could not see whether he was naked or not. He found Vorajee behind the door of a built-in cupboard.

Although the defence attorney, Mr Maree, led no evidence at the end of the State case he handed in two affidavits made by Peters-Newman and Vorajee explaining their relationship.

Later Peters-Newman pleaded guilty before Mr Crafford in the Magistrate's Court to being in possession of indecent and obscene photographs and pornographic material

These included photographs for which Peters-Newman had posed herself, a copy of "Playgirl" with naked men in it, and playing cards showing naked men and women and lesbians in indecent positions

Peters-Newman was fined R200 or 50 days

(Penguin)

239

Full edition

or O.U.P.)

(four tutorials)

Webster, The I

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D.D. 2/12/25

Morals Act convictions

EAST LONDON — A railways ticket inspector from Pretoria, Mr Mathys Fabor, 56, and a domestic servant from Mdantsane, Miss Lizzie Sonjica, 21, were found guilty of attempting to contravene the Immorality Act when they appeared before Mr J. H. Jordaan in the regional court here yesterday.

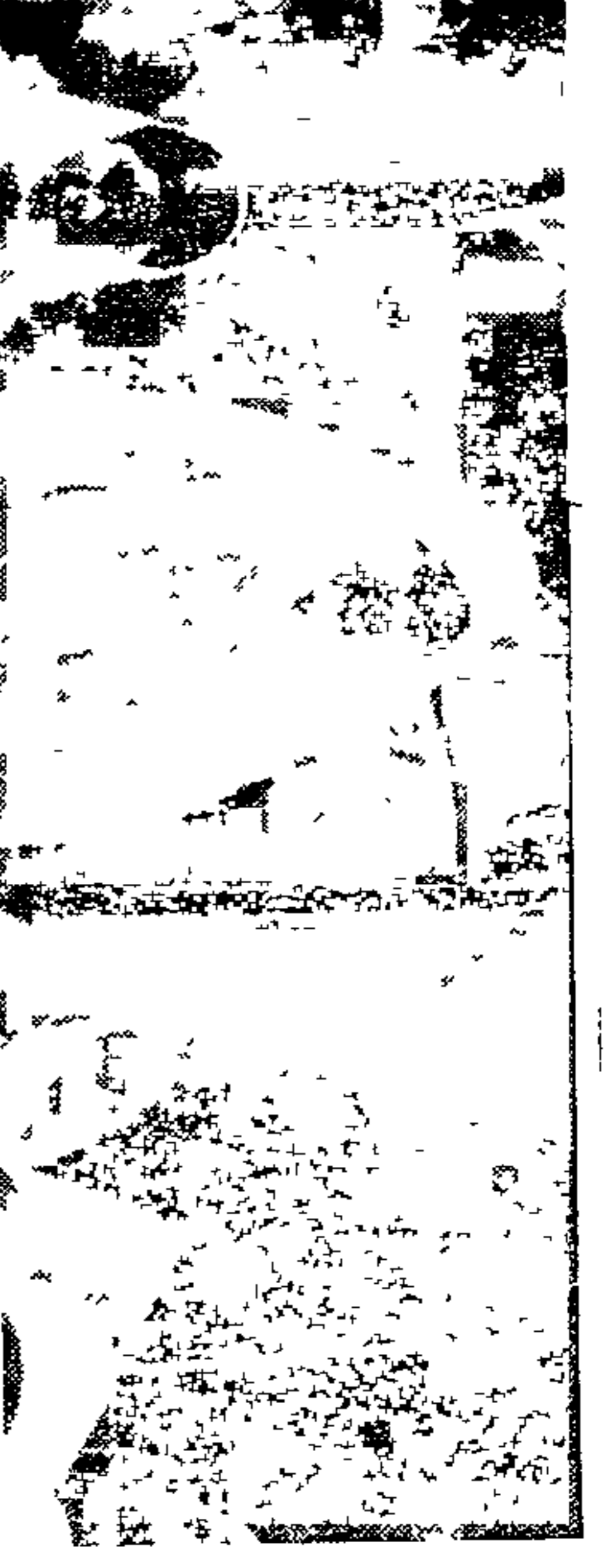
They pleaded guilty and were each sentenced to six months' imprisonment conditionally suspended for three years.

In another trial Mr Barend Petrus du Preez 25, of Ideal Court, Quigney, and Miss Nora van Wyk, 29, of no-fixed abode, were found guilty of contravening the Immorality Act. Both pleaded guilty and were each sentenced to nine months imprisonment conditionally suspended for three years. —
DDR

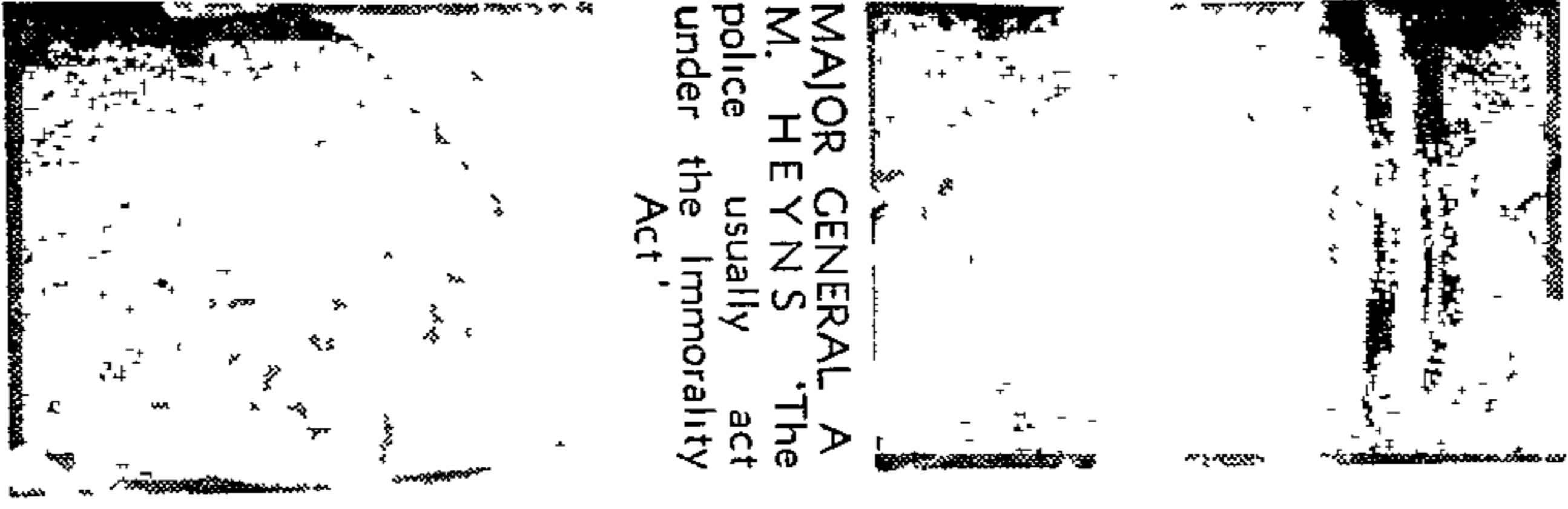
Muslim rites are enabling South Africans of different races to have weddings across the colour line.

239

MRS Chertina Peters-Newman (in veil) who was given a suspended sentence recently for having a love affair across the colour line

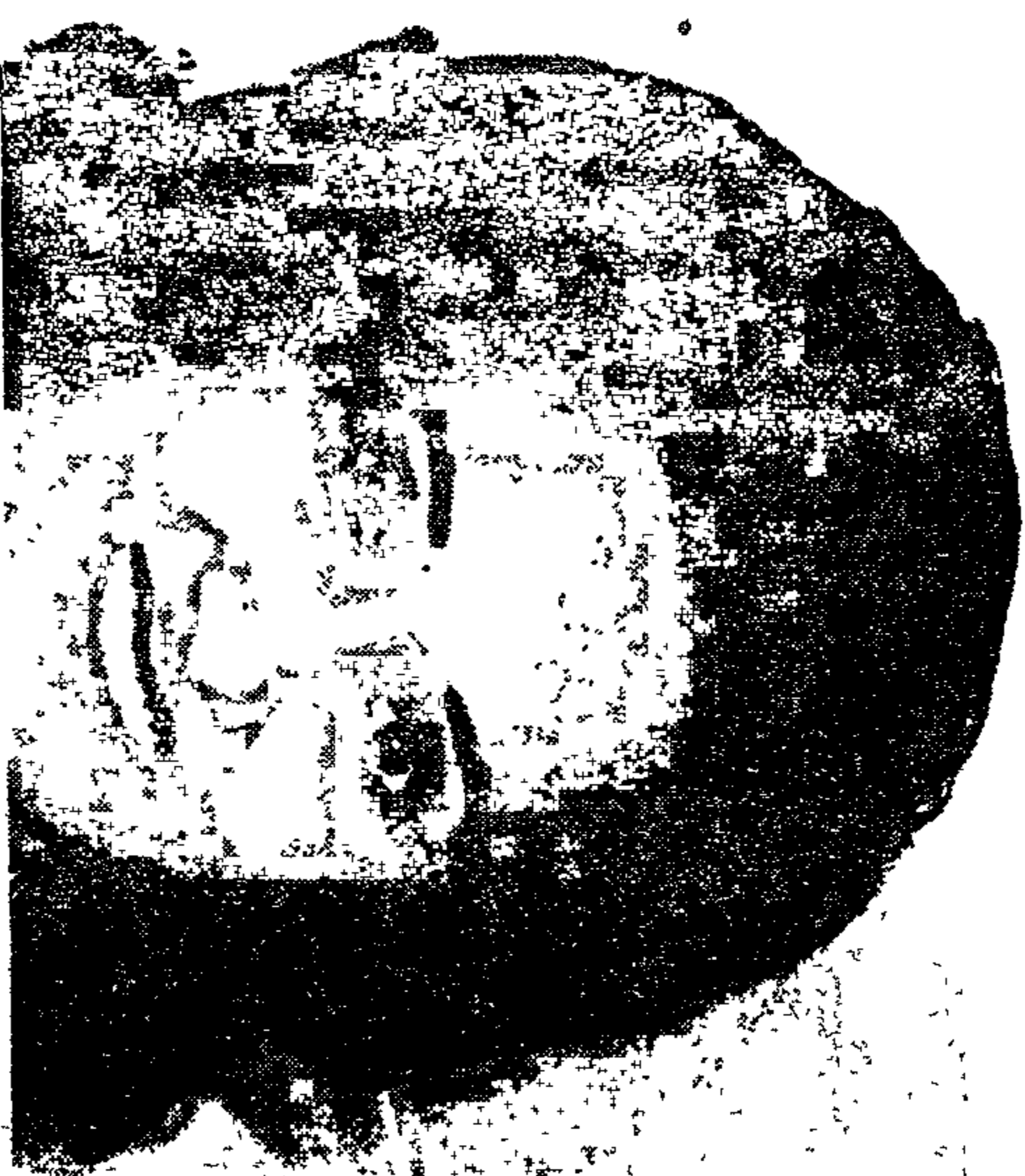


MAJOR GENERAL A M. HEYNES 'The police usually act under the Immorality Act'



SHEIKH ABUBAKER NAJAAR 'Our first loyalty is to Islam.'
By Rashid Seria
A NUMBER of Blacks and Whites in South Africa are getting married across the colour line by Muslim rites — in spite of the law prohibiting mixed marriages in this country

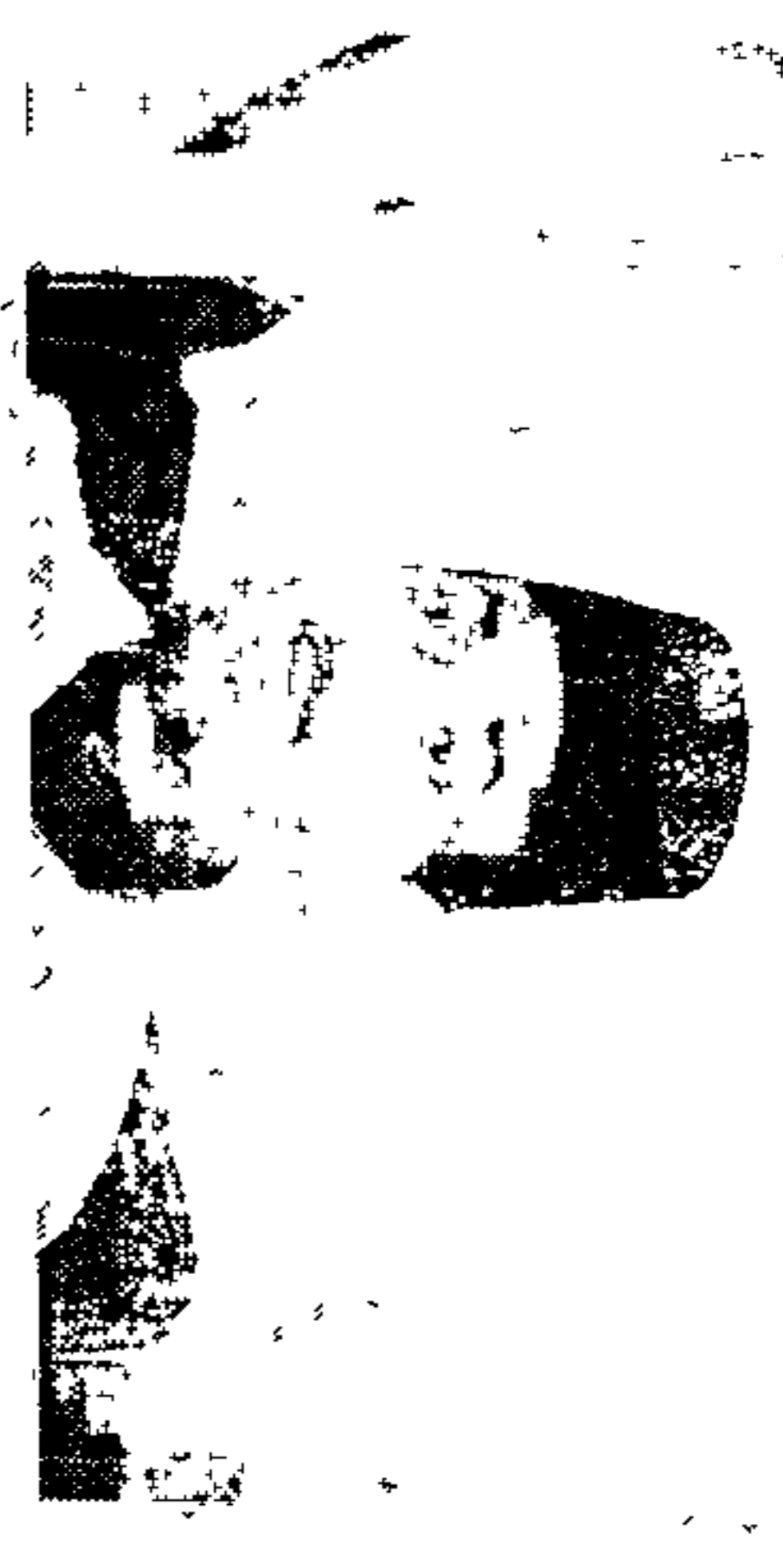
BRIGHS, WHITES, MARTYRS IN SA



FORMER Durban, Indian woman, Pam Beeharie (above), was forced to sleep apart from her husband when the couple visited her parents in South Africa while on holiday.



Mr Michael Parkinson quite legitimately visited her parents in South Africa while on holiday.



SHEIKH NAZEEM MOHAMIED: 'Colour can't stop a marriage Islam'

And there is apparently nothing the police can do to stop the marriages because Muslim marriages are not recognised by the State — and are, therefore, 'non-marriages'.

Sheikh's and Imam's I spoke to this week said they had performed marriages of Muslims across the colour line, because the question of colour does not enter into Islam or Muslim marriages.

But some of the sheikhs were reluctant to be quoted on the matter because they felt it would jeopardise moves to get the Government to recognise Muslim marriages in South Africa.

African Indian Council and the Coloured Representative Council and is one of the main issues to be tackled by the newly formed Islamic Council for South Africa.

Sheikh Abubaker Najaar, the vice-president of both the Muslim Judicial Council (MJC) and the Islamic Council for South Africa, said this week:

Duty bound

If two Muslims of different race groups want to get married, we are duty bound to marry them. We are not allowed to refuse to do so. The question of colour does not come into Islam.

Our first loyalty is to Islam. It doesn't matter what the country's laws say. He said, he had performed at number of Muslim

marriages across the colour line in Cape Town, but the couples had later left South Africa to settle overseas.

Sheikh Issan Gamieldien, the president of the Muslim Judicial Council (MJC), said there was no colour bar in Islam. We do not ask people who want to get married about their race. Their religion is their religion. We are not worried about their colour. If they want to get married, from an Islamic point of view, we have to marry them.

Sheikh Nazeem Mohammed, the chairman of the Muslim Judicial Council, said: If two Muslims want to get married and have their parents consent, we have to marry them, irrespective of their race. Colour can't stop a marriage in Islam. He said Muslim parents were anxious to see

their sons or daughters married rather than let them live in sin.

Iman Ah Gierdien said he had two cousins who were married to Whites by Muslim rites in Cape Town and were now living in Europe.

One of the sheikhs I spoke of who did not want his name mentioned said he felt the police could not act against them for performing mixed marriages by Muslim rites.

Not recognised

He said he knew of a case where an imam went to the police to ask them if he could marry a Muslim couple across the colour line. According to the sheikh, the imam was told by the police that the marriage had nothing to do with them as it was a religious affair not recognised by the State, but if they found the couple living together they would act against them.

Mr A G J Wessels, the Cape Town Senior-Public Prosecutor, said the police would not act under the Mixed Marriages Act against couples who got married by Muslim rites across the colour line because Muslim marriages were not recognised and were 'not actually marriages'.

But, he said, they could act under the Immorality Act. Major General A M Heyns, the Divisional Commissioner of Police in the Western Cape, said the police usually acted under the Immorality Act against mixed couples living together. Hundreds of marriages between Blacks and

Whites are known to have been performed by sheikhs and imams throughout the country. In most cases the women are Muslims, and the men are immigrants. In spite of the country's race separation laws, they meet, have a secret affair, fall in love and eventually decide to marry.

Overseas

The man adopts the Islamic faith, they are married by a sheikh or an imam, and leave South Africa to settle overseas.

I know of several Muslim girls from Cape Town who were married to Whites in this country and are now living in places like England, Germany, Sweden, Switzerland, Austria, Canada and Australia.

There are, however, many mixed married couples who have not left for overseas, but settled down here quietly. They shun publicity and live in fear of being caught by the police.

A Cape Town pop singer was married by Muslim rites recently to his White girlfriend, a 25-year-old widow. The Department of Interior has now applied to the Department of Interior to have his wife reclassified Coloured.

Some of the cases come into the open when the couples are caught under the Immorality Act.

Suspended

The latest case was in Ladysmith where a 29-year-old widow, Mrs Gertrina Peters, New-

And they are safe against the law

Indian carpenter, Mr Yunus Vorjee, who were married by Muslim rites in August, were given, suspended sentences in the Ladysmith Regional Court for contravening the Immorality Act.

Now she wants to be reclassified 'Indian' and prefers to be called by her Muslim name.

There was a similar case in Cape Town in May this year when a pop musician and a pretty 22-year-old secretary, were found guilty of contravening the Immorality Act and given suspended sentences. Police found the couple together in bed in a house in Cape Town. In a pram next to the bed was a baby born out of the relationship.

At the time of the hearing, the woman had already adopted the Muslim faith.

Last year a 46-year-old taxi driver, received a suspended sentence for having love across the colour line with a woman whom he had married under Muslim rites.

They stayed together for 18 months in a flat in Buitenkant Street before they were caught. They had a child and at the time of the hearing she was two months pregnant. In October 1973, a White woman, who was married for eight months under Muslim rites to a Coloured man and

stayed with her 'husband' in Vredendorp, was convicted under the Immorality Act and given a one year's suspended sentence.

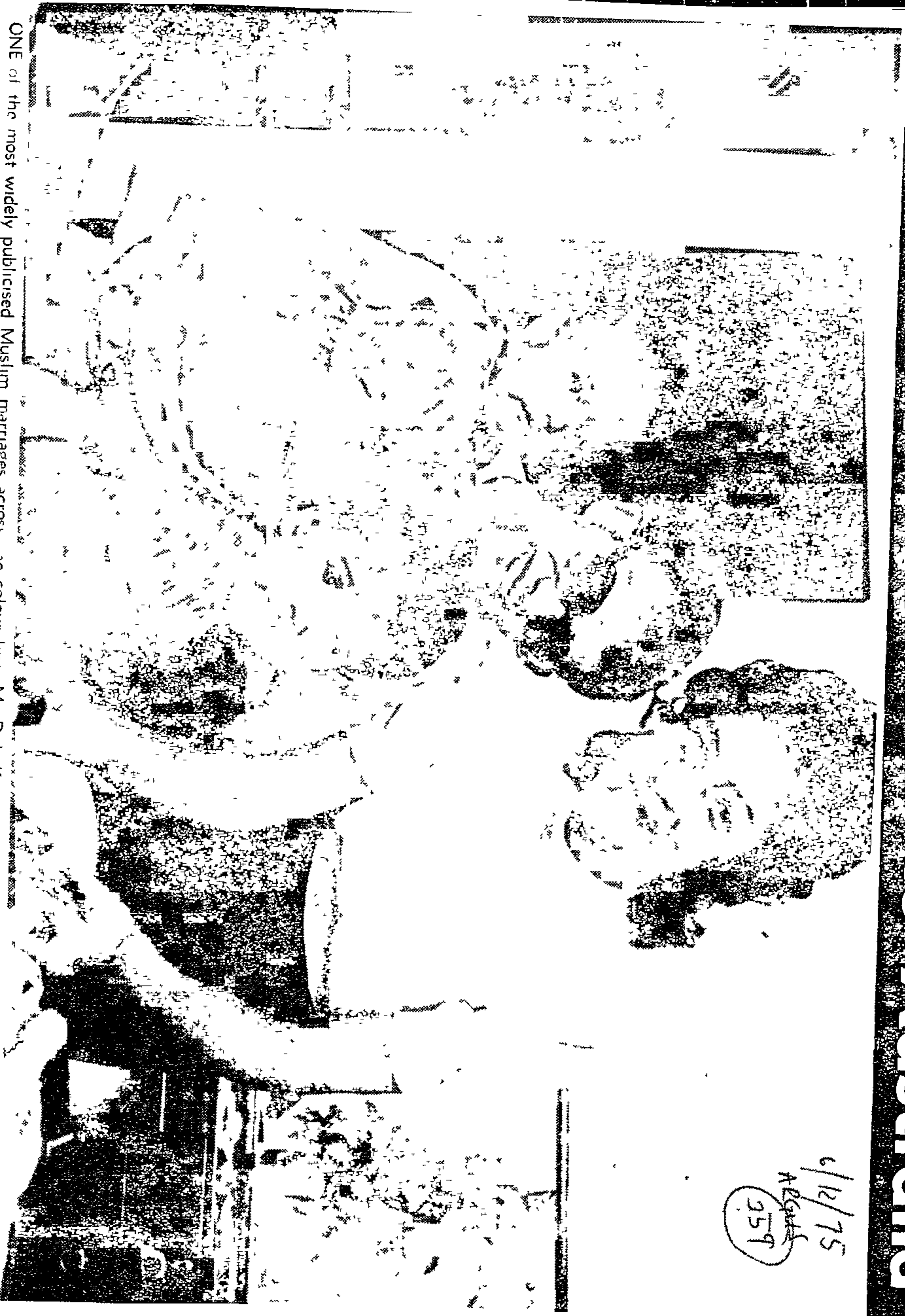
A widely publicised case was the Muslim marriage between Mr Dirk Kotze and Miss Shayida Adams.

Because of the Immorality Act and police harassment, they fled to Lourenco Marques.

Mr Kotze returned to work in South Africa, but the authorities refused his two children South African citizenship and turned down his application to be reclassified. They eventually settled in Australia.

12/75 HELMS 254

The family that fled to Australia



ONE of the most widely publicised Muslim marriages across the colour line Mr Dirk Kotze and his 'wife' Snayida shortly before they left the country to settle in Australia.

6/12/75
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959

VIGILANTES IN NIGHT SEX CHASES

SUNDAY TIMES Reporter

SEVERAL KLERKSDORP men and women have formed a vigilante squad to stamp out across-the-colour line activities in their town. They claim "it is the beginning of communism."

Mr Colin Munnich, 22, one of the vigilantes, told me: "This is exactly what the communists want. White men going out with Black women is the first step towards communism."

The squad patrols the streets of Klerksdorp at night in private cars

Two vigilante girls accompany them. They are Susan Griffin and Mathilda Schneider, who say they go along for the fun of it and also because they believe that the activities of these "middle-aged" men are wrong.

The vigilantes' system is to wait until a man has picked up a woman and then give chase.

"We feel that if these White men know they are being watched or chased, they may stop," said a squad member who wishes

Girls go for fun

to remain anonymous for fear of retribution against his family

The man said about 14 men and the two women "regulars" took it in turn to do the patrols.

"There are also other chaps who do it — but I only know them by sight.

Our lot keep in touch with one another, and there are always others coming to me to help."

He said he usually spent R20 to R25 a month on petrol for the patrols.

"I was one of the first to start. About four years ago I was leaving a cinema

when I saw a White man pick up a Black woman. "I chased him, and have been chasing others ever since

"This is the way the communists work. They demoralise the people and then they step in."

Bad example

Black prostitutes were also doing business in the nearby towns of Stilfontein and Orkney. "But Klerksdorp seems to be the centre of it all. They come from as far as 50 km away to pick up a girl."

He also claimed that business men and travelling salesmen who spent the night in Klerksdorp went out looking for girls.

During an investigation

in Klerksdorp, I saw at least 25 to 30 "available" women hanging around on street corners, outside cafes and in front of garages.

I learnt that one of the regular "pick-up" systems used by men was to pull into a garage at night on the pretence of checking their radiator water

While they pretended to do this they negotiated with a girl, and if "everything was in order" they arranged a pick-up spot

Major Jack Polly, police station commander in Klerksdorp, said: "We are on the lookout for these things and take steps in the normal course of our duties. But it is very difficult — you virtually have to catch them redhanded."



Klerksdorp vigilantes, from left, Susan Griffin, George Roodt, Mathilda Schneider and brothers Colin and Frank Munnich. "White men and Black women—the first step to communism"

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GOULOUR BAR LOVERS FOR BBC 'EXPOSE' FILM

Ghertina Peters-Newman

Sumitranne
7/12/76

And 'Love is a Crime' could be offered to SATV too

By TONY SPENCER-SMITH

BBC TV is to screen an hour-long documentary on the Immorality Act — and one of the tragic "stars" may be a young White Ladysmith widow.

Ghertina Peters-Newman (29) and Indian carpenter Yunus Vorajee (25) were given six-month suspended jail sentences last week from a Ladysmith Regional Court magistrate for contravening the Act — despite the fact that they were married by Muslim rites in August.

Now the BBC wants the couple's story as a "denouement" to a documentary which is expected to have as much impact as the controversial Last Grave At Dimbaza when it is shown internationally.

The film will probably be called Love is a Crime . . . in South Africa.

A spokesman for a Durban film company said yesterday his company had been asked to approach the couple and get them to relate their experience on film, and also to try for an interview with Lieutenant H. J. van Wyk, who trapped them.

The spokesman said his company had already sent a number of filmed interviews with victims to London. He declined to name them, but said many had been willing to participate.

INTERVIEWS SENT OVERSEAS

In addition, German, French and Swedish teams had filmed similar material in South Africa for inclusion in the film. This was also already overseas.

All this work had been done "on a semi-undercover basis" to avoid possible difficulties with the authorities.

He showed me a letter from a BBC Morning Show man asking for the Ladysmith interviews and saying that the case had "hit the headlines" in Britain.

The BBC man asked if it was "really true" that the police forced their way into the widow's home in the middle of the night to catch the couple "in flagrante delicto", and had produced the sheets as evidence of this.

Lieutenant van Wyk told the court that he opened the door of Mrs Peters-Newman's bedroom on October 30 after obtaining the house key from a servant.

He said he found the widow naked. She rushed to the door and tried to prevent him from entering. He saw Mr Vorajee disappearing into the adjoining bathroom but could not see whether he was naked or not.

He examined the bed and the sheets and got the impression that people had been on the bed.

The film company spokesman — who asked that neither he nor the BBC man be named — told me that work on the film was already far advanced in London it would probably be dubbed into a number of languages.

The BBC was trying to make it "as factual as possible", and as far as he knew there were plans to interview the Minister of Justice and others to put the "pro" point of view.

The film will probably be offered to SATV for screening, he added.

OTHER CASES...

SOME recent Immorality Act cases which might feature in the BBC film:

- In May, a young Cape Town couple with a child was given six month suspended sentences for "having unlawful carnal intercourse" with a person of another race.

- A Port Elizabeth magistrate described the love affair of a 23-year-old Coloured girl and a White accountant as a "Greek tragedy" in September when he cleared them of an Immorality Act charge.

- A former Miss Africa South contestant whose parents are registered as White was found guilty in the East London Regional Court in October of contravening the Act.

- Her co-accused, a Greek Cypriot living in East London, was found not guilty. Sentence on the woman was postponed for a year.

Sun. Tribune

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7/12/75

'Dunn city' plans for Mangete

Mercury
8/24/75

(+107
(2) 86
(3) 239

Coloured Affairs Reporter

THE FUTURE of a Dunn industrial and commercial city in Mangete, north coast, was spelled out yesterday to the multi-racial Dunn family at a meeting of the Dunn Descendants' Association.

3 More than 100 members — Black, Brown and White — in the Dunn family heard their Association chairman, Mr. Dan Dunn, call upon them to join in a consortium to build Mangete into a future Dunn city with industry, supermarkets, business houses and other development.

Later, after the meeting, Mr. Dunn said: "Now that the title deed for more than 3 000 hectares of land is practically in the bag, we envisage big plans for this area.

4 "I have approached big business houses and banks to sink money into Mangete to help develop it with the Dunns. We want to lay out a mini city here with industries

and modern blocks of flats, offices, supermarkets and other businesses."

Mr. Dunn told the meeting that development of industry and commerce in the area would provide employment opportunities for the scores of present fourth generation Dunn children as well as encourage an influx of many Coloureds from other parts of the Republic into the area

"With a six-lane highway that is coming through this area, plus Durban and Richard's Bay as two ports on either side of Mangete, I see a great future here," Mr Dunn said.

He also disclosed that a further 2 000 acres of land along the beach area is going to be added into the Dunn land empire and part of this will see a coastal holiday resort with a beachfront hotel go up

Last month the Government assured the Dunns that they would be given ownership to some 4 070 hectares of land in the Mangete area of Zululand, bequeathed to them by their White ancestor, John Dunn, who died in 1895

John Dunn had one Coloured and 49 Zulu wives, with whom he had sired 117 children and from which line some 600 first to fourth generations have descended. About 200 are classified White, more than 100 African and the rest Coloured.

you feel should be added to the course?

your present tutor? Yes/no

5. (a) What in tutorials be
(b) Do you + year?

should the aim of
ls were achieved during the

Morals film denial

Mercury Reporter

DURBAN'S mystery Immorality Act film-maker declined to comment yesterday when he was told that the BBC in London denied that they knew "anything" about a film dealing with couples that had been charged under the Act.

It was reported at the week-end that the BBC was to screen an hour-long feature film on the Immorality Act which would include interviews with some of the people who had been charged under it.

However, a spokesman for the BBC in London said yesterday that the corporation knew "nothing about it." He added that there was a BBC unit in Johannesburg which was making a film on the inception of SATV but that they were not involved in any film on the Immorality Act.

When this was told to the man in Durban who claimed that he was making the films for the BBC, he said that he had possibly spoken "out of turn."

"It's not for me to contradict the BBC I think we had better leave it at that."

Earlier the man, who only spoke to the Mercury on condition that he would not be identified, said that previous stories in the Press about the BBC film had been correct "up to a point."

"My advice to everyone is to check and double check. I don't really want to be quoted any more on this," he added.

However, he claimed that he had received a request from a BBC morning programme to supply a film dealing with aspects of the Immorality Act.

He said that in the past several unconnected

ment which he has Natal Education Depart- In 1936 he joined the sity. lege at London Univer- gained an education for two years and then studied modern history

!(a) How could the present channels of staff-st

8. Do you favour a system of block lecturing (i.e. in each sub-course are completed before the next begun) in Economics II? Please comment.

7. Should there be more or fewer tests? More or

Essays: _____
Class tests: _____
Examination: 100%

6. At present essays count 5% and class tests 30% mark. Fill in the breakdown you feel each category should be the final mark.

5. Are you satisfied with your present tutor? Yes comment.

2/11/10/12/15

239

ARGUS 11/12/75 and staff and tutors. Comment

Morals
Act: Two
sentenced

A WHITE man and a Coloured woman were convicted in the Regional Court, Cape Town, today of conspiring to commit an immoral act in contravention of the Immorality Act.

John Sheperd (42) and Mary Sumbulu (30) were each sentenced to four months' imprisonment suspended for three years.

On October 29 this year, the police visited Sheperd's home in Kloof Street where he and Mary Sumbulu had been living together for several months.

Detective Sergeant G. W. Goosen said he found them both in bed in their underclothes.

The magistrate, Mr M. M. C. Symington, said it was a case where the couple were obviously attached to each other and it would be a drastic step and serve no purpose to send them to prison.

Mary Sumbulu is married with two children and John Sheperd is divorced with one daughter.

Mr P. H. S. van Zyl prosecuted.

12.

tut

be more or fewer tests? Essays and

?

13.

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Comment

SUN. TRIB. 14/12/75

239

Love...and a humiliating, cruel law

WE ARE not all bloody mad. Far from it. But we must not expect people abroad to think other than that we are if the BBC's documentary on the Immorality Act is filmed for TV viewers.

The Immorality Act is as cruel a piece of discriminatory legislation as was ever devised. It hurts, humiliates, deprives and penalises people who fall in love. They cannot marry, the Mixed Marriages Act sees to that. And they cannot have any secure and private extra-marital relationships. The busy bodies, the Peeping Toms... through the Immorality Act... see to that.

It brings out the worst in people. They intrude, pry and revel in the embarrassment they cause to others. It strains public confidence in the system of justice when (for however sound strictly judicial reasons) a White minister of religion is given a suspended sentence on one charge under the Act when the African girl with whom he is accused of having a relationship is jailed on another charge. It exposes the nation to ridicule. It nullifies the best efforts of ambassadors and other diplomatic representatives striving to restore a semblance of respectability in world capitals to the "polecat of the Western world."

While the Act remains on the Statute Book it will never be possible for the Government to claim and have the claim accepted, that it has dismantled discrimination entirely. For the interference through law with people of different races in the most intimate of their personal relationships is a refinement of discrimination that few racialists elsewhere would contemplate.

A change for the better was brought about in the administration of the Act when the Minister of Justice ruled that no prosecutions should be made without the evidence having

first been put to the responsible attorneys general. This reduces the number of cases reaching court where the evidence is too flimsy to secure a conviction. But the Act remains and busy bodies pry and police peep and arrests are made.

Some people will always disapprove of miscegenation. They are entitled to their views. They need not become involved with those of other races. But they are not entitled (in a non-discriminatory society) to impose their views on those who think and love differently.

The Government should now demonstrate its good faith and repeal the relevant clauses of the Act at the next session of Parliament or, if it believes it would be politically unwise to go that far, at least instruct the attorneys general to suspend its operation.

Until this is done people abroad will think, as a former senior police officer suggests, that we are all bloody mad; and who can blame them?

COLOUR BAR LOVERS FOR BBC 'EXPOSE' FILM

The SUNDAY TRIBUNE'S headline last week . . . and the girl it was about, Gher-tina Peters-Newman. Now TONY SPENCER - SMITH looks at the Immorality Act's notorious Section 16 and the sort of reaction it provokes

SECTION 16 of the Immorality Act, which prohibits sex across the colour bar, is a pointless law which ruins many lives, gives the police a bad image and drags South Africa's name in the mud overseas.

That's what two retired Divisional Commissioners of Police told me this week: men who had the thankless task of applying legislation that has police peering into bedroom windows from trees; forcing a couple caught in bed to pose for a photograph to be used as a court exhibit; minutely examining beds for evidence of intercourse; and shuffling about in ceilings in stockinged feet.

Despite criticism of the Act — or aspects of its implementation — from a huge and unlikely range of people, including prominent NGK clergymen, the Nationalist Sunday newspaper Rapport and even the SABC's Current Affairs, the prosecutions are still going on.

People are still being driven to suicide or, unhappy but more fortunate, are fleeing overseas where the Act and its near relative, the Mixed Marriages Act, cannot keep them from those they love.

The conviction of a White Ladysmith widow, Mrs Gher-tina Peters-Newman (29), and Indian carpenter Yunus Vorajee (25) last month for contravening the Immorality Act, despite their marriage by Muslim rites in August, is only the latest in a series of recent cases that have hit the headlines in South Africa and overseas.

Now the BBC — as first reported in the Sunday Tribune last week — is making a TV documentary on the Act. And as Brigadier J. M. Benade, retired Divisional Commissioner of Police for Port Natal, told me: "When overseas people see this film they're going to think we're all bloody mad — and I can't blame them.

"This Ladysmith girl had gone over to the Muslim faith. She was living there harmlessly.

The couple didn't annoy anybody, they did nothing to damage the community. Why couldn't they be left alone?"

And Brigadier Curt von Keyserlingk, now UP MP for Umlazi, who was Divisional Commissioner of Police for the Witwatersrand when he retired, told me: "As far as I'm concerned they can scrap the whole law.

"The police don't do these things because they like to. There's always some busybody who goes running to the police, and then they have no choice but to climb trees and go into the bedrooms to feel if the sheets are wet or not.

"The law requires them to investigate and get evidence that will stand up in court to smart lawyers. The police are already overtaxed and overburdened, but this Act leads to busybodies and then what can you do? One will always get one or two sexual perverts in the police like anywhere else—but the vast majority very much dislike this work."

Brigadier van Keyserlingk said that love and sex would "always find a way".

If the law were scrapped there would be no spate of sex across the colour bar.

He said the Immorality Act film would not do South Africa any good overseas. "This Government has to take the blame for a lot. And all those English-speaking people who are saying Vorster is a good chap — he's just saving his own skin."

Brigadier Benade said he felt very strongly about the effect of the Immorality Act on the relatives of those charged. "A crime of this nature is such a delicate matter. There shouldn't be any resorting to underhand methods to get evidence," he said.

While there might be a few exceptional cases when a policeman enjoyed the kind of work enforcing the Act entailed, or of police "poking their noses" into something of their own accord, police in general acted only because some jealous person came along to tell them what was going on.

**When
overseas
people see
this film
they're
going
to think
we're all
bloody mad
— and I
can't blame them**

SUN. TRIB
14/12/75

(239)

"This law should be scrapped. If a man wants to consort with a woman, he'll do it, law or no law."

"In any case we're really only doing patchwork giving the country a bad name overseas. And what have we achieved by it?"

Mrs Helen Suzman, Progressive Reform Party MP, and for many years Parliament's strongest opponent of both the Immorality Act and the Mixed Marriages Act, said these "rotten" laws should never have been put on the statute book.

She said she would be raising it again in Parliament this year, as she had been doing almost every year.

She gave me figures showing a considerable drop in the number of convictions and prosecutions under the immorality Act over the past five years.

But she emphasised: "It needs only one nasty case to undo 100 good deeds relating to detente, or even changes in the internal racial policy."

"Those 'immorality' cases always engender an enormous amount of adverse publicity for South Africa overseas. And what's more, at home the law turns neighbours into spies and the police into Peeping Toms."

Mrs Suzman said it was obvious that since the system was introduced in March 1971 whereby all charges under the Act had first to be vetted personally by the Attorney General before prosecutions went ahead, everyone had been far more circumspect in applying the Act.

From July 1 1970 to June 30 1971, she said, there had been 1102 prosecutions and 535 convictions.

After that there had been a steady drop in both statistics, with the number of convictions getting closer and closer to the number of prosecutions.

In the year July 1971 to June 1972 there had been 726 prosecutions and 366 convictions, in the next year 493 prosecutions and 304 convictions, in the year to the end of June 1974, 344 prosecutions and 307 convictions, and to June 1975, 149 prosecutions and 122 convictions.

Havoc

"This means a drop to about one fifth of the number of convictions and one tenth of the number of prosecutions."

"This is good, but it's not enough. Section 16 of the Immorality Act should go altogether. And if it does, then of course the Mixed Marriages Act must go as well, because you can't allow people to do outside marriage what they cannot do in marriage."

The extraordinary trail of havoc the two Acts have left in the lives of hundreds of people over the years, and the extraordinary lengths to which police have gone to catch suspects in compromising positions, can be seen in the following cases — just a few of those recorded in the Sunday Tribune's files.

● January 1971: Dr Percy Yutar, then Attorney-General of the Free State, withdrew Immorality Act charges at the last moment against six farmers and 14

African women in Excelsior, a small Free State farming town.

One man had already committed suicide and the reputations of all those charged had already been smeared by the legal action.

● April 1972 A Johannesburg Regional Court magistrate, Mr A. H de Wet, said the case bordered on the ridiculous when an attempt was made to prosecute a man made impotent in a motor cycle accident.

Mr de Wet rejected the State's argument that the man and a Coloured woman were guilty of committing an indecent act because they had kissed.

"I can categorically state that kissing is not in itself an indecent act," he said.

● August 1973 A father of four resigned as a deacon of the NGK and as a town councillor after a six-months suspended sentence under the Immorality Act.

Police had taken photographs of his attempts to have sex with an African woman, then arrested him before he did so.

The mayor of the town said he was sorry to lose him. He had been two years on the council and as far as his colleagues were concerned he was "a very clever man and a good man."

March 1973 A Durban Regional Court magistrate, Mr L L A McKay, told a 21-year-old Indian woman and her 40-year-old White lover their case was "tragic" when he sentenced them to six months each — suspended — under the Immorality Act. They had two children. Mr McKay told them:

"You seem to be sincerely in love and would marry if the laws of this country allowed it."

"There was nothing clandestine about your relationship and the man showed a commendable sense of responsibility throughout."

● 1974 A bizarre spying attempt by police was disclosed at the Immorality Act trial of a Port Elizabeth divorcee and her Chinese friend. The charges were withdrawn after two court appearances.

Two Vice Squad policemen took off their boots and climbed in their stockings feet in to the ceiling of the woman's maisonette, but they shuffled about so much that the man heard them and went to investigate.

He was in time to see a trapdoor in the ceiling open and the two men peer down. He invited them in and helped them down from their hiding-place, whereupon they rushed through to the bedroom to continue their investigation.

Blind date

● June 1974 Wealthy former Hillcrest farmer Mr Chris Butler and his Japanese wife Yuko had a child in Rhodesia, where Mr Butler was living in exile.

He met his wife on a blind date in Bangkok in 1971. They married in Swaziland in July 1973 and moved to a farm near Salisbury after Mrs Butler was refused Government permission to live in South Africa.

● May 1974 The agony finally ended for Afrikaner artisan Mr Dirk Kotze, his Coloured wife Ida and their two children when they sailed from Cape Town for

a new life in Australia. The couple had fled to Lourenco Marques to escape police harassment and the Immorality Act, and were married there by Muslim rites.

For months the Department of the Interior had refused permission for him to bring his children into the country. Even his application to be reclassified Coloured so that he could live legally with his wife was turned down.

Because he could not earn enough money in Lourenco Marques, he had to work in South Africa while his wife and children tried to survive. Eventually the family was allowed three weeks together in South Africa before emigrating.

Mr Kotze told reporters: "How can the Government do this to a family? I love them and they need me."

"It's a sad situation when silly, meaningless laws separate a man from his family."

Unlike most Whites, he said, he had experienced the pain, suffering and humiliation caused by apartheid.

● October 1974 A 32-year-old White man who was reclassified Coloured so that he could marry his Coloured sweetheart was raided by two policemen at his home in the Coloured township of Bethelsdorp, Port Elizabeth, only days after they were married.

According to the couple and a witness, police knocked on the door late at night and told the man they had come to arrest him for contravening the Immorality Act.

Only after being shown many documents did they finally leave with the couple shocked and hurt at the invasion of their privacy.

● December 1974 The Minister of Justice and Police, Mr Jimmy Kruger, told a reporter he was unwilling to pass moral judgment on two Brits policemen who arrested a couple under the Immorality Act and made them pose for a picture which was handed into court and described by the magistrate as pornographic.

He said "I must accept the discretion of my men. They must decide how much evidence they need."

● July 1975 A White 24-year-old painter from Bellville sobbed bitterly when he was convicted for the third time and jailed for nine months for living with the Coloured woman he loved.

Mistress

She was the mother of his two children. His mistress was also convicted for the third time and given a suspended sentence.

● September 1975. A Port Elizabeth Regional Court magistrate, Mr B. P. Loots, told a 23-year-old Coloured girl and her 30-year-old White accountant lover their love story read like a Greek tragedy when he cleared them of Immorality Act charges.

"There is no law which says a White person cannot love a Black," he said. The man said they had been aware of the law from the beginning. They had tried to end their relationship but could not.

PS 23.9.1975

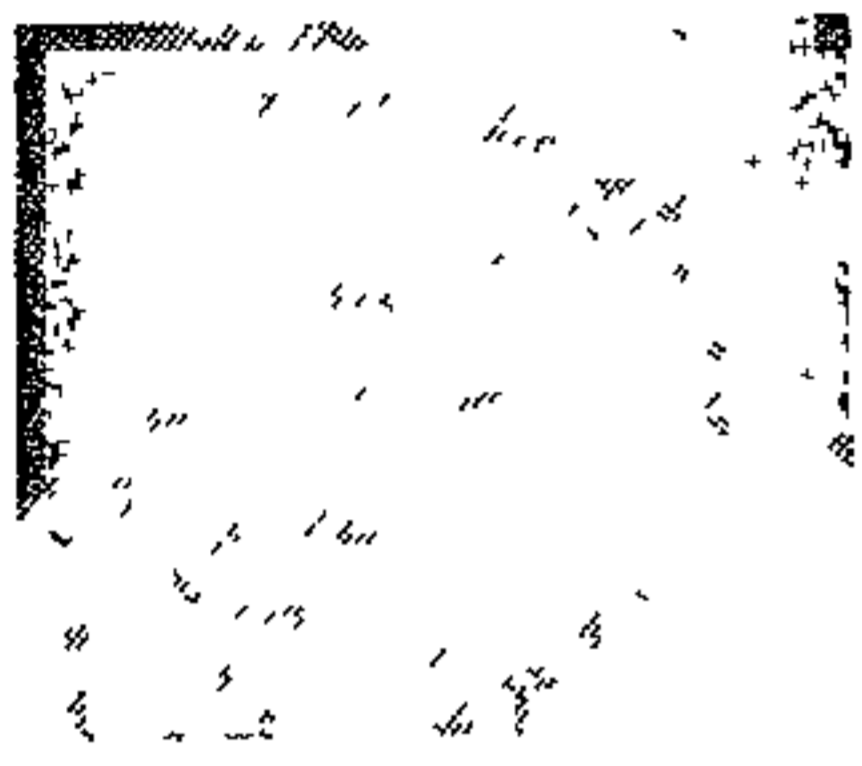
SEX ORGIES IN

ERLING

Sex orgies involving migrant men and women — are reported in Erleria township, said Mr. A. Abrahams, a senior Coloured councillor, said this

PRETORIA

(1) 1984
(2) 88



VANISHA ARENDSE . . . died after a party. and picked up Coloured girls. Many young Coloured women were easy "victims" because they considered their social status was increased if they associated with White men. He feared a backlash from Coloured youths because of Miss Arendse's death. "I fear that some innocent White, possibly somebody who gets lost, will be

MR. A. ABRAHAMS . . . fears a backlash. set on because of it. There have been rumblings in the township over this girl's death. The sex across the-colour line problem was not new. "About two years ago I saw a White man trying to pick up a Coloured girl on the pavement. "When I asked him why he was pestering her he threatened to blow my head off and reached into

the cubby hole of his car. He spoke with a German accent." Mr. Abrahams said he had discussed mixed parties with the Coloured and Asian Affairs Department of the city council this week. "I was advised, however, that unless direct evidence could be obtained that the Immorality Act was being broken, there was no way to prevent these men from coming into the township. "I was told that, by law, they could remain in the township for more than two months at a time." Confirming that many multi-racial parties were taking place in Eersterus a police spokesman said that the police were powerless to act unless there was evidence of a contravention

of the immorality Act because Whites were permitted to enter the township. Mr. Abrahams said he was conducting an investigation into the Eersterus multi-racial parties and would place a memorandum before his committee early next year. "If necessary, I will go to the Administrator. This event has deeply shocked the township, and parents are worried about the situation." The mother of the dead girl, Mrs. Marlene Arendse, said she would never have allowed Vanisha to go to the party had she known the type of party it would be. Vanisha went at the invitation of her son's girlfriend, and they had been asked not to bring boy friends.

13. Ge

12. Should there be more or fewer tests? Essays and tutorial exercises?

have you found staff and tutors. Comment

Across

colour

line

sex:

239

racism

denied

TONY STIRLING

MR ABDULLAH ABRAHAMS, who revealed last week that orgies across the colour line were taking place in the Pretoria Coloured township of Eersterus, has been accused of being a racist.

Mr Abrahams said that after the appearance of the report in the Sunday Times he had been accused of damaging the township's reputation by his statements, which were regarded by some as racialistic.

"I deny that my statements were racialistic or that they were intended to do the community any harm," he said. "I am a member of the Coloured Labour Party, and as such support the concept of a multi-racial South Africa."

"In making my statement I intended to underline what I regarded as a problem of public morality containing undertones which could lead to racial friction."

Several young White immigrants working nearby had promised to marry Coloured girls with whom they had been associating, he said.

Healthy

"They have sent these girls overseas and have married them there."

"I can only congratulate them on doing this and personally view this as healthy and natural."

Mr Abrahams said, however, that the hope that such a promise of marriage might be made led many young Coloured women to view an association with these Whites as desirable. This was one of the factors which motivated them to associate with Whites.

These associations did not always lead to marriage, and it was in this way that problems could be created.

Backing

The Silverton police backed Mr Abrahams's claim that multi-racial parties were frequent in the township. A spokesman said the police were aware of these parties but were powerless to act, as Whites could remain in the township for up to 90 days.

MORALS ACT CHAIR PROGES

ROCK OFS

SUN
TIMES
4/1/76

65

By RENNIE BOTHA

PROWINE Bloemfontein business men and farmers are involved in a "sex-across-the-colour-line" scandal which has caused widespread comment in the Free State capital and shocked civic and church leaders.

Police are investigating alleged contraventions of the Immorality Act and the district criminal investigating officer for Bloemfontein, Major S. V. B. Brookman said this week that a number of Whites had been charged in connection with offences allegedly committed in the Ashbury Coloured township. More arrests are expected.

Pimps operating in the township escorted a Sunday Times reporter to Henmie and Daly streets, where the cars of prominent White business men and farmers were parked outside shebeens.

According to the pimps, the Whites regularly bought liquor and met young Coloured women at the shebeens. "They drink and dance with the

Pimps say

Whites pay

R15 a girl

women and this is followed by love-making. They pay up to R15 for a girl."

An angry NG Kerk minister, the Rev. C. Gordon, who has preached in the township for 14 years, said: "I am perturbed by the increasing number of Whites from Bloemfontein who have sex with the Coloured women in the township. Most of the community feel that their dignity is being destroyed by the White men, most of whom hold high business positions in Bloemfontein."

"These men sleep with the Coloured women at night and the

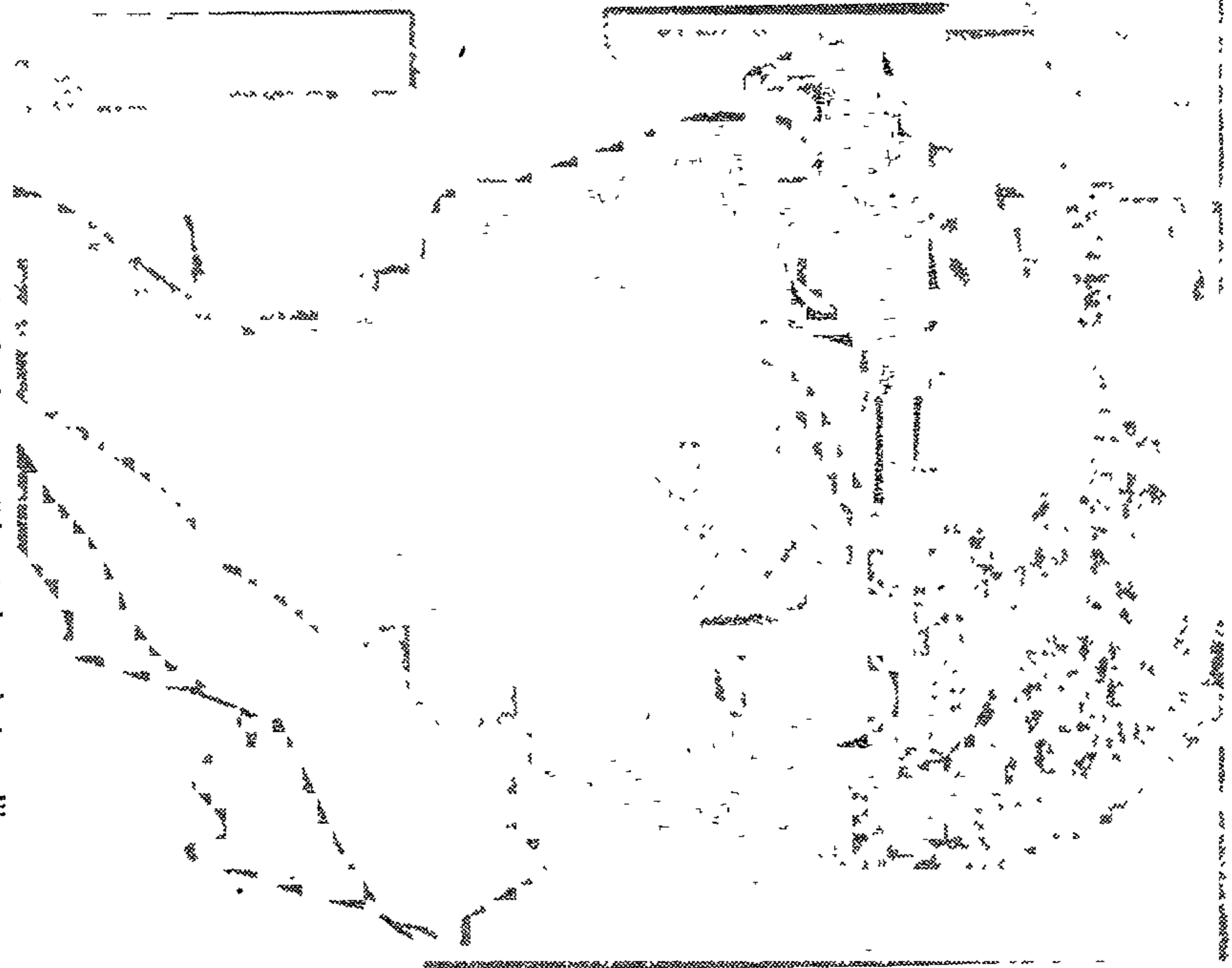
next day expect to be called 'baas'. "The results of immorality are disastrous. The township is already over-populated and many people are living in poverty — if a woman falls pregnant, who supports the new bastard?"

"The Coloureds want to protect their own heritage, dignity and pride, and the Whites try to destroy it. I do not hate anyone, but I believe the Whites and Coloureds should live as two proud nations."

Major Brookman said the police made regular patrols through the township to curb immorality, but it was impossible to catch all the offenders.

The Mayor of Bloemfontein, Mr A. D. Viljoen, expressed shock and disgust when he was asked to comment on the activities in the township.

"I know it happens all over the country, but I never realised that it happened in Bloemfontein. This is a matter for the police. As far as I am concerned, it is a delicate situation, and I cannot comment further."



The Rev Colin Gordon "dignity being destroyed".

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Race mix baby's new home

JOHANNESBURG — A pensioner couple, Mr Joshua van Vuuren and his wife Doctor of Villiers in the Free State, are acting as foster parents to

an allegedly white baby girl found living on a farm black family on a farm near the town.

Mrs Van Vuuren has been looking after Tinkie,

as she calls the baby, for eight days since she and a social welfare worker fetched the child from the farm

"When we found Tinkie she was filthy, dressed only in a vest and was hidden under a pile of clothes on a bed," said Mrs Van Vuuren. "She has been given to me to look after until a court decides what is to be done with her."

Mrs Van Vuuren said she obtained a court order to take the child from its mother.

A distressed and angry Mrs Felitha Motloug, grandmother of the baby, said her daughter Mrs Maria Mafokeng arrived on the farm from Johannesburg with the child on Christmas Eve. The police took them away on January 5

"They are my flesh and blood. I know nothing about what took place in Johannesburg where she worked," she said.

Mrs Mafokeng was taken to Johannesburg. It was said that the police were looking for a white building contractor.

Mrs Motloug, who has a fair skin, said her daughters were even lighter but not Coloured "just an ordinary fair African."

"Now my grandchild has been taken away but God knows all and he will see what to do over the injustice done to me and my family," Mrs Motloug said — DDC

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'White' baby's mom vanishes RD-m 13/1/76.

Staff Reporter

AN African woman who claims to be the mother of the Villiers "White" baby has disappeared after telling the police the father was White.

The head of the Immorality Squad at John Vorster Square Major P. Delpört said yesterday the woman gave a Nancefield

address but had now disappeared Maj Delpört said they were searching both for her and the father.

The director of rehabilitation services for the Department of Social Welfare and Pensions, Dr Pieter van den Berg said yesterday the parents of the woman should make an application to the magistrate at Villiers and claim for

the baby. The court order granted to the foster mother, Mrs Hester van Vuuren, was not final.

A spokesman for the Department of the Interior said yesterday that it was not the concern of the Rand Daily Mail to investigate matters which affected the lives of other people. He declined to answer questions.

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Hansard 1 30th Jan 1976 col 31

Immorality Act

52 Mrs H SUZMAN asked the Minister of Police

(a) How many cases of suspected contravention of section 16 of the Immorality Act were investigated during the period 1 July 1974 to 30 June 1975 and (b) how many charges were laid as a result of these investigations

The MINISTER OF POLICE

(a) 414

(b) 294

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Hansard 1 vol 32 30th Jan 1976

Race classification

82 Mr L G MURRAY asked the Minister of the Interior

(1) Whether he has received applications during the last 12 months for amendments of classifications in terms of

the Population Registration Act, 1952 (1) how many persons in each race group did such applications refer,

(2) how many applications (a) were successful, (b) were refused and (c) are pending,

(3) how many classifications were changed from (a) White to Coloured, Asiatic or Bantu, (b) Coloured to White Asiatic or Bantu (c) Asiatic to White, Coloured or Bantu and (d) Bantu to White, Coloured or Asiatic

The MINISTER OF THE INTERIOR

(1) Yes, by the Secretary in terms of section 5(4)(c) of the Act Statistics are however not kept

(2) (a) 122

(b) and (c) Statistics are not kept

(3) (a) 16

(b) 56.

(c) 47

(d) 3

242

Mansard 2 col 109 6/2/76

Immorality Act

51 Mrs H SUZMAN asked the Minister of Justice

- (1) How many cases under section 16 of the Immorality Act were referred to each Attorney-General during 1975,
- (2) how many of the persons concerned were (a) prosecuted, (b) convicted and (c) are still awaiting trial

The MINISTER OF JUSTICE

In respect of the Attorney-General

	Pretoria	Bloem- fontein	Kimber- lev	Graham- town	Cape Town	Pieter- maritz- burg
(1)	88	31	15	65	69	41
(2)(a)	76	31	19	108	64	27
(b)	37	27	9	75	26	25
(c)	35	4	8	17	33	1

White Andries to try for Coloured

RDM 2/12/75

By VIV PRINCE
A WHITE man yesterday turned his back on his own family and asked to be reclassified as a Coloured. "I must be reclassified. I look, think and feel as a Coloured. I've never found happiness as a White", Mr Andries du Toit, 41, a Johannesburg painter said



ANDRIES DU TOIT
... "I don't want to be White"

"If the Government won't reclassify me I'll force them — I'll break the Immorality Act again and again until they agree."

Nothing says Mr Du Toit, will stop him in his fight to switch colour — not even the thought of his own flesh and blood remaining in the White zone. Mr Du Toit has split with his wife, June, 40, and left with her three children Frankie, 3, and Adele, 5. A court order stops him from visiting them until next March.

Mr Du Toit's background

is White all the way but once during a period of unhappiness he lived with Coloureds in the Cape . . . and found happiness.

"I've a dark complexion and they thought I was one of them. Then they found I wasn't . . . and drove me away", said Mr Du Toit.

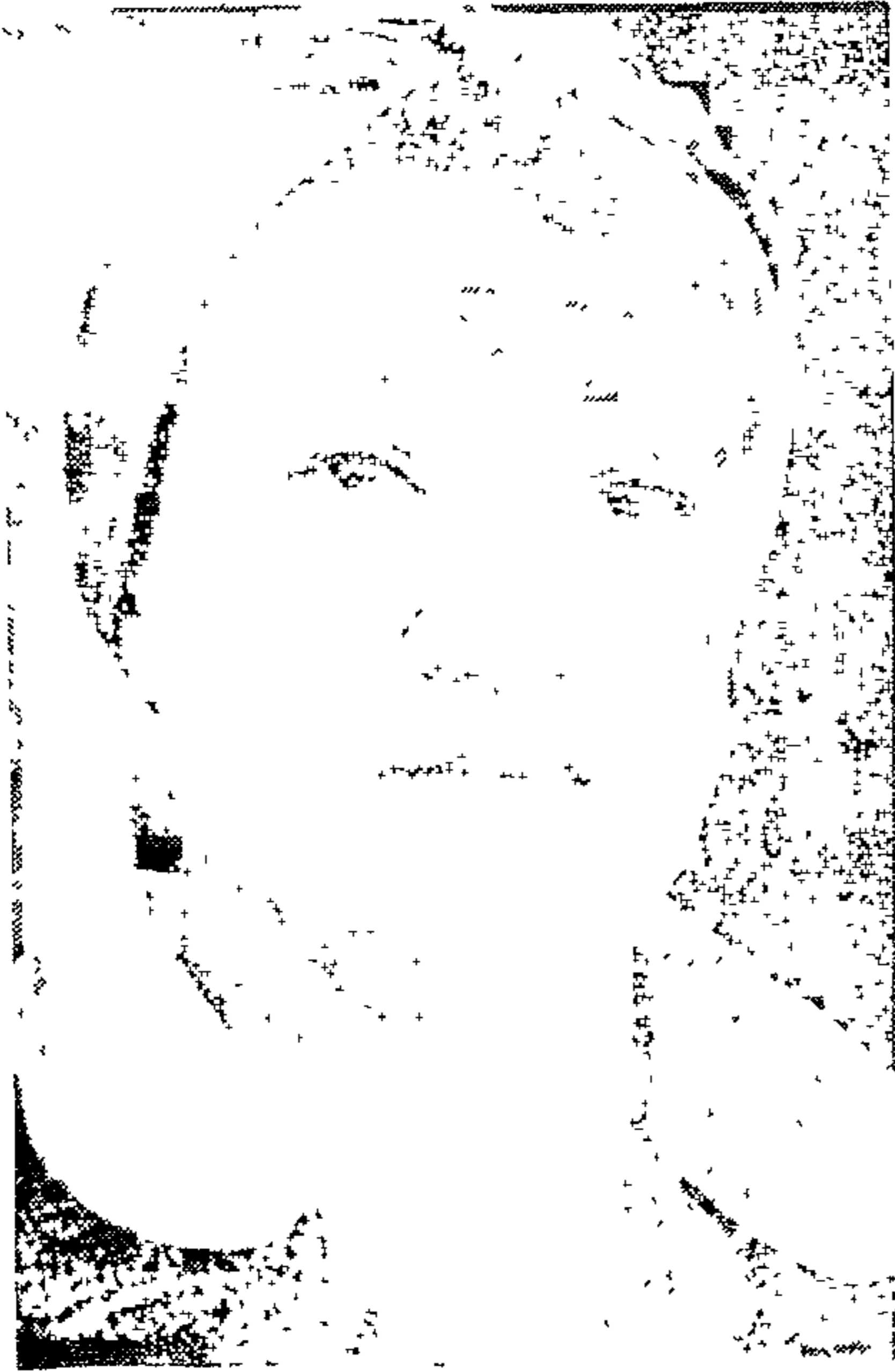
"As I am now I have myself. I know I've a hell of a temper — that's why I was ordered not to go near my family. Now I ask myself 'Do my kids know me still?'"

"My life is like dirty glass — I can't see my way through it. I only know if I'm Coloured I'll perhaps find happiness. Even in Johannesburg people mock me — tell me I'm a Coloured acting White."

"Let them have their way. I don't want to be White."

Mr Du Toit is staying in a R25 a month Joubert Park room — his earnings as a painter are R25 a week. But he'll tramp to Pretoria to fight to be reclassified.

"Sometimes I go to Johannesburg Station to see my wife pass by. She saw me one day — didn't even say hello or goodbye. That hurt me the most", he said.



Mrs Mavis Matthews . . . one of her sons is White and the other is Coloured.

A 47-YEAR-OLD mother of three children, Mrs Mavis Matthews of Cape Town, blamed the Race Classification Act this week "for destroying my family and driving my two elder sons to crime".

"Ever since they were born," Mrs Matthews told me, "my children have lived in a sort of racial no-

charges of murder. The other, Grosvernor, 25, is in a White prison, Roeland Street on charges of assault.

Mrs Matthews said Grosvernor is classified as White, while Llewelyn, "who is fairer than his brother and has blue eyes, is classified as Coloured".

Mrs Matthews herself has not been classified, but her birth certificate describes her as "mixed".

Her youngest son, Sidney, has not been classified, "because I fear what will be done to him".

Sidney's father was Mr Arthur Pasha, a Jewish-Turk immigrant, who was murdered in Cape Town 18 months ago.

Grosvernor and Llewelyn's father was an Australian, Cecil Matthews, who died 12 years ago.

Shortly before he was arrested for assault — the charge on which he is now being held at Roeland Street Prison — Grosvernor Matthews told me he had tried to marry his girl friend, Debbie Menze, earlier this year, but had been told he could not.

"Debbie and I went to the Wynberg Magistrate's Court with the necessary documents, but when we arrived there we were told by an official we could not marry because I was White and Debbie was Coloured".

Grosvernor approached the SUNDAY TIMES for advice on how to have himself reclassified.

"I want very much to marry Debbie," he said, "because she is the only person who has really given me love and understanding".

"Ever since I was a child, I have had to live under this cloud of not knowing what my position is, legally, in my own country".

"I grew up with Coloured people in Observatory, but my home life was never happy, and there was no consolation there for me. This drove me into the street, and into the arms of people with whom I was soon in trouble with the police".

"Although I have tried hard to stay out of prison — I did not drink for 10 months after being acquitted of the killing of the Cape Town taxi driver Mr Webb — I am haunted by the fact that I am a leper in our society".

"I am accepted neither by Whites nor by Coloureds so I don't really care what happens to me. Often, I think it is better to be in prison away from it all".

A mother tells of her agony

man's land — rejected by Coloured people, who say they are White, and by Whites, who say they are Coloured."

Mrs Matthews' two oldest sons (the third is six years old) are in prison. One, Llewelyn, 18, is being held in a Black prison, Pollsmoor, on

Mrs Matthews will approach the Commissioner of Prisons this week "to find out if they can't decide once and for all which prison my sons should be in".

Grosvernor's girl friend, Debbie, said Grosvernor was "a kind and gentle person, but whenever he is confronted by a situation in which he has to bounce back and forth from being White to Coloured, and back again, he loses his cool, and ends up in trouble with the police".

Mrs Matthews is also

planning to write to the Minister of Interior to "have my children's race classification settled once and for all".

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Race row over PE's 'mixed' marriage

Weekend Argus Bureau

PORT ELIZABETH. — A young Indian man who last year married the girl he loved has been forced to leave his mother's house and has been virtually ostracised by the Indian community because his wife is Coloured.

The marriage and its aftermath has led to a race row here.

The young man, Mr Mahendra Daya, 24, has accused Indian leader and chairman of the South African Organisation for Degregation, Mr Raman Bhana, of doing his best to prevent the marriage.

Mr Bhana, who is a leader of the Gujerati Temple to which Mr Daya's family belong and the chairman of the temple's welfare section — as well as leader of the SAOD and one of the city leading anti-

segregationists — has denied the accusations.

In spite of opposition from his widowed mother — he is the sole breadwinner — and his family and the temple elders Mr Daya decided in September last year to go ahead with his marriage to Miss Faith Scholtz, the daughter of a leading Coloured family. Her father, Mr P Scholtz is a commissioner of oaths.

The wedding took place in St James Catholic Church in Schauderville. No relatives or friends of

Mr Daya's attended the ceremony.

Mr Daya said this week that the day before the wedding an attorney's letter was delivered to him on his mother's behalf ordering him to remove all his belongings from the house. He was also warned that he would be no longer recognised as a member of the Indian community.

Mr Daya is adamant that the action taken by his mother and the Indian leaders would never have stopped him marrying his wife, they were living happily in Schauderville with an aunt of his wife and he is attending her church.

'We are in love and that is all that matters. The fact that my relatives and friends stayed away from our wedding does not bother me,' he said.

HIT OUT

Mr Daya has hit out at Mr Bhana for the part he played in the affair.

'I see Mr Bhana fighting against apartheid and racial discrimination but not practising what he preaches.'

Mr Bhana this week denied he had played a major part in separating Mr Daya from his family and having him ostracised by the Indian community.

'It is true that 10 elders of the temple, including myself, went to see the family at the request of Mrs Daya before the marriage took place.'



THE wedding that caused a storm Mr Mahendra Daya and his Coloured bride, Faith Mr Daya, an Indian, has been thrown out of his mother's home and ostracised by the Indian community.

was Mr Daya threatened. We merely pointed out to him the religious and other problems he and his wife would have to face if he married a Coloured girl. We also told him how difficult it would be for their children.'

He dismissed statements that Mr Daya would be thrown out of the temple as 'nonsense'.

'The doors of a temple like those of the church are open to all,' he added.

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Reclassification appeal by servant

Cape Times 10/2/76

Supreme Court Reporter

A DOMESTIC SERVANT, Miss Monica Jacobs, who is the mother of a Coloured child, yesterday appealed against a decision by the Race Classification Board to reject her application to be reclassified Coloured.

Miss Jacobs, 35, who is employed in Marigold Street, Milnerton said in papers before the Supreme Court Cape Town, that she was generally accepted as a Coloured person and had always regarded herself as a Coloured person.

In her affidavit before Mr Justice Diemont and Mr Acting Justice Grosskopf she said that she first became aware that she was classified African in April 1974 when she received a notice from the Department of the Interior.

She appealed to the Race Classification Board in April last year but her appeal was rejected on the grounds that there was no evidence that she was of Coloured descent and that she had always associated with African people.

The chairman of the board, Mr J F Strydom, noted that her complexion was slightly lighter than that of the average African person.

Miss Jacobs said that while she had no idea who her natural father was or whether he was still alive, her mother and her maternal grandmother both regarded themselves as Coloured people and were generally accepted as Coloured people.

When off duty she lived with a Coloured friend in Elsie's River — a Coloured area in Fe-

bruary 1974 her son Patrick was classified in the Cape Coloured group, Miss Jacobs said.

Judgement was reserved. Mr D Ipp, instructed by Fuller, Moore and Son, appeared for Miss Jacobs. Mr D van Renen instructed by the Deputy State Attorney, appeared for the Secretary of the Interior.

Woman wins race appeal

CAPE TIMES

17/3/76

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Supreme Court Reporter

A CAPE TOWN judge yesterday ordered the Secretary for the Interior to classify a domestic servant, Miss Monica Jacobs, as Coloured, after she had been reclassified Bantu in 1974.

Miss Jacobs, 36, who is employed in Milnerton appealed to the Supreme Court after her appeal against the reclassification decision had been rejected by the Race Classification Board.

In a judgment handed down yesterday, Mr Acting Justice Grosskopf ordered the Secretary for the Interior to pay the costs of the appeal as well as to reclassify Miss Jacobs Coloured.

According to her evidence Miss Jacobs was born at Queenstown. Her mother was a Coloured woman but she did not

know who her father was.

When she was eight her mother died and Miss Jacobs moved to Sutherland where she lived with a Coloured woman.

At 16 she moved to De Doorns with an African man, Mr George Adams, and had two children by him. Later she moved to Cape Town and had two more children by different African men.

Taking into account her history, her acceptance as a Coloured person, her classification as Coloured between 1967 and 1974 and the absence of any evidence that she went through life as a Bantu, Mr Acting Justice Grosskopf said he felt that her evidence showed beyond a reasonable doubt that she was not a member of an indigenous African race.

The fact that she mixed with Bantu people did not prove that she was accepted by them as one of them, he said.

Mr Justice Diemont concurred.

Mr D A Ipp, instructed by Fuller, Moore and Son, appeared for Miss Jacobs. Mr D van Reenen, instructed by the Deputy State Attorney, appeared for the Secretary of the Interior.

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Colour bar couple to leave SA

STAR 25/3/76

Own Correspondent

PORT ELIZABETH —

A businessman, whose wife divorced him last month is to leave for Swaziland soon so that he can marry his attractive Coloured receptionist.

Mr Marcus Howell (30), who owns an electrical repair business, appeared in the Regional Court here yesterday with his girl friend, Miss Maria Goliath (25). Both were charged with conspiring to commit immorality, were found guilty, and were sentenced to six months' imprisonment, suspended for three years.

NOT ASHAMED

"Now that the police know about us we will never be left in peace. Our only hope of happiness is to leave South Africa. Our first stop will be Swaziland," he told me today.

Mr Howell, who comes from a well-known Port Elizabeth family, said he was in no way ashamed of his association with Maria.

"We have never made a secret of our love for each other. We have openly gone out together for the last nine months and we have been accepted wherever we went. It was only

recently that there was any problem," he said.

Mr Howell, a keen ski-boat angler, was asked to resign from the Sardinia Bay ski boat club because he had been taking Maria and her younger sister to sea in his boat. The club decided it was "not quite the thing to do".

He said Maria was just as keen to leave South Africa as he was and they would leave as soon as he had settled his affairs. He hoped to sell his business, but if this proved too difficult he would just close it. His ski boat, worth about R3 500, would also have to be sold.

★ The Cape Times, Thursday, March 25, 1976 15

Immorality at 84 led to court

KLERKSDORP — Police caught a great-grandfather making love to a teenage African girl at midday in a cattle camp at Schweizer Reneke, a magistrate heard yesterday.

Appearing in the Wolmaransstad Regional Court on a charge under the Immorality Act were Pieter Neveling, 84, and a 15-year-old girl both of Schweizer Reneke.

They pleaded guilty and were sentenced to six months each suspended for three years.

The magistrate, Dr F C Nel, was told that the police were called to a camp where milk cows are being kept on November 5 last year where the accused were "caught red-handed".

Sergeant J D van Rijn said he saw them having intercourse under a bush. When the girl saw him she jumped up and ran away. He arrested her later.

Giving evidence in mitigation of sentence, Mr Neveling said, "The devil was with me. I know him — but will shake him off and not listen to him again."

The Cape Times

FRIDAY, MARCH 26, 1976

The evil that men do...

WHEN the history of the third quarter of the 20th century is written, due praise must be accorded those statesmen who staunched the flow of black blood into white veins. Their great contribution was that when South Africa was threatened on all sides, they recognized the real threat: miscegenation. And they acted resolutely to stamp it out by law. Success was slow, and there were some rather embarrassing moments, but as the country entered 1976 there were clear signs of breakthrough. For, so successful was the detection process that, as we reported yesterday, an 84-year-old great-grandfather was caught red-handed loving a teenage African girl under a bush in a cattle camp in remote Schweizer-Reneke. That's success. The offenders got six months, suspended. More confirmation of official success in immorality sleuthing was apparent in the Burger yesterday, which reported the conviction of a White Port Elizabeth business man and a Coloured woman for loving illegally. (They also got six months, suspended; and contemplate emigration.)

In all this, what is clearly important is the overall principle of

the purity of the race, the interests of the state and the assuaging of fears that Whites will be bred Black. Minor details such as the odd suicide, emigration, indignity, humiliation and hurt to mere individuals are unimportant. Future moralists, as spokesmen no doubt of a successfully bleached South Africa, will be able to point to the determination with which the Government withstood frontal and subtle attacks from, inter alia, politicians, newspapers and theologians — and the doubts of ordinary people about the advisability or efficacy of banning sex by law. It will be possible to point out that reports of prosecutions and investigations having been suspended were proved totally false, as the authorities persisted in their high-principled pursuit of immorality with an enthusiasm unparalleled in the honourable history of laws on race.

● Fortunately, the nation, the successfully bleached nation, stood fast and Parliament stood with it. Considerations of individual frailty and humanity were not allowed to interfere with the process of correction of the immoral and evil things that men do to themselves.

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RDM 10/4/76
Immorality

case man takes gun to court

By JOHANN STOLTZ

VENTERSDORP.—An immorality hearing in the Ventersdorp Regional Court was briefly adjourned yesterday when it was discovered that a White man in the dock had a pistol in a holster under his jacket.

Two policemen led him from the court and the gun was confiscated.

Okkert Jakobus Botha, 26, appeared with Elizabeth Magodi, 23, the mother of his four-month-old child.

The court was told they became lovers after Magodi worked as a domestic servant on Botha's parents' farm near Ventersdorp.

"We knew each other for about a year after the relationship started," she said. "He has looked after me and the child very well."

Mr M. E. Magodi said his sister had stayed with him since she arrived at his home saying she was expecting the baby of "Baas Botha".

After the child was born Botha visited his sister several times and always played with the baby. He brought food, milk and medicine and saw to it that the child was taken to a doctor when necessary.

Botha and Magodi both pleaded guilty and were sentenced to six months' jail suspended for three years.

The magistrate, Mr E. D. Wyethe, said he had taken into account the way Botha was looking after the mother and child.

After the hearing Botha and Magodi refused to discuss their relationship.



OKKERT BOTHA



ELIZABETH MAGODI

CLAMPDOWN IS FEARED

Weekend Argus Reporter

THE Government's decision to appoint Indians as marriage officers has aroused fears among several Muslim and Hindu priests of an official clampdown on mixed marriages.

The Government has agreed in principle to the appointment of Indian marriage officers following representations from the South African Indian Council.

The Department of Indian Affairs has written to the main Muslim and Hindu religious bodies asking them if they would be prepared to control the marriage officers.

But now several Muslim and Hindu priests have objected to the appointments being made on 'apartheid lines' and fear that the Government may restrict the marriage officers to marrying Indians only.

This follows the clear reference in the Department of Indian Affairs' letters to a clause in the Marriage Act which gives

the Minister of Interior the power of limiting the marriage officers to performing marriages 'between persons belonging to a specified population group'.

Because there is no ban on mixed marriages in the two faiths, Muslim and Hindu priests have been performing marriages between different race groups — especially the Indian, Malay and Coloured groups — for centuries in this country. Some priests have even married Whites and Blacks across the colour line by Muslim or Hindu rites.

NOT OFFICIAL

But because the Muslim and Hindu priests are not official marriage officers, all the marriages performed by them are considered 'illegal' and the couples have to remarry in court to legalise their marriages.

Several prominent Cape Town sheikhs said this week they would have nothing to do with the appointment of marriage officers on racial lines.

'What's going to happen to the thousands of other Muslims among the Coloured and Malay race groups who want to marry Indians and vice versa?' they asked.

Sheikh Abubaker Najaar, the vice president of the Islamic Council for South Africa, said 'A Muslim's first allegiance is to his faith which rejects discrimination on the basis of colour or race. If restrictions are going to be put on the marriage officers, the Muslims will have no alternative but to obey their religion.'

NO RESTRICTIONS

A Hindu priest, who did not want his name mentioned, said 'There are no restrictions in the Hindu faith to marrying people of different race groups. If the Government places any limitations on the marriage officers, it will be totally unacceptable to us.'

The Secretary for Interior, Mr J H Fourie, said he could not say at this stage if any restrictions would be placed because no appointments had been made yet.

Mr A M Moolla, the South African Indian Council's chairman, said it was not clear yet whether the Indian marriage officers appointed by the Government would be allowed to perform mixed marriages.

'Gradually we'll get the other restrictions removed. But the first thing it to get in'

(234)
~~(2) 103~~

Xhosas in SA to be citizens of Transkei

The Argus Correspondent

UMTATA. — More than a million Blacks living in White South Africa will become citizens of the Transkei whether they want to or not.

This is spelt out in the long-awaited Transkei Constitution Bill published in the Government Gazette today

Furthermore, South Africa's Immorality, Mixed Marriages, Terrorism, Suppression of Communism acts and the controversial Emergency Proclamation R 400 have been retained in the draft constitution for the first African homeland to be granted independence.

Chief Minister Kaiser Matanzima has clearly bowed to Pretoria on the issue of citizenship of Xhosas and Sothos living in White South Africa.

But the 27-man 'Recess Committee' appointed to study the provisions of the constitution is understood to have stood firm to the last on giving Blacks outside of its border the right to choose citizenship.

ALL RACES

Citizenship is to be opened to all races. The only qualification is that they must have been domiciled residents of the Transkei for five years.

The constitution further makes provision for the Transkei to become 'a sovereign independent republic wherein all its citizens, and all others who dwell lawfully within its borders are assured of social, political and economic justice, freedom of speech, assembly and worship and unimpeded access to and equality before the law.'

In spite of these assurances a Bill of Rights is specifically not included in the constitution.

The Bill provides for the repeal of many regulations which foster racial discrimination. Among the laws especially repealed by it are the Group Areas Act and the Reservation of Separate Amenities Act.

~~11-319~~
~~103~~
234/

'Stateless' Xhosas in the cities?

RDM

24/4/76

By PATRICK LAURENCE

UMTATA — Publication of the draft Transkei Independence Constitution yesterday focuses attention on a crucial issue of South African politics — the position of urban Africans.

The constitution seems to explicitly confer Transkei citizenship on all urban Africans of Transkeian origin — except for those of mixed tribal origin, whom the Transkei may be able to reject as not eligible for Transkei citizenship.

Contrary to the wording of the constitution, Paramount Chief Kaiser Matanzima insisted yesterday that Africans of Transkeian origin living permanently in South African cities would be given a choice of whether to become Transkei citizens or not.

Either way the dilemma posed by urban Africans is highlighted. If — as would seem to be the case — they are deemed to be Transkei citizens, they will be denied political rights in South Africa as "foreign citizens".

If — as seems less likely — they are given the choice, those who decide against Transkeian citizenship will be left in a limbo. These people, Chief Matanzima said, would be the "indaba" of South Africa. But both the Prime Minister, Mr Vorster, and his "ambassador" in Umtata, Mr Dante Potgieter, have made it clear they will not be given South African

citizenship — which means they will be stateless.

Mr Vorster has said that as far as the South African Government is concerned, all Africans in South Africa are citizens of one or other homeland.

But will urban Transkeians, like their fellow Blacks in urban areas, be content to be either involuntary citizens of a homeland, or stateless people?

As homeland citizens, they are expected to exercise political rights in a homeland far away from their place of work and recreation.

As stateless people, they are presumably expected to exercise their political aspirations.

Having decided against homeland citizenship, they are presumed to have accepted the consequences and forego their political rights.

But they will not fall into line as meekly as that. They do have political aspirations.

Dr Erich Leistner, deputy director of the semi-official Africa Institute, recognised this when he warned on the eve of publication of the Transkei Constitution that the Witwatersrand would become a contested area between Whites and Blacks and that the homeland policy would not end the race problem in South Africa.

Publication of the constitution is a watershed in the policy on which so many hopes have been invested as the "solution" to the race problem.

⑩ 239
② 103

Conflict over Kei citizenship

CAPL TIMES 26/4/76
Political Correspondent

SHARP DIFFERENCES of interpretation on a key aspect of the Transkei's independence constitution — citizenship of Xhosa people within White South Africa — has emerged between the Governments of the Transkei and South Africa.

The Minister of Bantu Administration and Development, Mr M C Botha, yesterday reaffirmed the South African Government's viewpoint that people of Xhosa origin would be stateless if they did not take up Transkeian citizenship after the new state's independence in October.

It is declared Government policy and a cornerstone of the separate

development ideology that all Blacks should be citizens of one or other homeland.

Mr Botha made it clear that the Government regarded the citizenship clause in the agreed Transkeian draft constitution as meaning that all Transkeians outside the homelands would be citizens of the new state.

Asked what the position would be if a Xhosa

decided not to take up Transkeian citizenship, he replied: "Then he will have no citizenship."

The Governments' interpretation of the citizenship clause is in obvious conflict with the meaning given it by the Transkei. Paramount Chief Kaiser Matanzima said last week that Transkeian citizenship would not be forced on the 1.3-million Xhosas living outside his territory.

The Transkei Government was merely obliged to register all Transkeians but for those living within the Republic, citizenship was optional.

It is possible that many thousands may decide not to take up Transkeian citizenship. If this happens the Government will have to find these people a way out of their political limbo within the narrow confines of the separate development policy.

REFLECTION

Meanwhile, the pro-Government newspaper, *Rapport*, yesterday called for deep reflection on both sides on the citizenship question.

Emphasizing the importance of citizenship to the individual, the newspaper said the attitude that Xhosas who did not accept Transkeian citizenship were the "undaba" of the South African Government, could be seen as a repudiation of responsibilities.

On the other hand, it was easy to say that all Xhosas outside the Transkei were the responsibility of Chief Matanzima. But, the newspaper asked, "What about those who were born here, possibly generations ago? What status does the future hold for them?"

1103
(2/23/76)

'Discrimination' in Transkei Bill

CAPE TIMES
28/4/76

Own Correspondent

JOHANNESBURG. — To deprive Africans of Transkei origin of South African citizenship was straightforward race discrimination, Dr Francis Wilson of the University of Cape Town said this week.

Dr Wilson was commenting on the Transkei Constitution Bill, which automatically confers Transkei citizenship on African's of Transkei origin living in South Africa

Noting that some Africans of Transkei origin had lived in Cape Town since at least 1840, Dr Wilson said "To deprive these people of South African citizenship on grounds of race is discrimination, particularly since immigrants from Europe can acquire citizenship through naturalization"

Where immigrants to European countries could acquire citizenship of

those countries by birth or naturalization, South Africa was reversing the process

It was futile to pretend that it was differentiation, since Transkeian Africans were being denied South African citizenship because of their skin colour That was race discrimination, Dr Wilson said

He then reiterated a point made recently by Dr Erich Leistner of the Africa Institute — that declaring Transkei Africans Transkei citizens would not solve the race problem

"They will not simply disappear and we will still have to learn to live to-

gether in the economic centres of South Africa."

Mr Lennox Mlonzi, a of the Soweto Urban Bantu Council, said, "I am in a difficult position. I live in Soweto and work in Johannesburg, but I have bought property in the Transkei and my father and children live there. I have to accept that I am a Transkei citizen"

CHOICE

But it was "regrettable" that Africans of Transkei origin had not been given the choice of opting for Transkei citizenship as a matter of definite preference

He feared Transkei citizenship might make him a foreigner in South Africa and lose him his rights to permanency in Soweto.

"I am in a position to be told by the South African authorities to pack my bags and go back to the Transkei

"If we are to be foreigners we are made vulnerable to being declared migrant labourers who have to renew their work contracts every 12 months."

REFERENDUM

Chief Gatsha Buthezi of KwaZulu said of the citizenship clauses in the bill "It supports my view that there should be a referendum before any homelands opted for independence It is too fundamental an issue for anything less"

Homeland independence jeopardized its citizens' right to share in the wealth of South Africa and cancelled their birth-right as South Africans.

For that reason it should not be taken without a referendum — preferably one organized by neutral observers

CAPR TIMES
THURSDAY, APRIL 29, 1976

Top Nats Want Full Citizenship

By THOMAS COPELAND
AN influential group of Nationalist politicians are believed to be urging the Government to consider granting full citizenship, including the vote, to South Africa's 10 000-strong Chinese community.

According to one Nationalist MP, the Government may be already preparing for such a step — a move which could have significant implications for the development of its race policies. However, while the way seems open for the removal of all other re-

strictions affecting the Chinese people, there will almost certainly be strong opposition within the party's caucus to the extension of the franchise. Apart from having no vote, the main restrictions affecting the Chinese at present relate to schooling and residen-

tial areas. Permits are required to attend White schools or to live in a White group area. It is felt that these two restrictions could easily be done away with. Nationalists favouring the acceptance of the Chinese as part of the White group are backing

up their argument with some impressive statistics. On percentage, the Chinese community is better educated and has a lower crime rate than any other group in the country, including the Whites. A hint of the new approach to the Chinese within Government circles

Conservative Party United States Secretary of State has had been one-sided in his approach.

Mr Julian Amery, a former Minister of State at the Foreign Office, said that the Kissinger speech had "ominous echoes" of the late John Foster Dulles's attempts to prevent Soviet diplomacy in the Middle East in the 1950s. He told Mr Anthony Crosland, the new British Foreign Secretary, that

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Govt plans for Chinese

N.M.
30/4/76

CAPE TOWN — The Government had no intention at this stage of integrating the Chinese politically with the Whites, two Cabinet Ministers said in interviews yesterday.

The Minister of the Interior, Dr C. P. Mulder, said his department had discussed ways of alleviating practical problems of the Chinese community to make things easier for them to have freedom of movement and to live normal lives. The only difficult issue appeared to the question of the Chinese being excluded from any voters' roll.

There had been no demand from the Chinese community so far to be given voting rights, and there would clearly be a problem in including them on a voters' roll, Dr. Mulder said.

The Minister of Community Development, Mr. Marais Steyn, said his policy was to let justice be done but in a way which would avoid friction. — (Sapa.)

CAPE TIMES 3/5/76

Dean Tutu calls for change in S Africa

0239
2703

THE following is the full text of a statement made last week by the Very Rev Desmond Tutu, Anglican Dean of Johannesburg who is Bishop-Elect of Lesotho.

I believe I am a responsible law-abiding Black church leader and I want to speak with a deep compassion and with extreme caution. This statement is the result of what I hope is earnest Christian prayer and it is an appeal to my White fellow Christians and fellow citizens of the Republic of South Africa, which I and all other Blacks love with an unshakeable patriot-

ism. It is a statement in response to what the newspapers have reported regarding the issue of citizenship in the Transkei soon to become an independent homeland created as such by the duly elected Parliament of the Republic of South Africa in which Blacks have no say whatsoever.

According to press reports Xhosa-speaking citizens of the Republic of South Africa will automatically achieve Transkeian citizenship and thus be deprived of the South African citizenship. Overnight they will become foreigners in what for many of them has been the land of their birth and be forced to adopt the citizenship of a country that many do not know at all and in whose creation they have played no part at all. They have contributed in various ways to the prosperity of this beloved South Africa and now it seems at the stroke of a pen they will forfeit a cherished birth-right.

Even the most vilified of Black African states at their independence offered their inhabitants the right to choose whether they would retain the citizenship of the former colonial mother country or take out the citizenship of the newly independent country. This procedure seems to be in accordance with the canons and conventions of International Law. But this appears not to be going to be the case with regard to Transkeian citizenship.

Many of us have believed that Mr Vorster and his Government really desired peaceful change in South Africa. In this intention many of us have

to reconciliation and to work for a more just and open society in South Africa. We have called for fundamental changes which would in our view be more consistent with the tenets of the gospel of Jesus Christ and we have consistently reiterated that this way held out hope for a non-violent evolution to a happier and more just South Africa which could demonstrate to the world that it is possible for people of different races to live in harmony and peace together.

Since coming back to South Africa last August I have applied myself relentlessly to work for justice and reconciliation in a country I love dearly. I have retained my South African citizenship and carried a South African passport although it was extremely difficult to travel in Black Africa on a South African passport, as my former work as associate director of the Theological Education Fund required of me.

I was advised on several occasions to renounce my South African citizenship so that my work could be a lot easier. But I decided to cling tenaciously to my South African passport even when it meant frustrating delays in obtaining visas to go, for example to Nigeria, Tanzania and other countries in independent Africa who admit South African passport holders only with the greatest reluctance.

I have said before if White South Africa was sincere in its desire for peaceful but really fundamental change in what is at present an evil and oppressive system, then we Blacks would exercise patience to allow this change to happen in an orderly fashion provided we were given some meaningful tokens of the sincerity of White intentions.

The two main suggestions I have made before and repeat here, were that the Government should immediately recognize urban Blacks as permanent citizens of what is quite erroneously described as White South Africa and as a result of this recognition be given freehold property rights because those who take in the land are unlikely to suppress the uprising. This is patently obvious. The second suggestion was that the

our status as 3rd class citizens in the land of our birth. This repeal could be gradual. We are harassed even in this day and age by the police who must enforce the pass laws. I must declare that I have been deeply shocked that even today it is possible to see a crocodile file of handcuffed Blacks being paraded in the streets of Johannesburg.

Can you imagine the level of harassment to which we will now be exposed when police will demand to see our citizenship papers and Mr Botha has not minced his words in declaring that preferential treatment will be given to those who have opted for Transkeian citizenship.

My White fellow citizens of South Africa, we have believed you when you said you wanted peaceful change. Perhaps we have been naive and gullible. Through the Government that you have elected you have demonstrated that you did not really mean what you said and continue to declare day in and day out.

I speak with words I hope I have chosen carefully — the issue of Transkeian citizenship is highly explosive. Blacks are being provoked beyond human endurance. Do you really want peaceful change or does the fact that you have so much military power and so many sophisticated arms mean you don't care what the Black man's reaction will be?

Do you want to make us really desperate? I have warned before and I reiterate this warning with all seriousness that desperate people will be compelled to use desperate means. We are going to be free, genuinely free, all of us White and Black together in a genuinely free South Africa. Nothing, and I repeat nothing, will eventually stop us becoming free.

Dear White South Africans we want you to have a stake in South Africa and to remain here so that we can go forward together in a united South Africa, not one that is balkanized into unviable bits of things that are the fragment of somebody's imagination.

We don't want violence, we don't want death and destruction. We want peace, justice and order. We are human beings and we believe this for your

seems to be in accordance with the canons and conventions of International Law. But this appears not to be going to be the case with regard to Transkeian citizenship.

Many of us have believed that Mr Vorster and his Government really desired peaceful change in South Africa. In this intention many of us have supported them. Times without number I and other Black leaders have declared our commitment

to size urban Blacks as permanent citizens of what is quite erroneously described as White South Africa and as a result of this recognition be given freehold property rights because those with a stake in the land are most unlikely to support violent uprising. This seems so patently obvious.

The second suggestion was that the pass laws must be repealed for they represent for us Blacks the most tangible form of

a stark in South Africa and to remain here so that we can go forward together in a united South Africa, not one that is balkanized into unviable bits of things that are the figment of somebody's imagination.

We don't want violence, we don't want death and destruction. We want peace, justice and order. We are human beings and do believe this for your own sakes. We don't want a bloody confrontation.

**No need
to classify
Chinese
as Whites
- Mulder**

Political Staff

THE ASSEMBLY — The Government will not classify South Africa's Chinese population as Whites because it is not necessary and the move will cause "reaction," the Minister of the Interior, Dr C. P. Mulder, has told the Assembly

He was responding to a plea by Mr T. Aronson (UP, Walmer), on behalf of some 12,000 Chinese living permanently in this country

Speaking for what he termed the "cinderella community" in the Budget debate, Mr Aronson yesterday called on the Government to introduce White classification for Chinese so they could qualify for the benefits of full citizenship

BETTER DEAL

He said South Africa had a good relationship with Taiwan and the means to cement it by giving Chinese living here a better deal

"To give this community real recognition is in the real interests of the country."

But yet they were in the invidious position where they paid tax and had no representation. Nor was the Government planning any sort of Chinese homeland

GREAT RESPECT

In reply Dr Mulder said he had great respect for the Chinese culture and the State of Taiwan

He also complimented South Africa's Chinese community because they never agitated for change. Instead they approached his Department directly and in 98 per cent of cases the Government was able to solve their problems

The Chinese were able to live in White areas — after officials made sure there would be no objec-

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tion — and accepted at White sports clubs and cinemas

TAKEN TO TASK

He took Mr Aronson to task for raising the issue in the debate and said he did not want to be driven into a corner on the matter

When the time was ripe, he said, it could be considered again

Plea to alter laws on race discrimination

THE ASSEMBLY — Elimination of human tragedies caused by the race classification system has been called for in a new plea to the Government for speedy action to remove racial discrimination.

Mr Lionel Murray (UP, Green Point), said that as long as race classification tragedies continued in South Africa, overseas efforts of the Prime Minister and the Minister of Foreign Affairs would be negative

Speaking in the Budget debate on the Interior Vote, Mr Murray supported his argument with details from six race classification cases in which, he said, requests for reclassification had been refused by the Department of the Interior

The cases involved couples who had wanted to marry across the colour line, children born out of wedlock as a result of race classification problems, couples living together because marriage was impossible under the race laws, and unregistered children who were unable to continue their schooling because of race classification problems

The South African system of classification was "abhorrent" It was done according to legal definition which had no regard for the individual or his or her emotions or accepted way of life

SYMPATHY

Referring to Government rulings on theatre apartheid, Mr Murray said there appeared to be a new authoritarianism for which there was no legal authority

Mr Murray said as far as he knew control by directives in such matters was not the function of this department

Replying, the Minister of the Interior, Dr P Mulder, said the Govern-

ment's policy on race classification was unchanged

The "heart-break cases," of the kind mentioned by Mr Murray, were handled with the greatest sympathy by the department within the framework of the law In the past year 122 cases had been reclassified, which proved the Government's goodwill

On the issue of visas for visiting performers, the Minister said the Government's policy was still to have separate audiences



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REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

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14 MEI

[No. 5114

PROCLAMATIONS

by the State President of the Republic of
South Africa

No R 80, 1976

EXCLUSION OF CHINESE RACE FROM DEFINITION OF "ASIATIC" IN SECTION 175 (1) OF THE LIQUOR ACT, 1928

By virtue of the powers vested in me by paragraph (c) of the definition of "Asiatic" in section 175 (1) of the Liquor Act, 1928 (Act 30 of 1928), I hereby declare that the Chinese race is excluded from the said definition.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-sixth day of April, One thousand Nine hundred and Seventy-six

N. DIEDERICHS, State President

By Order of the State President-in-Council

J. T. KRUGER

PROKLAMASIES

van die Staatspresident van die Republiek van
Suid-Afrika

No R 80, 1976

UITSLUITING VAN CHINESE RAS VAN WOORD-BEPALING VAN "ASIAAT" IN ARTIKEL 175 (1) VAN DIE DRANKWET, 1928

Kragtens die bevoegdheid my verleen by paragraaf (c) van die woordbepaling van "Asiaat" in artikel 175 (1) van die Drankwet, 1928 (Wet 30 van 1928), verklaar ek hierby dat die Chinese ras uitgesluit is van genoemde woordbepaling.

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Pretoria, op hede die Ses-en-twintigste dag van April Eenduisend Negenhonderd Ses-en-sewentig

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade

J. T. KRUGER.

~~11, 12-7~~
12, 237

Chinese now 'White' *Natal Mercury article* under Liquor Act

Mercury Correspondent

CAPE TOWN — The Minister of Justice, Mr. Jimmy Kruger, has lifted the restrictions which normally apply to Asiatics under the 1928-Liquor Act in respect of Chinese.

The concession was announced in yesterday's Government Gazette. Its effect is that Chinese will be able to drink in White bars and public lounges, and generally be accorded the same rights as Whites as far as liquor consumption is concerned.

In an explanatory memorandum issued in Cape Town yesterday by the Department of Justice, Mr. Kruger said the effect of the de-restriction would be that no provision of the Liquor Act making a difference between Asiatics and Whites would in future be applicable to Chinese.

The concession follows speculation that an influential group of Nationalists have been urging the Government to consider granting full citizenship to the 10 000 members of the Chinese community in South Africa.

The group have reportedly been backing up their pleas with statistics which show that the Chinese community has a lower crime rate and is better educated than any other population group in the country.

The Minister of Foreign Affairs, Dr Hilgard Muller, recently announced that South Africa's diplomatic representation in Taiwan had been raised to ambassadorial status.

Immorality

CAPE TIMES 22/5/76
Political Staff

A TOTAL of 847 Immorality Act cases were reported during the year ended March 11 and of these 561 led to prosecutions, the Minister of Police, Mr Jimmy Kruger said yesterday in reply to a question by Mr Graham McIntosh (UP Pinetown).

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Exposed to the vice squad by her own mother

By DIANA POWELL

AN Afrikaans woman living in Cape Town breaks the law every time she goes to bed with her husband — but she is determined to continue doing so.

Mandy Snyman's husband is a Coloured taxi driver, 50-year-old Cassiem Kader

After appearing on a charge under the Immorality Act this week, Mandy, aged 24, told me defiantly: "Cassiem and I will never be separated by this dreadful law Our love is strong enough to fight it"

Mandy, who has been married to Mr Kader by Moslem rites for seven years and has two small boys, was acquitted on charges of committing or conspiring to commit an immoral act after being reported to the police by her own mother.

The case was thrown out of court because of a lack of State evidence
She left the courtroom, free, seven agonising months after being arrested in her bedroom

Law won't split us up, says Mandy

Mandy's story, which she told exclusively to the Sunday Express this week, is one of love and heartbreak, of courage and determination — and of betrayal by the people closest to her

It is set in South Africa's twilight world of love-across-the-colourline, where one's life can tumble in ruins at a policeman's knock

Mandy met Mr Kader when she was 18 and on the way, she says, to run in

Cape Town's dingy dockland nightclubs "I was taken to the nightclubs by my elder sister and her friends who used to drink and hobnob with sailors

"One night I met Cassiem who works the dockyard beat with his taxi He warned me that the nightclubs would be my downfall and took me under his wing Our friendship developed into love and after six months together I discovered I was pregnant. "We could not get married

legally because of South Africa's race laws so I adopted the Moslem faith and the Moslem name of Adelah and we were married by Moslem rites

"I was very wild in those days and my relationship with Cassiem was a sort of sensation-seeking thing It was fun to defy the law by living with a Coloured man

"Now things are very different The sensation is in feeling the strength of a love which cannot be destroyed

by laws or disapproving people. "I have two beautiful children, a nicely furnished home and happiness. Cassiem has given all this to me"

Mandy said she had been completely rejected by her family when she married Cassiem. "Neither my parents nor my sisters and brothers would accept him My background is Afrikaans and I suppose it is difficult for an Afrikaner to accept that a

White girl can love a Coloured man "I do not blame them but since I was literally thrown out of the house by my mother I have adopted English as my home language and my children will be taught in English "I would gladly give up my White identity card and be classified Coloured but I can get a better job as a White woman and I owe it to my children to give them all I can."

Mandy said her greatest disappointment in life was the attitude of her mother, Mrs Eileen Snyman, who, she said, reported her and Cassiem to the police for sleeping together. "I think my mother is jealous of my happiness and stable home life.

She said Mrs Snyman complained to Cape Town's vice squad who knocked on their door at five o'clock in the morning on October 6 last year and arrested Mandy in her bedroom. Cassiem was found in a backyard of a neighbouring house. "We will never be sent to prison for immorality," Mandy told me "We pray all the time that we will not get caught and our faith is strong enough to keep us out of trouble

"In order to get a conviction the police must catch

you in the act, and over the years I have had plenty of experience of running in my nightie."

Mandy said she was telling this story to help other young people who might find themselves in similar situations.

"It is not always easy, but trust in your love and your faith to see you through

"I have had hard times over the last seven years. My relationship with Cassiem has not been a bed of roses. No marriage is, but I love him. He is the father of my children and they love him. That is all that matters. I will never leave him."

23/2/76

S. Express

Jo'burg is 'worst place I know of'

STAR

28/5/76

The Star Bureau
NEW YORK — A brilliant New York photographer of famous personalities, Pepe Diniz (30) says Johannesburg — where he lived for two years — is the worst place I know of and that living in the city was "frustrating,

hurtful and humiliating"

His original criticism of Johannesburg was contained in a feature on his work in the latest issue of Popular Photography, but in an interview today he expanded on his remarks and said

"Even now, I remember the place with a shudder—I never want to go back there for as long as I live"

Mr Diniz, whose unusual photographs of film stars like Alain Delon and Julie Christie and of artist Salvador Dali, have won international acclaim, added: "My main problem in Johannesburg was that I had a dark complexion.

"I had to show my passport (he is Portuguese and,

at the time, his parents were living in Mozambique) to convince people everywhere that I could enter their premises. It happened in cinemas, theatres, restaurants, hotels, buses, trains, parks, libraries — everywhere

"In the end, I was afraid of going into places in case I was humiliated. There were one or two places where I was known and my whole life seemed to be limited to them. You must remember that I was a high school boy at the time and so it was all very bewildering"

Diniz, who attended Marist Brothers College in Observatory, says that even at school he was jok-

ingly called "hey you, kaffir" by other boys

"They did not realise, I suppose, just how much that hurt me. But what they said at school was really what I came across outside the school. Even well-meaning people would ask me if I was Coloured, as if it were relevant or important"

Most of his friends were Portuguese, "though I did, through circumstances, make many Black friends there — people with whom I could sympathise, who knew how I felt

"Little by little I learned how to hate the place. It is an attitude shared by many people I have met all over the world who have been there. Some of them are polite about it, I prefer to be honest."

Faded, illegible text at the bottom of the page, possibly bleed-through from the reverse side.

The "Status of the Transkei Bill" (B 121-76) has passed its first reading, but is not yet an Act of the Parliament of the Republic. If it is enacted by our Parliament and becomes law as presently worded, it will automatically result in two significant legal consequences for persons who are now South African citizens and who are estimated to exceed one million in number.

Firstly, they will become citizens of the Transkei. Secondly, to quote the exact words of section six of the Bill, they "shall cease to be a South African citizen".

These consequences take place without the free and voluntary consent of the citizen affected by the Bill. Under its terms, he is to be deprived of his South African citizenship which he acquired by birth within the territorial boundaries of the Republic of South Africa, purely on the grounds of his racial or ethnic origin as defined in Schedule B of the Bill, and without his agreeing to this.

The categories of persons who in terms of Section 6 shall cease to be South African citizens, include every South African citizen who is not a citizen of a territory within the Republic of South Africa and who speaks a language used by the Xhosa or Sotho-speaking section of the population of the Transkei (including any dialect of any such language), or who is related to any member of such population, or who is associated with any member or part of such population. Thus a Xhosa-speaking Black South African born in Soweto, where he lives, and who has never lived inside the Transkei, will automatically cease to be a South African citizen if Section 6 becomes part of our statute law. His consent to this drastic and radical step is not required by the Bill.

The compulsory and automatic taking away of a person's citizenship on racial or ethnic grounds raises fundamental questions of law and morality, and moreover has far-reaching implications in the field of international law. Indeed, Section 6 — if it becomes part of the

Nazi law STAR on Jews 4/6/76 - recalled

Enforced deprivation of citizenship under the Transkei legislation would be contrary to fundamental principles of justice and morality and hence a possible critical weak link in the chain of apartheid, writes PROFESSOR LEONARD GERING. He is formerly professor of law at the University of Durban-Westville, and an advocate of the Supreme Court.

statute law of the Republic — may be the critical weak link in the chain of apartheid, and the rock on which the grand strategy of "separate freedoms" may founder if the present collision course with the fundamental principles of justice" remains unaltered.

The legal phrase "fundamental principles of justice" is the basis of a judgment of the German federal constitutional court in 1968. The court had to decide on the validity of a decree of Nazi Germany in 1941 which deprived German Jews of their German citizenship merely because of their Jewish origin and without their consent.

In an inspiring and eloquent judgment, the court held that the 1941 decree "violated fundamental principles. It is to so intolerable a degree irreconcilable with justice that it must be considered to have been null and void *ex tunc*." In other

words, the decree was to be regarded as never having been valid.

A noted legal author, Dr Martin Wolff, has written that deprivation of nationality, if made purely on racial grounds, is a violation of international law. He described such deprivation as "inconsistent with tenets of humanity and morality."

Lord Denning, in a judgment in 1972, stated that "when the German authorities passed the decree of 1941, the English courts would not recognise it as valid, by English law, to deprive a person of his German nationality." He described the 1941 decree as "an objectionable and atrocious law."

On the basis of these legal authorities, if Section 6 is enacted in its present form, then it would be regarded as null and void by the courts of other independent sovereign states, and by the World Court, even though Section 6 would be applied by the courts of the Republic.

Although Section 6 is being proclaimed in the name of "separate freedoms" and the "self-determination of peoples," its explicit terms negate this. It does not require the free will or the voluntary consent of the citizens affected by it. Free choice is completely excluded.

Unlike the amended wording of the legislation as formulated by the Transkei Legislative Assembly, Section 6 of the Bill is based on compulsion, and not on free choice.

Can the governments of the free world — to which we claim to belong — recognise a statute which takes away the citizenship of over a million persons on racial or ethnic grounds, and at the same time remain true to the fundamental principles of justice which they seek to uphold?

R.D.M. 12/6/76

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Farmer jailed on sex charge

TZANEEN.—A farm labourer, Mr J. Sebola, told the Tzaneen Regional Court that he had left his job to avoid trouble when he realised his daughter was having an affair with his White employer.

Mr Sebola was giving evidence before Mr W. van Zyl in a case in which Piet Stefanus Jacobus Venter, 35, a farmer in the Duiwelskloof district, and his former domestic servant, Mapula Sebola, 21, were charged with contravening the Immorality Act. Both pleaded guilty.

Venter was jailed for 12 months as he was serving a suspended sentence on a similar charge when he was arrested.

Sebola was sentenced to nine months' imprisonment suspended for three years

The court heard that Venter had told one of Mr. Sebola's sons "some time last year" to build an extra hut exclusively for Mapula Sebola, who was working for him as a domestic servant.

"I soon realised that Venter was spending more time in the hut with my daughter than out on the farm. I called his people and told them I was leaving the farm because I did not want trouble," Mr Sebola said.

Mr A. G. W. Eiselen, for both the accused, said in mitigation that Venter was an only child and had grown up on a farm dominated by Blacks. All his life he had close contact with Blacks and was not aware of the White-Black relationship laws of South Africa. — Sapa.

(1) 200
(2) 242

Thousands of Rhodesians in SA illegally

4/10/76 STAR

The deadline for the registration of Rhodesian Africans in South Africa has expired, leaving thousands unregistered and liable to prosecution.

The final deadline was September 30

An official of the West Rand Administration Board says about 5 000 Rhodesian Africans in Johannesburg, Sandton and Randburg had been registered. Another 10 000 applications were still being processed.

But estimates put the number of Black Rhodesians illegally in South Africa at between 80 000 and 100 000, the majority being in the Johannesburg-Pretoria area.

There has been some reluctance on the part of illegal Rhodesians to regularise their positions because of suspicions about monthly amounts which have to be deferred and sent to Rhodesia once a worker registers.

According to the agreement between Rhodesia and South Africa allowing the amnesty for the registration of Black Rhodesians, between 30 and 60 percent of a worker's pay (worked out on a sliding scale according to amount) has to be remitted each month to Rhodesia.

This money has to be sent to the local Bantu Administration Board where the worker has

which have to be deferred and sent to Rhodesia once a worker registers.

According to the agreement between Rhodesia and South Africa allowing the amnesty for the registration of Black Rhodesians, between 30 and 60 percent of a worker's pay (worked out on a sliding scale according to amount) has to be remitted each month to Rhodesia.

This money has to be sent to the local Bantu Administration Board where the worker has been registered. The board then sends the money to Rhodesia to be paid into an account for the worker in Rhodesia.

Several readers of The Star wrote to say their Rhodesian employee had been unable to draw the money in Rhodesia after they had paid the deferred amount for several months.

CONFUSION

A spokesman for the Rhodesian Diplomatic Mission in Pretoria said there had been hitches as the new system got into gear, but he expected that these had been ironed out.

The West Rand Board official said from this month the Board would not accept the deferred pay unless the Rhodesian worker travel document number (which each worker is given on registration) is submitted with the amount.

This should prevent the possibility of confusion arising about payments to relatives in Rhodesia, he said.

People who have queries can get in touch with the Rhodesian Diplomatic Mission in Pretoria at Tel: 491 000 27351.

Botha: Don't expect us to sacrifice birthright

1/11/76
Own Correspondent
GEORGE — The White man could not be expected to sacrifice his birthright to give the Coloured people theirs, Mr P W Botha, the Minister of Defence, said at

a meeting here at the weekend. He reiterated that there would be no parliamentary representation for the Coloured people under a Nationalist Government and

there was no question of scrapping the Mixed Marriages Act

Mr Botha said relationships with the Coloured people constituted one of South Africa's biggest problems. There were about 2 million of them, of which about 90 percent lived in or near Cape Town, and "we cannot wish them away".

"I believe it is in the interests of South Africa that they should be uplifted, educated and put on a higher living standard.

"I believe that as many as possible should own their own homes in their own areas.

"I believe their political rights must be extended.

"But I do not believe that I have to sacrifice my

Continued on page 2

P W Botha

Continued from page 1

birthright so as to give them theirs.

The CRC should be seen not as the ultimate step in the Coloured people's political evolution but as a beginning. The Prime Minister had indicated that they would have representation at Cabinet level.

The Theron report's most important recommendation was that the Westminster system did not hold the answers for Africa's problems and the Government was giving its full attention to the problem.

Mr Botha said that people who were thinking of quitting South Africa were making a grave mistake.

"My plea to these people is to stay, join hands with us, and help to make South Africa a great and prosperous nation," he said.

"This is still the best country in the world to live in."

SEN

No. 3

RDM 15/12/76.

'Black woman and naked driver fled'

By KEN SLADE

AFTER a 45-minute chase a policeman stopped the car he was chasing and found an African woman and a naked White man inside it, the Vereeniging Court was told yesterday.

Mr David de Lange, of Vereeniging and Elizabeth Mokoena, were appearing on an Immorality Act charge.

Mr De Lange pleaded not guilty to the charge and Mokoena pleaded guilty. The trial was then separated. Mr De Lange

will appear in court on January 20.

Constable F J Labuschagne told the court that on October 14, at about 9.45 pm, he was in his police van with an African constable.

"We were on the Meyerton-Boskop road when I saw another vehicle in front of us. Immediately we came into view, this other car accelerated away."

Constable Labuschagne said it took him 45 minutes before he could

stop the other vehicle.

"Then an African woman jumped from it and started to run. I shouted to the constable with me to catch her."

"I went to the vehicle and discovered that the driver, a White man, was stark naked. He never even had his shoes on."

Magistrate P C Bekker from Meyerton told the court that on November 17, the accused was brought to his office where she made and signed a statement.

Mokoena admitted that she had often slept with a White man at his Three Rivers plot. She told him that the man said that his wife and children were on holiday.

Mokoena also said that she had slept with the man even after they had been stopped by the police. The court was told that the accused accepted R50 from the man.

Mokoena was sentenced to six months' jail conditionally suspended for three years.

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POPULATION - REGISTRATION

1977 & 1978

Black lover 'more lekker' than White

By KEN SLADE
A YOUNG Black woman told a Vereeniging magistrate yesterday her White lover had told her he preferred sex with Black rather than White women. It was "more lekker," he had said.

Elizabeth Mokoena was giving evidence at the trial of David de Lange, 34, who was given a six-month suspended sentence for contravening the Immorality Act.

Mokoena received the same sentence when she appeared at a separate trial on December 12.

She said yesterday that

De Lange had had intercourse with her about once a week for the past two years. Each time he paid her R10.

On October 14, 1975, he drove her to the Meyer-ton-Boskop road. They undressed and made love. While they were still naked they saw the lights of an approaching car.

De Lange scrambled from the back seat to behind the steering wheel, telling her to keep down.

As he drove away the car—a police van—followed them.

De Lange told her to get dressed, and threw her

her clothes. When the police stopped the car he told her to run away. She did, but was caught.

Mokoena said that some days later De Lange gave her R50 and said she need not go to court because the case would be heard without her.

Under cross-examination, she agreed she knew that she and De Lange were doing wrong.

"I spoke to him about it, but he said he found having sex with Blacks more lekker than with White women," she said.

Constable F. J. Labuschagne said he chased De Lange's car for 15 minutes before stopping it.

"When I did, I saw someone running away. I shouted to the Black constable with me to catch the person, and went to speak to the driver.

"He was completely naked. He told me he had been out loving with his girl friend.

ITCHY

"Moments later the other constable arrived back. He had Mokoena with him."

De Lange said that on the night of the arrest he had been working late, with fibreglass. It made his skin itchy, so he stripped before getting into the car.

He was giving a lift to his Black assistant, Piet, who was in the back.

"On the way we stopped at a robot. Piet saw Mokoena and shouted, 'Taxi, taxi'."

"She climbed in and sat next to him.

"When we reached the place where Piet wanted to get out she refused to leave with him. Instead of arguing with her, I decided to take her back to the place where we first saw her."

"On the way we were stopped by the police."

He said there seemed nothing wrong about being naked when he got into the car because he did not think anyone would see him.

Hansard 1 vol 19 27/1/77

Indian men, foreign wives

206 Mr R E ENTHOVEN 't HOOFT
asked the Minister of the Interior

Whether any Indian men applied for permission to bring a foreign wife into the Republic during 1975 and 1976, respectively, if so, (a) how many in each of these years and (b) how many of the applications in each of these years were granted

The MINISTER OF THE INTERIOR

Yes

(a) and (b) such statistics are not kept

Indian men, foreign wives: Restrictions

207 Mr R E ENTHOVEN 't HOOFT
asked the Minister of the Interior

Whether representations have recently been made to him or his Department in regard to restrictions on the entry into the Republic of foreign wives of South African Indians, if so (a) what was the nature of the representations, (b) by whom were they made and (c) what was the nature of the replies

The MINISTER OF THE INTERIOR

Yes

- (a) Relaxation of entry control
- (b) The South African Indian Council and members of the Indian community
- (c) That the representations are being considered

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Police probe *Re: 1/2/77* Sex Act case

CAPE TOWN. — Police confirmed yesterday that they were investigating a charge under the Immorality Act against a wealthy farmer who lives in the Riviersonderend district.

The farmer's name and that of the teenage woman involved in the case were mentioned in a Sunday newspaper report which said well-known people in the district feared publicity could ruin them.

A senior police spokesman confirmed that an investigation was under way.

He said nobody had been arrested and nobody had appeared in court.

Immorality 2 sentenced

Staff Reporter

PIETERSBURG. — A 43-year-old White man and 23-year-old Black woman were found guilty of contravening the Immorality Act when they appeared before Mr P M Maritz in the Pietersburg Regional Court yesterday.

The man, M. P. Venter, a father of six children and who does not stay with his wife, was sentenced to 18 months' jail while the woman, Miriam Kgwa-di, was sentenced to nine months, suspended for three years.

Venter had a previous conviction for attempting to commit immorality for which he had received a suspended sentence.

'New Excelsior' probe

Express Reporter

POLICE are investigating alleged contraventions of the Immorality Act at the tiny Garden Route town of Riviersonderend which could involve some of the town's leading personalities

Politicians and churchmen

mentioned in connection with the case could mean another affair like that of Excelsior in the Free State. A senior police officer said nobody had yet been charged or arrested, and declined to say whether any documents had been sent to the Attorney-General.

RE: 20/10/1967

Hansard 4 col 310 14/2/78

242

Population Registration Act X

407 Mr J D DU P BASSON asked the Minister of the Interior †

(a) On how many occasions were boards constituted by him under section 11(4) of the Population Registration Act in 1976, (b) who were the chairman and members of the board in each case, (c) what was the duration of the sessions of the board in each case, (d) what amount was paid to individual board members for their work and (e) what was the total cost of the sessions concerned

The MINISTER OF THE INTERIOR:

- (a) 15
- (b) First 10 Mr O J Oosthuizen, Chairman and Messrs F A Venter and W J van der Merwe, members
Last 5 Mr O J Oosthuizen, Chairman and Messrs F A Venter and L M Kotze, members
- (c) One day
- (d) R450, R375, R250 and R125
- (e) R1 500

Hansard 6 Q 562-563 4/3/77

Indian brides

242

*9 Mr G B D McINTOSH asked the Minister of the Interior

- (1) Whether the South African Indian Council has made representations to him in regard to the admittance to the Republic of non-South African spouses of South African Indians, if so, (a) when were the representations made and (b) what was the purport of the representations,
- (2) whether a reply was made to these representations, if not, when will a reply be made, if so, (a) when was the reply made and (b) what was the purport of the reply

The MINISTER OF THE INTERIOR.

- (1) Yes
 - (a) On various occasions
 - (b) That certain applications be favourably considered
- (2) Yes
 - (a) 26 November 1976
 - (b) That the Executive Committee of the South African Indian Council submit the applications with its recommendations to me for consideration

Mr G B. D. McINTOSH: Mr Speaker, arising from the hon the Minister's reply, is he not prepared to move away from racial discrimination in terms of the handling of these applications from South African Indians? [Interjections]

Mr SPEAKER Order!

The Minister Mr Speaker, I do want to react to that. The admission of people to South Africa, regardless of race or colour, is under control in any case.

Paper is rebuked

CAPE TOWN — The President of the Senate, Senator Marais Viljoen, yesterday announced that the editor of the Daily News had been summoned to Cape Town following a false and injurious editorial published in the Durban newspaper last month.

The paper's parliamentary reporter had also had his parliamentary Press facilities suspended until the end of this month and the newspaper had undertaken to publish an apology, he said when the Senate convened yesterday.

Senator Viljoen said the action followed an editorial published by the Daily News on February 24 in connection with a Senate debate on February 21 and 23. In this debate, Senator L.

F. Poorter (U.P.) said Senator Horwood had predicted gold would rise to 350 dollars an ounce, which Senator Horwood immediately denied.

The Daily News editorial said Senator Horwood owed Senator Poorter an apology. The prediction had in fact been quoted by Senator Horwood's predecessor as Minister of Finance, Dr. Nico Diederichs.

Senator Viljoen said he had summoned the Daily News editor to his office on Monday and that the Daily News undertook to publish an apology for their false and injurious editorial to make some amends to Senator Horwood for the serious reflection cast on his personal credibility. — (Sapa.)

● The apology was, in fact, published on Tuesday.

UNEMPLOYMENT.

Race Act: two guilty

EAST LONDON — A 52-year-old funeral director and a housemaid were found guilty in the Regional Court here yesterday of conspiring to contravene the Immorality Act in the grounds of the Malcomess Children's Home.

The director, Mr Petrus Scheepers, and Miss Florence Skeyl, 21, of St George's Road, who appeared before Mr J. Jordaan, were sentenced to nine months imprisonment, suspended for three years.

Both pleaded guilty to charges of contravening the immorality laws or conspiring to do so.
DDR

Iduq as
- lanoiaa

POPULATION - Registration

2-2-78 - 13-12-79

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~~✓~~

22nd July We marched from Vlakplatz and reached our old camp at the farm Thorndale the same afternoon. The day we left Krugersdorp two Boers came in with a white flag from Kemp, a Boer commandant in this valley, with a request that he would be allowed to send in all his women and children to Krugersdorp. This does not look as if the Boers thought we treated their families badly. All the same, when we go to remove the families they cannot resist the temptation to fire at us.

24th July We marched past Breedt's Nek and kept on the Olifants Nek road for miles. This road is just out of rifle range of the Magaliesberg. We moved along the foot of the hills with a flank guard. The guns and pom-pom were used to clear the area. We could not visit the farms as there were Boers walking about. The Magaliesberg parallel to us and we should not get too close to them.

Immorality Act Hansard (12) 8/2/79
 20 Mrs H SUZMAN asked the Minister of Police
 (a) How many suspected contraventions of the Immorality Act were investigated during the period 1 July 1977 to 30 June 1978 and (b) how many persons were charged as a result of these investigations
 The MINISTER OF POLICE
 (a) 363
 (b) 295
 238

We camped between Naaupoort Fort and the Magaliesberg. We stayed there the following day and collected a few families. We now collect all Kaffirs except those living in definite locations or large villages. The intention is to remove all Kaffirs living on Boer farms as they are compelled to feed the Boers and grow crops for them. It is an enormous task. The Kaffirs are quite willing to come as a rule. Some of

Cases under section 16 of Immorality Act

21 Mrs H SUZMAN asked the Minister of Justice

- (1) How many cases under section 16 of the Immorality Act were referred to each attorney-general in the Republic during 1978,
- (2) how many of the persons concerned were (a) prosecuted, (b) convicted and (c) are still on trial or awaiting trial

The MINISTER OF JUSTICE

(1)	Eastern Cape	74
	Orange Free State	30
	Northern Cape	7
	Cape	71
	Natal	35
	Transvaal	84

(2)		(a)	(b)	(c)
	Eastern Cape	129	85	25
	Orange Free State	28	15	10
	Northern Cape	11	4	7
	Cape	31	25	8
	Natal	30	24	4
	Transvaal	175	112	29

James 25/11/79

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PW may act on colour bar love

WHITE South Africans who marry black or coloured women will have to live in black or coloured areas — and like it — says the Prime Minister, Mr P W Botha.

... but mixed couples will have to live in black areas'

This first glimpse of what could happen if the Mixed Marriages Act is, to use Mr Botha's own words, "improved", has emerged in a tough, wide-ranging 90-minute interview to be published in the international news magazine, Time, tomorrow

In the same interview Mr Botha says that

- He would "sympathetically consider" a request from a properly elected government to send South African troops into Rhodesia
- Condones the Rhodesian raids into Zambia and Mozambique
- Makes the amazing admission for a Nationalist Prime Minister that the Government's homeland policy is not enough to satisfy urban black aspirations
- Other points conceded by the Prime Minister are
 - The possibility of further constitutional developments for the urban blacks
 - Acceptance, in the face of the possible breakup of the National Party, that 'political forces change and people have differences of opinion'
 - Another hint that pass laws will go

Quizzed by Time's Johannesburg bureau chief, Mr William

By FLEUP DE VILLIERS

McWhirter, on where a mixed couple would live if the Mixed Marriages Act was improved Mr Botha said

"I think that if a white man wants to marry a coloured or black girl, it is for him to take the consequences to live in that area where his wife lives and get used to it"

The Prime Minister also demolished all suggestions that blacks might eventually be able to live in "mixed neighbourhoods"

"Whites in South Africa want to live in their own communities and it is their right and we are prepared to grant the right to blacks to live in their own communities, but we are not in favour of mixed communities"

"I stand for the retention of our own schools and community life and in a country like South Africa we will not deviate from that. We are honest about this. Other arrangements will lead to unnecessary friction"

Pass

Asked if in 10 years a black South African with an engineering degree would still have to live in Soweto and travel on a pass, Mr Botha said

"No that is not correct we are trying to eliminate all reasons for friction except that we are not prepared to sacrifice our right to self determination"

"If we want to live in a changing world then we must be prepared to adapt policy to those things which should be changed, otherwise we will die. It is not a question of adapt or die it's a question of taking cognizance of a changing world a developing world and developing with it"

leaders that this is enough in this country to satisfy black aspirations'

Mr Botha No I don't say this is enough. The world is changing the world is developing and we are going along with it. As far as possible in a changing world we will apply new methods

Time When in your view does consultation ever become equal negotiation as some blacks are now demanding'

Mr Botha Negotiation follows from consultation

Asked whether conciliation could provide a reaction and realignment of political forces in South Africa — and the possible breakup of the National Party he says

"We are not a stagnant country. Our political forces also change and people have differences of opinion. It is the right of people to change their

minds as long as they do it constitutionally

On the Rhodesian issue Mr Botha repeats his warning that he would call Parliament together if chaotic conditions arose on South Africa's border

"We say that the Rhodesians themselves must decide on the government we cannot stand idly by and allow a neighbouring state to be forced at the point of a gun to accept a form of government which the people don't like"

If outside forces there create chaotic conditions I will have to call together Parliament to discuss the whole thing and to see what can be done to help people to retain good order because if things go wrong in Rhodesia and people start running as they did in Angola as they did in Mozambique they only run one way and that is to South Africa

"It's a funny thing the whole world cries out against us but if people seek refuge if people seek protection they run to South Africa"

'Why is that? That is why I cannot afford chaos on my border and in that sense we will have to reckon with it'

Time Would you in any other circumstances envision the possibility of sending South African troops into Rhodesia'

Mr Botha If I am requested by a properly elected government to help them I will consider it sympathetically. Yes, in certain circumstances I will have to go through Parliament

Time Do you condone the raids by Rhodesian forces into Zambia and Mozambique'

Mr Botha It is their right. They must protect themselves against people who want to overthrow their state

DISCUSSION

The crude death rates and the star Asians and 'coloureds' and urban The interpretation of these figures

deaths so obtained and dividing the total standard population, a this figure is independent of the... we wait for the best nothing done Social and economic the political problems can er tackled National Party in the sense have known it, is crumbling," Government has set off on a om which there is no turning t has awakened great expectation and it will have to meet them. "Obviously it will have to continue to tackle the major grievances of South Africa's coloured, black and Indian people, and obviously the basic problem of South Africa — the sharing of power — was not discussed at Thursday's meeting

Infant mortality is experienced in obtaining data for Africans. Birth Africans are not published by the central government. cal officers of health have estimated the infant mortality ratio. The are situated Cape in inf. for the of the cific "But it is no good waiting for the Government to do this before we improve living conditions. Political development will become a reality if everyone believes that it will be." Mr Oppenheimer once again praised Mr Botha's courage in setting out on his reformist course and said that while Thursday's meeting was only the beginning, it was also in one sense the consummation of a development that had been heralded by the Wiehahn, Dierker and De Kock reports. "What is happening must

Maids by day . . . lovers by night

Model Eva McCusi *It's only a moment's pleasure* BY MANDIA

NDIAZI

BY day they parade under the spotlights in the glamorous world of high fashion, but their nights are spent in love and passion across the colour line

This is the secret life of a number of Johannesburg black models, who live in "sin" with white men both in the city and the suburbs.

Other girls live as shapely "maids" during the day, or have been safely placed to run beauty salons, SUNDAY POST learned this week

Some of these women had flaunted their love in the face of the law for years, and fled to neighbouring countries or abroad when the police moved in

"It's a combination of

love and money," sources close to the girls told SUNDAY POST. "They're willing to risk going to jail for the security these men can give them"

One model, beautiful Eva Motisi, said sharply "What is sin?"

"People say models live in sin, but who, either in Soweto or Johannesburg doesn't?"

"We have the right to make our own decisions. Black models who live with white men are leading their own lives, and if they make a mess of it, that's their business"

They could not afford to stay in hotels because this was expensive. One thing was certain, she said "These girls are being used, because often it is only a moment's pleasure, and most end up hopelessly frustrated"

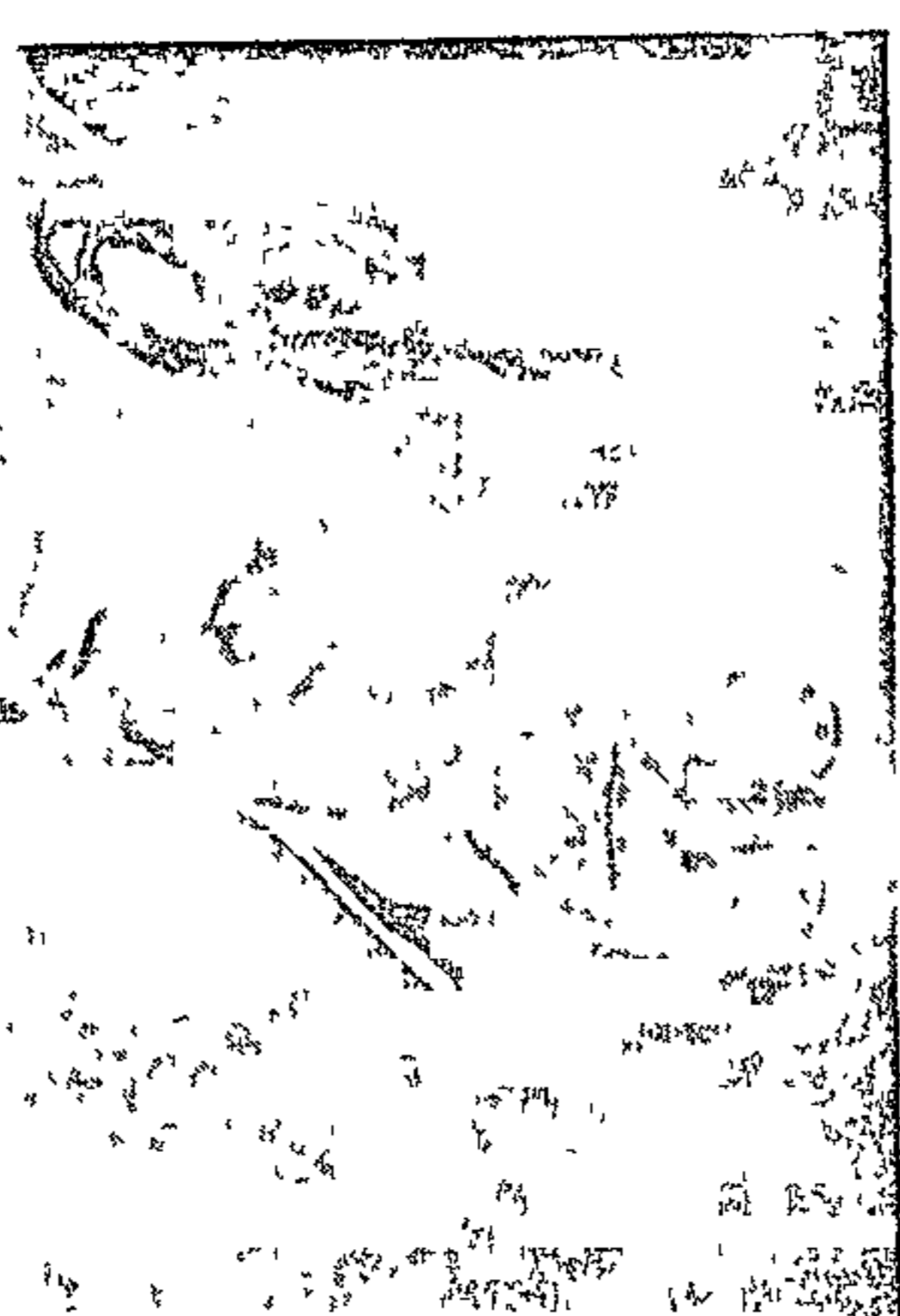
DEATH ENDED ILLEGAL LOVE

BEAUTIFUL Bubbles Mpondo's greatest desire was to quit South Africa so she could marry her white lover, musician Jannie Beetge — but death laid its icy hands on her before this wish could be fulfilled.

The couple lived together as man and wife in Beetge's International Health Studios in Johannesburg — and it was here that they were found dead.

An inquest magistrate, Mr A T Feeling, found that Bubbles died of bullet wounds in the brain and left lung, and her lover of a bullet wound in the head. He was unable to say whether either of them, or any other person, was responsible for their tragic deaths.

Before Bubbles' death, a car in which she was travelling was stoned in Soweto by a group of youths who called her "a disgrace to the black community". She was on her way to a beauty contest in Diepkloof at the time.



Bubbles Mpondo, Jannie Beetge . . . a Romeo and Juliet ending.

Mrs Debs Mabiletsa, director of the Women Desk at the South African Council of Churches offices in Johannesburg expressed disgust when she heard of the "modellers"

She said these women were given a 'complete' distorted system of values, which does away with things like character and what it takes to be a young girl when they enter the field of modelling

Mrs Mabiletsa said colour was not the issue to be questioned, but the country's laws that "battered" a black person's character

made qtl — DDR

late in 1982 — DDR DDC

Suspended term for Race Act couple

EAST LONDON — An Mdantsane woman who is a mother of two children and a Belgravia Crescent man were found guilty in the Regional Court here yesterday on a charge of contravening the Immorality Act

Miss Mavis Lindiwe Swelindawo, 23, of Zone Two, Mdantsane, and Mr Allen Ziske, 40, pleaded not guilty when they appeared before Mr S van Zyl in the Regional Court

They were each sentenced to five months imprisonment, conditionally suspended for three years

They were arrested in a yard in St Luke's Road near the Medical Centre where the police during evidence said a lot of prostitution was taking place

Miss Swelindawo admitted a previous conviction for theft — DDR

processes is essential; and the division will have to be more fine the more discriminating public decisions can be. 10

The results of programme budgeting may be valuable in themselves, although the mere procedure does not necessarily ensure that better decisions will be made. Their potential is realised only if there follows an assessment of the value of expenditure in each programme.

2.2 Programme Evaluation

Methods of evaluation range from simple procedures for looking at costs, where the conclusions are left largely to intuition, to highly complicated

(238) Rom (ulq7)
Classification of race is 'humane'

By AMEEN AKHALWAYA
 Political Reporter

THE DEPUTY Minister of the Interior, Mr S F Kotze, has confirmed a "humane and compassionate" Government approach in dealing with race classification cases

But the leader of the Labour Party, the Rev Allan Hendrickse, last night dismissed the notion that "anything inhumane can be treated humanely."

"It's all rubbish to say there is a new approach. Apartheid is evil. It can't be less evil or more evil," he said from Uitenhage.

Mr Hendrickse agreed with the leader of the Progressive Federal Party, Dr Fredrik van Zyl Slabbert, that racial laws must be scrapped.

Dr Slabbert has reportedly confirmed the Government was applying the race laws less strictly and with "humanity and compassion." He said since Mr Kotze became Deputy Minister, race classification had been dealt with in a more humane way.

Mr Kotze, however, declined yesterday to take any credit for the approach. He said he agreed with and reflected the approach of the Minister of the Interior, Mr Alwyn Schlebusch, and the Secretary, Mr T J Booyens towards the more "heart-rending" reclassification cases.

There were also cases of whites applying for reclassification. "The majority of such cases are where coloured people who had somehow in the past obtained white identity cards now asked to be reclassified."

Mr Hendrickse said a new approach in reclassification was of no consequence. The entire apartheid system had to be scrapped. "This whole idea that things can be eased is a facade."

"Nothing's changing. You can't go where you want to, you can't do what you want to, you can't eat where you want to. I went to Port Elizabeth today and had to eat my lunch while standing next to my car in the main street."

Unfortunately, such intuitive processes can pick out only the grossest incongruities which are recognised by all, whatever criteria of 'value' are used. The optimum level of expenditure on a particular objective is, from the point of view of intuitive judgement, highly uncertain, because of the wide variation in benefits attributable to a particular type of spend-

ing. This is partly due to a deficiency in information on the results of the programmes which can be resolved by recourse to appropriate data. Nevertheless, there will also be differences of judgement which cannot be resolved without prior agreement on the relative valuation of different benefits which have to be fed into the analysis; and in the intuitive process, these two factors may not be differentiated.

A very large proportion of decisions are now taken with no further analysis than this. Any further steps involve a way of systematically valuing the benefits of different programmes to render them comparable to one another.

2.4 An Informal Method for Setting Objectives

The following method for guiding the choice of priorities has been described by John Bryant. 12 It has been used by medical and nursing students in Thailand, and one of its advantages is that it can be used where no numerical data is available. It, therefore, lends itself to discussion, to draw on the experience of a group of people.

Potential health problems are first listed, and then given a score (from one to four pluses) under each of four headings:

Diagram 1 A method of ranking health problems

Problem	Prevalence	Severity	Community concern	Vulnerability to management	Total
Large & poorly spaced families	++++	++++	+++	++	96
Inadequate antenatal & obstetric care	++++	++	++	+++	48
Malnutrition	+++	+++	++	++	36
Need for medical care	++	++	++++	++	32
Specific diseases:					
V.D.	++	++	++	++	16
Dental problems	++++	+	++	++	16
TB	+++	+++	+++	++	54
Common cold *	++++	+	+	-	0
Yaws *	-	++	+++	++++	0

* Added to test scoring method

Search for Sandra

By DOC BIKITSHA
THE search for Sandra Laung begins again

The woman who was ostracised because of her dark skin — although her parents were white — and became the subject of a BBC Television programme, "The Search for Sandra Laung", has left the black father of her three young children

The white girl with a coloured skin has gone missing again

Nobody in the Tjakastad Kangwane homeland, near the Swaziland border, where they lived until June 4, this year, knows what has happened to her

Last week the Rand Daily Mail went to Tjakastad to tell Sandra and her husband, Petrus Zwane, that the Prime Minister was prepared to consider suggestions on changing the Mixed Marriages and Immorality Acts

Sandra Laung was estranged from her white parents because of her association with Petrus, her common-law husband and father of her three children, Henry, Elsie and Mary, who died at seven months last year

When we arrived there the shop and the new four-roomed house they had just built were locked and deserted. Even that ferocious-looking bull mastiff which never parted from Petrus's side, "Bull" was missing

We found Petrus early in the morning, before his day — and the search for his missing wife and two children — had started. He seemed to have lost

weight and his clothes were not as spick and span as they had been when Sandra was around

Before he could ask for his usual interviewing fee, we bombarded him with the news about indications that the Government might consider suggestions on changing the two sex laws

We told him of the enormous publicity he had received in the past, and how it had flowed from these Acts

His reply was bitter. "I'm not worried about P. W. Botha's intentions of scrapping the Immorality and Mixed Marriages Acts. All I want back is my lost Sandra and children"

Petrus refused to say any more about the laws, but we sat back to listen to the woe-fu tale of a husband and father lamenting his lost family

Before describing his search for Sandra and their children, Zwane said "I've lost more than R400 looking for them, from the Eastern Transvaal to Springs on the Reef, and my pocket has felt it

"Your paper is going to benefit from the story of my sor-

rows and afflictions and you'd better help with the little bit of financial aid you are able to now," he said

On June 4 this year, Zwane went as usual to Carolina to get stock for his shop. When he returned at 7:30pm, there was no sign of his beloved family

"I was shocked Sandra has never left my side in nine years that we've lived together," said Zwane

After searching the yard the main house, shop and outhouse, Zwane took the goods he had bought in Carolina to the store of his headman, Mr Bob Cindi, for safety

Later that night he found the keys and slept alone and miser-able in the big, modern, four-roomed house he had built for Sandra. The next day his search began

"I reported the matter fully to my headman, Mr Bob Cindi, and the Badplaas and Carolina police. I went to Ermelo, Breton Park, Nelspruit, Dorsbuit and every conceivable place where Sandra could have gone to," Zwane said

A letter with a Springs ad-

dress, found by chance in Sandra's jacket led to the search being spread to the Reef

"I thought she might have decided to go to any of the coloured townships of Johannesburg, Kiptown in particular. I don't think she has any relatives here and was just taking a chance as I was very desperate," said Zwane

Zwane said he suspected Sandra had run away with some one

"It is my black neighbours and not whites who have caused me many a sleepless night. I have had loads of trouble from men who wanted to snatch her away from me

"The trouble has nothing to do with reclassification or colour issues"

At one stage during the interview, Zwane threw his packet of cigarettes on the floor and spat out

"Women cannot reason. I took Sandra when she was about 15 years old and we went through thick and thin together. But look at what she did, running away just like that. Sounding very depressed,

Zwane told how — when the Sandra Laung story was making headlines — he had taken her across the Swaziland border without proper documents. They were both jailed by the Swaziland authorities

But what frustrated Petrus even more was that Sandra's parents at Pongola had told him in August that their daughter had written to say she had landed a job and wanted only clothing for herself and the children

They would not disclose when and where she had written the letter

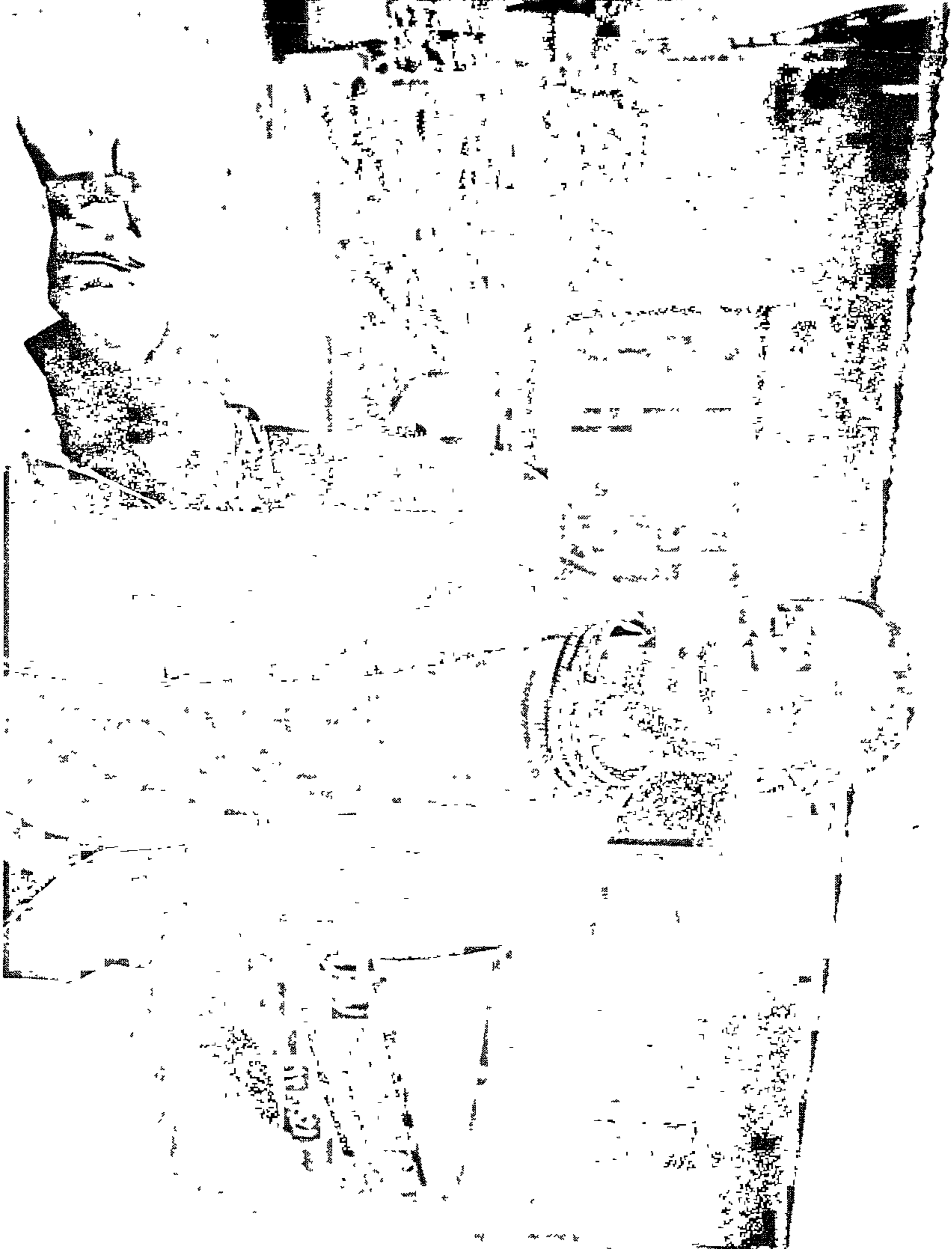
Mr Abraham Laung and his wife, who were confronted at their shop in Retief Street, Pongola, refused to discuss their daughter. The Laungs, who run a small store in the area, were polite but firm in their refusal

Mr Abraham Laung had battled long and hard with the Department of the Interior to stop his daughter being reclassified coloured

But Sandra's white status was ultimately preserved because both her parents are white. The Population Registration Act says descent is the pivotal factor in defining race

Petrus Zwane threw in the last words before the "Mail" team drove back to Johannesburg

"Write the story and tell Sandra to come back to me as I have no wife. Please tell her to come back with the children I love and miss them"



Petrus Zwane has been searching high and low for his common-law wife Sandra Laung since she left their home on June 4 this year. He has searched for the woman he loves from the Eastern Transvaal to the Reef

Picture: PETER MAGURANE

ONION RINGS

Peel and slice large onion add oil. Dip the rings in till brown in the hot oil. and season with salt and pi

State cases up on race 'classification' laws

Star 3/16/79 (235)

By David Brejer
The Government is applying South Africa's race classification law less strictly and with "humanity and compassion" than the Deputy Minister of the Interior, Mr. Pen Kotze, and the Leader of the Opposition, Dr F van Zyl Slabbert, have confirmed this.

An entirely new approach to the classification of people as white, black, coloured or Asian — a pillar of the apartheid policy — has emerged.

Mr Kotze said in an interview that the classification laws were being approached more broadly and with the "utmost compassion and humanity". Many people classified as coloured were being reclassified white after ap-

plication to the Secretary for the Interior. "We are going out of our way to handle these applications," Mr Kotze said.

The few cases that remained to be decided were the "very hard cases" — the heartrending cases "These involved people who had tried for 10 years or more to be re-

classified, but could not be "because of the facts".

The Government's new approach involves the race classification sections of the Population Registration Act, which was introduced in 1950 — soon after the National Party came to power.

Other race laws, such as the Immorality Act and Mixed Marriages Act, have

flowed from race classification

Dr Slabbert said that since Mr Kotze became Deputy Minister this year, race classification had been dealt with in a more humane way.

Dr Slabbert asked the Government to scrap the humiliating race criteria in the Act.

1/2 cup brown bread crumbs
herbs

parsley
onion

Cut the fowl through the back bone, and open out flat. Brush with melted butter. Sprinkle with salt and pepper, chopped onion and chopped parsley on both sides. Sprinkle with mixed herbs. Grill till 1/2 done, then cover with breadcrumbs and continue cooking till well done. Serve with a sharp sauce.

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PLUM PUDDING

May Bennett, Ridgeworth

2 cups flour
1 t baking powder
1 large cup brown sugar
1 cup currants
3 beaten eggs
1/4 t ground spice

1 small cup chopped raisins
1/2 grated beef suet
1/2 pt milk
1/2 t salt
a little mixed peel finely cut

Mix all ingredients together well. Tie in a pudding cloth, and boil for three hours. Serve with hot nutmeg sauce. This recipe was used for Christmas dinner in 1916 by my mother and gran, who says "we used 1 cup of flour and 1 cup of stale breadcrumbs instead of 2 cups of flour. Very successful".

---000---

MUTTON, ROAST SHOULDER OF 1900

shoulder of mutton
dripping

salt
flour

Put the joint to a bright clear fire, floured well. Baste contin-



Removing the Mixed Marriages Act and the racial clause of the Immorality Act is not going to make South Africa's international and domestic racial problems disappear like mist before the sun

It would be much too much to expect it to make a hostile world suddenly embrace the country in a new spirit of friendship and understanding

And domestically, it would be surprising if in one fell swoop it saw racial suspicion and bitterness replaced with trust and goodwill

It does not mean, however, that there would not be much advantage for the country, internationally and internally, in getting rid of the two pieces of legislation. This has been made clear by foreign diplomats as well as by local black and coloured spokesmen

They were approached in view of the fact that whenever, as now, a debate on the two measures flares up in white society, the arguments most persistently used against the legislation are that it is harmful to the country internationally and damaging to race relations internally

Foreign diplomats make no bones about it if foreign understanding and international acceptance is what South Africa strives for, then it has no hope of attaining this while these two laws remain intact

They cannot agree more with Foreign Minister Pik Botha that they are doing the country immense harm overseas, for if political and social segregation and economic discrimination are seen to be rejectable and indefensible, then the two laws are considered purely repugnant

Overseas countries, they point out, have immorality laws, but these are aimed at matters like protecting minors. Some even have intermarriage laws, but these are aimed

When foreign diplomats are asked about South Africa regaining international acceptance, they are all agreed on one thing, writes LEON MARSHALL -

No hope while sex laws exist

~~RDA~~ Stow
3/10/79
238

at matters like preventing incest

For South Africa to have laws preventing love across the colour bar therefore implies a racial bias as strongly as those designed to prevent criminal injuria and incest

In Europe, particularly, the two South African measures also inspire recollections of the traumatic Nazi period, when marriages with Jews were first legislated against in Germany and later forced upon occupied countries

It has also led to one of the objections against South African control of SWA/Namibia — the fact that, like a Nazi occupational force, it imposed these laws on the people of the territory

"The laws in our view are plainly racial and devised to uphold 'racial structure,'" said one diplomat

What would it do for South Africa if they were scrapped?

Not too much, say the diplomats. It would not change attitudes in the sense of South Africa suddenly being accepted back with open arms

But what it would do is to strengthen the hand of those forces in the outside world who want dialogue with South Africa to be maintained. Conversely, it would remove perhaps one of the strongest platforms of the ideological

campaigners against the country

It would no doubt be seen as the most concrete and effective proof that the country is moving away from racial discrimination

In the case of the removal of discrimination in the fields of economics and labour, the argument is simply that it is being done because of economic necessity and not because the country wants to be non-racist

In the case of the Immorality Act and the Mixed Marriages Act, there would be no recourse to such argument.

But it is the black and coloured reaction to the measures that leaves the least doubt about what they are doing to the country and to race relations

One has only to listen to the explosion of abhorrence and anger when someone like the chairman of Soweto's Committee of Ten, Dr Nthato Motlana, speaks about the measures

"They are an absolute insult to all people of colour. They were intended to insult, to sneer at people. They are the legal evidence that blacks are seen as a sub-species"

However, added Dr Motlana, as far as the blacks' political struggle was concerned, the two laws were regarded as peripheral.

ONION RINGS

Peel and slice large onion add oil. Dip the rings in till brown in the hot oil. and season with salt and p

They were only important in respect of what would happen to the Group Areas Act, the Population Registration Act and other similar apartheid legislation if they were scrapped.

"To scrap them would open the whole tin of worms. To scrap them would also mean scrapping other legislation and that would imply a change of course which I don't think the Government is prepared to undertake," he said.

Mr Jack Rabie, a member of the Coloured People's Representative Council, holds similar strong views on the measures.

"I do not look at the measures as being only vicious and immoral. They

An insult to all people of colour

also do something basically unchristian. Here the Government adopts powers for itself which belong to the Creator by prosecuting people for the simple reason that they love one another."

There were many love affairs across the colour line, he said, with the children born from such relationships being given to coloured people for adoption. "The laws prevent these people from raising their own children, and then they get dumped on us. It saddens me.

Think of the unfairness of it all, also to the mother. Think what any mother has to go through in giving up her child for adoption."

The law did not prevent social problems. They created them. There was the instance of a woman who technically might have legal recourse to maintenance for her child. But then she could be arrested for the criminal offence of having had the relationship in the first place.

Bishop Desmond Tutu,

General Secretary of the South African Council of Churches, said SACC members agreed that the State had no right to put artificial impediments in the way of people on the question of love and marriage.

There was similarly no justification for singling out a relationship between people of different colour as an immoral act.

The laws were hurtful. They were based on the point of view that it was demeaning for a white to associate with a black. There was a similar implication in the argument that when blacks moved into a neighbourhood, property values dropped. It was implied that blacks were seen as human but at the same time not quite human.

Scar
31/10/79

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'Immorality'—protecting apartheid

Mr Skon 20/10/71 (232)

Arguments in favour of the racial clause of the Immorality Act and the Mixed Marriages Act are deeply rooted in the entire philosophy of apartheid

Here are the arguments against tampering with the Acts.

● Individual judgment and public opinion are not enough to deter people from sexual relations across the colour bar. If that was true, it could be said Decent people don't steal or murder, therefore do away with laws against it

● The purpose of a law is to maintain order and to protect not only individuals within a society but also society from objectionable actions by individuals. It is a society's right to retain its identity, also through law, within the God-given diversity.

● The Commission of Inquiry which investigated the matter in 1939 found that public opinion often did not offer an effective check, for people engaging in such relations tended to cloak their acts in secrecy, and public opinion did not come into operation unless the facts of a given case were

Political Correspondent LEON MARSHALL examines the arguments for the retention of the Immorality Act and the Mixed Marriages Acts — the 'very foundation of apartheid.'

On patent or notorious evidence, the recent Commission of Inquiry into Penal Reform warned that over hasty removal of sec-

TOMORROW: The reaction of foreign diplomats and the local black and coloured population to the Acts.

tion 16 of the Immorality Act could unleash an uncontrollable spate of sexual excesses.

● The legislation is not discriminatory because the white person involved also gets prosecuted

Moreover, particularly the racial clause of the Immorality Act is also there to give protection to women of other races who, due to their weaker position in prevailing circumstances, might be vulnerable to exploitation by white men

● On the embarrassment it causes South Africa overseas, issue is made of the couple who are prevented from marrying or having sexual relations, but not of the unfortunate circumstances of the children born from such relationships or of the disasters of such marriages. Also when the Mixed Marriages Act was placed on the statute book in 1949 a country like the United States had 30 of its 48 states applying similar legislation. If they

found it necessary to engrain their identity in this way, how much more valid is it not for the small minority of whites to want to do it in this way

● On the hardship it causes individuals every common law impediment on people's conduct encroaches upon people's lives and results in suffering to their next of kin. An example is the consequences of illicit diamond buying.

● There might be no justification for the laws on scriptural grounds, but in solemnising marriages the Church also has to take account of factors which might prevent the fulfilment of such unions, such as the compatibility of the couple, which has proved to be a consideration in respect of race, and the prospects for the children from such unions in the light of society's structures and attitudes. Also, the church has to take into account the

need to preserve the God-given diversity

● The Church has a pastoral responsibility to prevent any action which could disturb the harmony within a state and to lend stability to the social structure

● It does not matter whether times change. Certain norms and rules are universal. They remain an anchor through which people and societies arrange their existence. Whatever the changes in the socio-political order, the basic aim of official Government policies remains separate communities. To allow mixing across the colour bar would undermine the very essence of that policy. The structure of society remains such that it cannot accommodate mixed marital couples and their descendants. Take the Group Areas Act, legislation providing for separate political institutions, and the maintenance of separate educational institutions

for the various population groups

● On the argument that the laws are an insult to the coloured community the purpose of the laws is to prevent further miscegenation. AJSO, most coloureds are proud of their identity. (A Nationalist MP has quoted a figure of 72.2 percent coloured people of being proud of their identity and wanting to maintain it)

● To say the laws are superfluous because only a few people would indulge in such relations is wrong. Identity would become endangered to the extent that once such relationships start taking place with legal approval, society's rejection of it would weaken

● The Immorality Act defines immorality as carnal intercourse otherwise than between husband and wife. It is generally aimed at protecting the woman. And in singling out interracial intercourse as an immoral act, it should be remembered that the Act has the specific aim of protecting society, its identity and its structures.

Used for Christmas dinner in 1916 by my mother and gran, who says "we used 1 cup of flour and 1 cup of stale breadcrumbs instead of 2 cups of flour. Very successful".

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MUTTON, ROAST SHOULDER OF 1900

shoulder of mutton salt
dripping flour

Put the joint to a bright clear fire, floured well. Baste contin-

a marriage between a European and a non-European may not be solemnised and any such marriage solemnised in contravention of the provisions of this section shall be void and of no effect . . . " — the Mixed Marriages Act of 1949

Any white who has or attempts to have unlawful carnal intercourse with a coloured person shall be guilty of an offence and liable to imprisonment for up to seven years — Section 16 of the Immorality Act of 1957

Over the years the two measures have sparked some of the fiercest debates in South Africa — a debate which started when whites first settled in the Cape

They have been the subject of parliamentary debate, of symposium discussion by scientists and churchmen, of commission investigations and of severe international criticisms for as long as they have existed

Now the Prime Minister, Mr P W Botha, has again jerked the issue to the fore by saying the Government would consider proposals to improve the legislation

The arguments used in the constant public debate have been much the same as those used when Mr Tielman Roos first came with such measures in 1927, and again when the Mixed Marriages Act became one of the first measures the Nationalist Government placed on the statute book after coming to power in 1948

Perhaps this is because the attitude to the measures reflect more than political differences—that they indeed are differences of philosophy and attitude to life.

The arguments against the two measures are

- Such matters are best left to people's own good judgment and to public opinion (It was also the crux of General Jan Smuts' argument when as leader of the Opposition he opposed the Mixed Marriages Act in 1949)

- Population groups generally wish to maintain their own identity, which leaves no justification for laws towards this end. Such laws might even seem a contradiction, for they raise the question whether identities and cultures are worth maintaining if they cannot do so through their own volition

- Cultural criteria and social sanctions are sufficient to keep down the rate of relations across the colour line. An example is

'Immorality': is it really such a sin?

The Immorality Act has raised more controversy than probably any other Government legislation. In a three-part series, Political Correspondent LEON MARSHALL examines the arguments for and against the Act. Tomorrow: the pros.

the incidence of only about 1 percent in a country like the United States

- It is an insult to other races who might themselves be against miscegenation but who regard themselves as being declared legally untouchable through such laws. It implies discrimination and causes unnecessary hurt and consequently tension between the population groups

- It causes South Africa untold embarrassment overseas not only because the measures are the most glaring examples of racialism but also because of the publicity given to the individual sufferings inflicted when prosecutions lead to suicides and when couples of different races have to flee the country to marry

- The hardship inflicted on individuals, again as evidenced by suicides and the breaking up of families, is in itself a consideration. Moreover, damage is done to people's lives even if not convicted. The stigma of prosecution is virtually the same. Also, the laws lend themselves to blackmail.

- The measures, more particularly the Mixed Marriages Act, are indefensible on religious grounds. Most religious leaders, including the Dutch Reformed church synod, agree that such marriages are not a sin. And on the less doctrinaire level the question is asked how can a Christian square it with his conscience to keep people apart who love one another and who want to marry or want intimate relations as a natural expression of their love? The problem in cases of real love was also pointed out by the Prime Minister

- Even if such relationships were considered a sin most of the sins listed in the scriptures are not dealt with in legislation and cannot be dealt with

in that way. Morals and principles are the main guidelines

- In the past justification for the laws were sought in the existing socio-political order. Has that order not changed, as marked by the Erika Theron Commission's suggestion in view of the practical anomalies of their application and the need to get away from discrimination?

In South Africa the grand concept of separate development had progressed to the extent that separation in sport and the use of public amenities could be relaxed. It signifies official recognition of the argument that petty apartheid measures like the two are no longer needed to prop up the concept of separate nationhoods

- One of the country's main population groups, the coloured people, are the direct result of miscegenation. To them the laws must be insulting, as they imply an illegality if not a denial of their existence

- In view of the broad disapproval of sexual relations across the colour bar, the small number of people who would indulge in it makes such laws superfluous

- By making such relationships a criminal offence, it obstructs women's legal recourse to obtaining maintenance for the children

- The enforcement of the laws is degrading to the police who have to resort to humiliating practices to establish the facts to support their cases

- There is no justification for the State to interfere in the private lives of people, particularly not in something personal and intimate as their love relationships. Such relationships do no harm to others. Also, choosing a marriage partner is essentially a matter of the most personal choice

24/10/79 (238) 10-26
I love my black wife, says white

From Page 1

Daniel Andries le Roux has appeared before Mr J V R Pieterse in the Groblersdal Regional Court with Minah Plantinah Masilela.

They were charged with committing, or trying to commit, an offence under the Immorality Act between 1976 and 1979.

They both pleaded guilty, and were sentenced to nine months (suspended for five years) each.

Mr Roux said after the case that he loved his co-accused.

"If I were to be given a chance to marry her and legally take her for my wife, I would do it today.

I have built her a house. She deserves only the best"

He said he lived at this house with Miss Masilela and had a son by her.

Miss Masilela said he had paid lobola to her parents.

Miss Masilela said she had met Mr le Roux while nursing a one-month-old baby

Her boyfriend, she said, had jilted her because "I

could not give birth normally."

She had her children by caesarian section.

"He has been very kind to me and my children, and has never discriminated against my two older children. He supports me and my children and I have no cause for complaint.

"I just don't know what is going to happen to us now," she said.

Defence counsel Mr W P Viljoen, instructed by Nkadameng and Associates, had earlier asked the court to be lenient on both accused.

Passing sentence, the magistrate told the accused they had committed a serious offence, especially because this had been going on for a long time and both knew they were breaking the law.

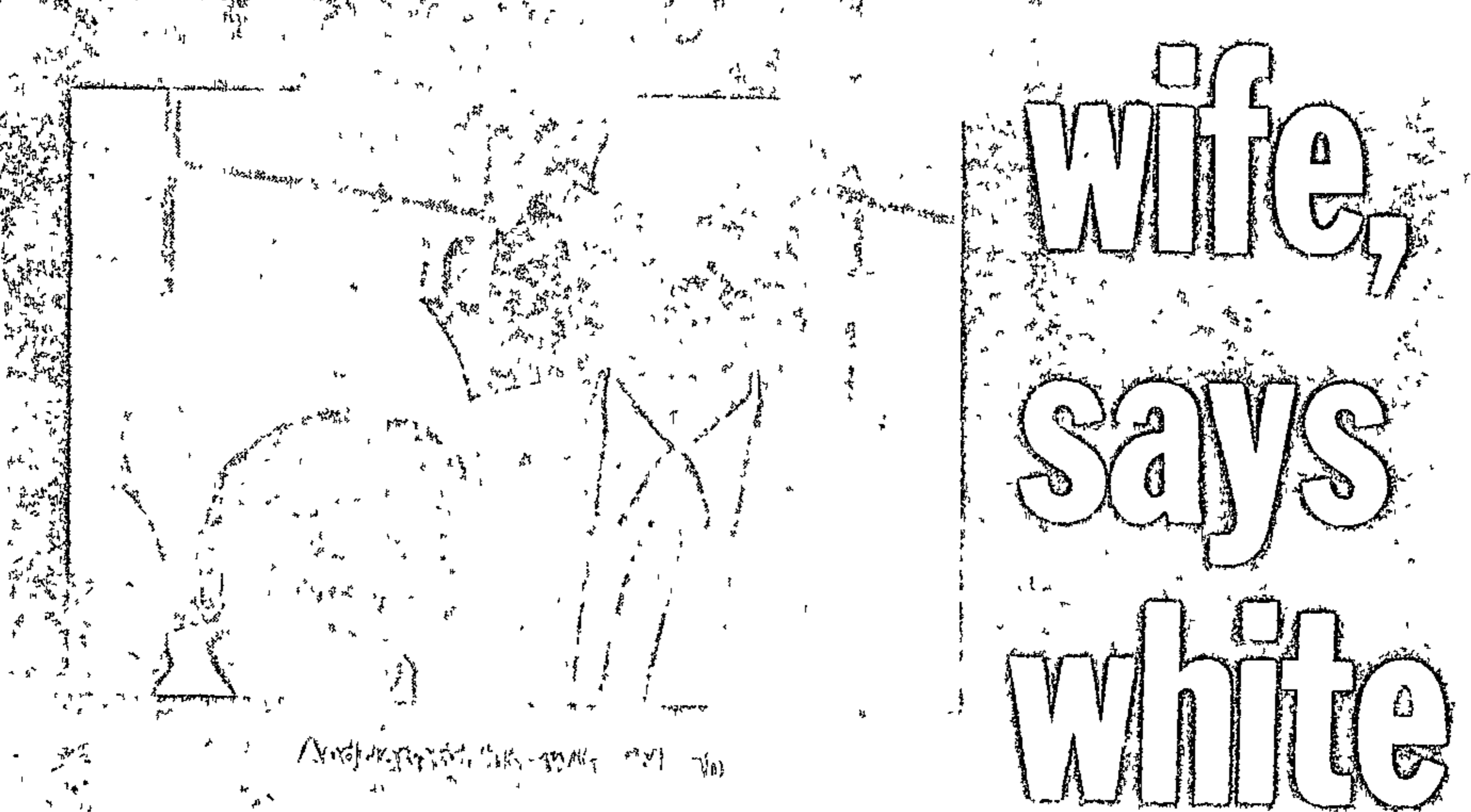


Mr Le Roux and Miss Masilela with their children, Gladys (10), Frans (4), in father's arms, and Lola (6) in mother's arms.

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and

I love my black



**wife,
says
white**

type
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MINUTES AFTER being found guilty under the Immorality Act, a 33-year-old white builder declared: "My son is going to grow up and become a lawyer in the big cities and not a builder like me."

1961
1111
and season

Suzman tells US she's optimistic about change

Jan 24/61

By John D'Oliviera
WASHINGTON — Helen Suzman told an impressive American audience in Washington yesterday of her optimism about change in South Africa.

Speaking at a discussion group organised by Georgetown University's Centre for Strategic and International Studies, the Progressive Federal Party MP for Houghton stressed that the process of change was still confined within the basic separate deve-

lopment policy parameters.

But there has been significant change that goes further than mere cosmetics and more change is on the way.

She said, for instance, that Prime Minister P W Botha was talking in terms that no National Party Prime Minister had ever used before and that he appeared to be prepared to face loss of parliamentary seats to the ultra-conservatives like

the Herstigie Nationale Party.

The issue of black trade union rights had been a watershed and had significantly strengthened the ultra-conservatives in recent by-elections.

Apart from the benefits these rights would bring black Mrs Suzman said she welcomed the fact that the action on the Government's part might wrinkle out of the National Party caucus certain Members of Parliament who rightly belong with

the HNP and who currently inhibit change.

She said one of the reasons the Government had originally chickened out of the full implementation of the Witsman Commission's recommendations on trade union rights for blacks was fear of an electoral setback.

But now it appeared that the Prime Minister had the bit between his teeth and was apparently prepared to risk losing seats in the process — and let us all note he is

the first Afrikaner Prime Minister to do this.

During her address Mrs Suzman said that while she did not share Dr Piet Koornhofs' belief that apartheid was dead and dying she did believe the climate for change in South Africa was more favourable now than it had been for some years.

However there was no sign that some of the "cornerstones" of apartheid would be changed — the Population Registration Act, the Group Areas

Act, measures which enforced separation in schools, universities and elsewhere and measures which prevented blacks from effectively participating in the political system.

In answer to a question, she said that much more stringent criticism of the Government was being voiced by the Afrikaners Press and that, despite restrictions, the freedom of the South African Press still "surprised and interested" many visitors to South Africa.

Cut the fowl through the back bone, and open out flat. Brush with melted butter. Sprinkle with salt and pepper, chopped onion and chopped parsley on both sides. Sprinkle with mixed herbs. Grill till 1/2 done, then over with bread-crumbs and continue cooking till well done. Serve with a sharp sauce.

PLUM PUDDING

- 2 cups flour
- 1 t baking powder
- 1 large cup brown sugar
- 1 cup currants
- 2 beaten eggs
- 1/4 t mixed spice
- 1 small cup chopped raisins
- 1/2 grated beef suet
- 1/2 t milk
- 1/2 t salt
- a little mixed peel finely cut

Mix all ingredients together well. Tap in a pudding cloth, and boil for three hours. Serve with hot nutmeg sauce. This recipe was used for Christmas dinner in 1916 by my mother and her sisters. We used 1 cup of flour and 1 egg of stale bread-crumbs instead of 2 cups of flour. Jerry 'uncle' Bill.

MUTTON, ROAST SHOULDER OF

- shoulder of mutton
 - salt
 - drinking
 - flour
- Put the joint in a bright clear fire, flavoured oil, Easter con-

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 Kopie 21/10/79



Moenie alles met Wette reël

ALLES wat maatskaplik as ongewens of moreel afkeurenswaardig beskou word, kan eenvoudig nie deur middel van 'n land se strafregstelsel beheer word nie.

Daarom betwyfel hy die wysheid om wette soos die Ontugwet en die Wet op die Verbod op Gemengde Huwelike langer op die wetsboek te hou, het regter Jan Steyn, direkteur van die Stedelike Stigting, eergister in Johannesburg gesê.

Hy het lede van Johannesburg se Prokureursorde toegesprek en sterk klem gelê op die rol wat lede van die regsberoep kan speel ten opsigte van probleme waarmee die land worstel.

Regter Steyn het gesê 'n kenmerk van verstedeliking, veral waar oorbevolking voorkom, is 'n ontwykende onper-

soonlike benadering teenoor misdaad. Dit word vererger in 'n heterogene gemeenskap waar 'n groot verskil in die graad van ontwikkeling bestaan. Dit skep groot probleme vir die wetgewer, die polisie, die howe, die rehabilitasie-owerheid en vir diegene wat nasorgwerk doen.

"Ek glo dat wanneer gestrewe word na die skepping van 'n regverdige gemeenskap, is die verstandige absolute mag lei tot absolute magsbegeerte. Die mag wat administratief oorgedra word, is feitlik absoluut van aard — ook wat die uitwerking daarvan betref," het regter Steyn gesê.

"Daarom is lewenskragtige onafhanklikheid vir die wet en die regsgeleerde, totale objektiwiteit en die vreeslose toepassing van hierdie beginsels, in die praktyk miskien die vernaamse eienskappe wat regsgeleerdes kan toepas op die oplossings vir die probleme waarmee ons gekonfronteer word.

"Slegs deur hierdie beginsels kan verseker word dat goeie regering gehandhaaf word, dat rasionele denke die kenmerk van regeringsop-trede bly en dat onderdrukkende eienskappe verwyder kan word van die struktuur wat ons wil skep om ons sake te orden."

Regter Steyn het gesê sy kontak met veral swart stedelike landburgers het by hom die besef laat posvat dat die

beheer aan die een kant deur die polisie afdwinging word en dat daar aan die ander kant ontoereikende beskerming vir wetsgehoorsame burgers is, versterk die negatiewe beskouing van veral ons strafregstelsel, het hy gesê.

Gelukkig besef die owerheid baie van hierdie probleme. Daarom word op die hoogste vlak om 'n menswaardige bestaan vir swartmense gepleit.

In die lig van sy ervaring wil hy egter die erns van die toestand in swart woonbuurte beklemtoon. Daarom wil hy die Prokureursorde se steun vra sodat die nodige stappe gedoen kan word om 'n kentering te verseker sodat die strafregstelsel deur die swartmense as beskermend gesien sal word en nie as onderdrukkend nie.

'n Studie van die strafregstelsel in Suid-Afrika en in die buiteland het hom laat besef dat alles wat as maatskaplik ongewens of moreel afkeurenswaardig beskou word, nie deur die strafregstelsel beheer kan word nie. Daarom behoort regsprakti-

vervolgings en toepaslike sanksies afdwing nie.

"Watter rol speel hierdie wetsbepalings inderdaad om die gewraakte gedrag te belet of te beheer? Is dit nie veel wyser om in hierdie verband op die sanksie van maatskaplike afkeuring staat te maak eerder as om op ondoeltreffende wyse te probeer om die strafregstelsel as beheermaatregel te gebruik nie?"

Dit geld ook die Wet op die Verbod op Gemengde Huwelike. Hoewel die wenslikheid van sulke huwelike weens groot kulturele, godsdienslike en ander verskille betwyfel kan word, is dit na sy mening uit 'n strafregtelike oogpunt nie suwer of gepas om sodanige egverbintenisse deur strafsanksies te probeer verbied nie.

Slegs in lande waar 'n religieuse histerie heers wat gekoppel is aan 'n meedoellose gesagstrik-tuur, soos Iran en Libië, word wetgewing van hierdie aard met fanatieke ywer toegepas, het regter Steyn gesê.

na Kaap

DIE bonusobligasieskema se Siste bonanza-prys is vandeeweek gewen deur 'n persoon wat sy sertifikaat by Simonstad-poskantoor gekoop het. Die prys is R7 000.

Die wennommer is 0607366937 en die sertifikaat is op 14 Oktober 1978 uitge-neem.

Twee voorbeelde hiervan is die Ontugwet en die Wet op die Verbod op Gemengde Huwelike. "Wat die Ontugwet betref, kan ons nie hierdie wetgewing met sy streng strafbepalings op die wetboek behou en dit dan nie deur land se regstelsel gewantrou word. Hulle sien die regstelsel in hoofsaak as instrument waardeer swart gemeenskappe beheer en selfs onderdruk word.

Daarby is dit duidelik dat wet en orde in veral sub-ekonomiese gebiede en daar waar aanstenlike oorbevolking is, feitlik in duie gestort het. "Die feit dat instromings-

Bonanza-prys

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Sally Quinn looks at

The Star Bureau

WASHINGTON — The bitterness and anger felt by Sally Motlana, head of the Black Housewives' League, towards the South African "system" characterises her interview with Washington Post journalist, Sally Quinn.

Mrs Motlana who is 51, "or, so she believes," lives in Soweto with her husband and family. Her husband Nthato Motlana is "the unofficial Mayor of Soweto and member of the 10-man council and a very successful doctor."

Miss Quinn points out that Mrs Motlana is not typical of Soweto blacks as the Motlanas have money and live in "one of the nicest houses in Soweto."

"Most of the houses

in the black city of 1,6-million people are tiny three-room shacks, often housing three families"

The interview takes place in the Motlanas' "spacious living room" and Mrs Motlana is described as a "concerned" hostess, who could be "any upper-middle class black housewife Except that just below the surface of that concerned hostess, Sally Motlana is seething."

Mrs Motlana is quoted as saying, "I am in so much rage all the time that I feel I will soon develop hypertension The laws

Sally Quinn (left), a journalist on the Washington Post and wife of the paper's editor, Ben Bradlee, was in South Africa recently. In the second of a series of four articles on this country, she writes about "the African burden"

of this land make me so mad"

Miss Quinn explains that the Motlanas may not own land, may not choose to live where they want and quotes Mrs Motlana as saying, "I would love to live with my people. But I don't want to be told to live here. I want to choose where I live"

Mrs Motlana's "richest scorn" is for the hypocrisy she sees in the Immorality Act

She is quoted as

'Black by day white by night...'

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8/3/79

saying, "you go to a Holiday Inn in Swaziland, Lesotho, Botswana just over the border and you see how many blacks and whites are sleeping together"

"Every weekend the black women go up in buses to these Holiday Inns to meet their Afrikaner boyfriends and to cradle white men in their arms

"I am a black woman during the day, not able to be looked at by a white man. But after sunset I become his mistress."

Mrs Motlana describes "the tragic con-

sequences" of these "illegal liaisons" — the coloured children that are born

This produces sociological as well as legal problems, explains Miss Quinn "because by law coloureds in South Africa are different from blacks and are not allowed to live in black areas

"People are designated coloured by the South African government because their parents are classified coloured or because their skin is darker than white

"Traditionally the coloureds have tried to

identify with the whites, by speaking Afrikaans, imitating Western customs in order to disassociate themselves from the despised blacks and to improve their own lot"

The homeland policy and how it splinters family life is described Mrs Motlana talks about the idea of blacks having to return to their homelands

"I am from the Sotho tribe My husband is Tswana So where do my children belong? They are bastards because of this emphasis of the govern-

ment on ethnic groupings?"

"It is, from Sally Motlana's point of view," writes Miss Quinn, "the human suffering, the personal day-to-day problems which will cause the black people of South Africa to rise up against their white oppressors

"When the interview is over, Sally Motlana leads the way to the door and walks down the path to the street

"There parked directly in front of her house, is a police car. A policeman is sitting in the car idly reading a newspaper and quickly comes to attention when he sees her, appear with a reporter,

"Don't you have anything better to do?" she taunts in a loud voice. She seems not at all surprised or particularly disturbed.

"How, she is asked, do they know she has



Mrs Sally Motlana ... seething below the surface.

been giving an interview?"

Now she looks surprised. "They tap your telephones and bug your houses," she says matter-of-factly "They know everything"

TOMORROW: The white woman whose boyfriend was dark.

'It's the human suffering'

Photos: ~~251~~
18/3/79
policemen
to appear

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PRETORIA — The Attorney-General has decided to prosecute five policemen and a civilian who allegedly broke into Miss Celeste Cross' flat and took photographs of her in bed

A senior police officer said yesterday the men would appear in the Regional Court here on a charge of crimen injuria following allegations by Miss Cross

Miss Cross said policemen kicked in her flat's door, told her they were investigating a charge under the Immorality Act and took photographs of her in bed.

Police investigated the charges and the file was sent to the Attorney-General who decided the men should be prosecuted — SAPA

Race Act pair jailed ^{7/4/73} 238

EAST LONDON — An Amalinda man and a Duncan Village woman were convicted yesterday for a second time for contravening the Immorality Act

Mr Allen Raymond Kraemer, 20, of Middlesex Road, and Miss Phundiwe Phaqa, 20, of Dunga Street, both pleaded guilty at separate trials when they appeared before Mr

S van Zyl in the Regional Court

They were each sentenced to 12 months imprisonment and Mr Van Zyl ordered that if their six month sentence imposed after their conviction last January was brought into operation, it should run concurrently with yesterday's sentence. —
DDR

Golf club used as

love nest ²³⁸ ---two guilty

By MURRAY McNALLY

MRS MATHILDE Martin was "shocked beyond belief" when she went to look for her husband late one Sunday night at his golf club. She had thought he was drinking with his friends.

But she found the clubhouse in darkness -- and her husband making love with a black woman.

The story unfolded in the Somerset East Regional Court when John Martin, 33, a prominent Bedford businessman, and Irene Pityana, 26, a cleaner, were found guilty of contravening the Immorality Act.

They were each sentenced to six months' imprisonment suspended for three years.

The magistrate, Mr E de Beer, said he was imposing a suspended sentence because Martin had suffered a great deal of humiliation and embarrassment through his behaviour.

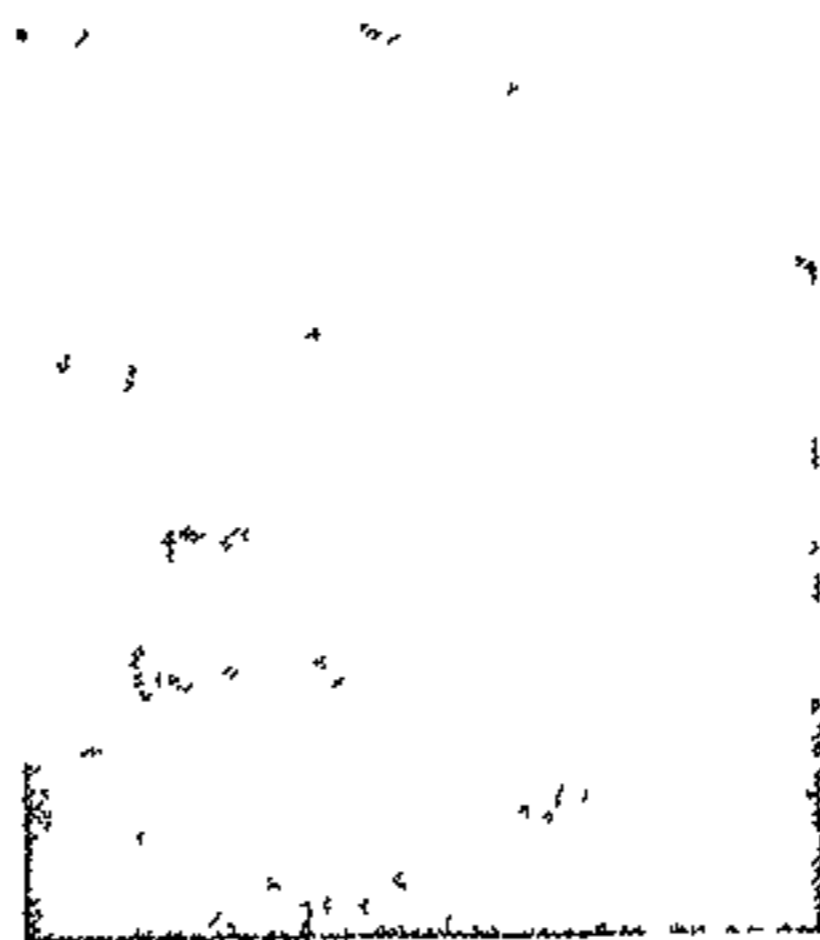
Suspected

Now the Martins are living apart and attractive Mrs Martin, 29, is seeking a divorce.

She told me this week that she suspected her husband was having sex across the colour line when she heard he had been to a party in the Bedford township.

"Three years ago John started drinking heavily and he seemed to lose interest in our marriage," she said.

One of my friends told me he had been to a party in the township.



IRENE PITYANA
Love for money

"He denied it. I believed him because I wanted to believe him."

On October 22 last year Mrs Martin spent the day with her parents.

Late that night her husband had still not returned home.

A friend suggested that Mrs Martin go and look for her husband.

"I thought that John was probably drinking and playing cards with one of his friends," said Mrs Martin.

"But when I found that he wasn't at any of his friends I started to worry.

"I imagined that he had had a car accident. As I drove past the golf course I saw his car parked at the clubhouse.

"All the lights in the building were off. The front door was locked so I went to a window.

"What I saw shocked me beyond belief.

"As I told the court, I saw

John making love to an African woman. I knocked on the window and John jumped up and ran behind a screen.

"I told the woman to open the window so that I could speak to John, but he told her to hide so that I couldn't identify her.

"There was nothing I could do because the building was locked. So I went home to wait.

"About an hour later he came home.

"When I told him that we had to have a very serious talk about what had happened, he denied everything.

Upset

"I was so upset that I took the children and went to my parents. They advised me to report what had happened to the police. I did so the same night."

Pityana, who lives in the township outside Bedford, told me that she had had sex regularly with white men for money.

In court, Martin, represented by an advocate, Mr J F J van Rensburg, did not give evidence after the State closed its case.

Pityana told the court she was not at the clubhouse on October 22 last year.

She contradicted a confession made to the police, saying she was at the railway station until late that night and then went home.

The court, however, accepted her confession.

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22/3/79 (238)
**Immo:
woman
guilty**

EAST LONDON — A Parkside woman, Miss Martha Basson, 26, of Holly Road, was found guilty in court here yesterday of contravening the Immorality Act

Miss Basson, who appeared before Mr G E Clark in the Regional Court, pleaded guilty

Her plea was accepted and no evidence was led. She was sentenced to four months' imprisonment, conditionally suspended for four years.

A 27-year-old deckhand from Milner Estate who appeared with her pleaded not guilty and a separation of trials was ordered.

The man will appear for trial on April 25 — DDR

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N 117
4/15/77

Policeman guilty of sex crime

Mercury Reporter

A POLICEMAN was convicted yesterday in the Durban Criminal Sessions of contravening the Immorality Act but acquitted of attempted rape, attempted murder and assault with intent to do grievous bodily harm.

Raymond Nielson (21) was cautioned and discharged for soliciting, enticing or importuning a Coloured woman to have intercourse with him.

The incident took place in Durban North in March.

A pregnant young woman said she was walking home along Riverside Road when Nielson offered her a lift.

When she declined he followed her, stopped and got out carrying a metal bar.

He had hit her over the head, tripped her and forced her into the car.

She said Nielson told her he wanted sex.

In judgment Mr Justice A. Mahe said there had been "gross improbabilities and unsatisfactory aspects" to Nielson's evidence.

Nielson had pleaded guilty to contravening the Immorality Act.

Mr. D. J. Rossouw, SC and Mr. J. Jooste appeared for the State and Mr. P. Combrinck for Nielson.

Hansard (3) col 101 20/2/78

Population Registration Act

235

Mr D J DALLING asked the Minister of the Interior and Immigration

- (1) Whether the Secretary of his Department in terms of section 5(4)(c) of the Population Registration Act, 1950 altered the classification of any person during 1978, if so, (a) in how many cases and (b) what alteration did he effect in each case,
- (2) on how many occasions was he requested to act in terms of the said section

The MINISTER OF THE INTERIOR AND IMMIGRATION

(1) Yes

(a) 192

(b) Cape Coloured to White	150
White to Cape Coloured	10
Indian to Malay	6
Malay to Indian	2
Cape Coloured to Indian	3
Cape Coloured to Chinese	2
Indian to Cape Coloured	10
Indian to White	1
White to Malay	1
Black to Indian	4
White to Chinese	3

(2) No statistics are available as no record of the number of applications is kept

Cop tells of couple in bush

Indaba Reporter

EAST LONDON — A married man from Beacon Bay and a Duncan Village woman were found guilty in the Regional Court on a charge of conspiring to contravene the Immorality Act

Mr Clive Baulch, 35, of Harold Crescent, and Miss Patricia Manxiwa, 18, of Maqubela Street, at a previous hearing pleaded guilty but a plea of not

guilty was entered by the magistrate.

They were each sentenced to four months' imprisonment, conditionally suspended for five years.

Detective Sergeant J Goosen told the court he was doing duty in the Hickman's River area on December 12 last year at about 11 45 am

He saw a small van parked in the bush and he look-

ed around. He saw Mr Baulch and Miss Manxiwa lying on a mat in the bush facing each other.

Her dress were pushed up to her hips and her panties were around her knees Mr Baulch had his hands between her legs.

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4/5/79
238
AD

11/17/79 D.D

Call to extend Race Act

Act

PRETORIA — The Immorality Act should be extended to protect the racial identity of the coloured community.

This is the recommendation of a work group of the Nederduits Hervormde Kerk which will be voted on at the triannual meeting of the synod here next week.

The recommendation follows a call by the church council of Klerksdorp that the Immorality Act and the law on mixed marriages be reassessed in the light of current thinking.

The apostolate work group stresses that the Immorality Act and the law on mixed marriages are essential to the implementation of the separate development policy.

We believe that as long as the government wants to implement its policy it has the right to retain these laws.

These laws have existed for a long time and have without doubt contributed much to the protection of the identities of the white and black groups.

We are thus convinced that the Coloured community is entitled to the same protection (from the other black groups) if they agree to this.

We can understand that some spokesmen of the Coloured group find this legislation humiliating. Although we respect their feelings, we believe that if they strive for their own separate identities, as do the white and black groups, the necessity for these measures will be clear.

In another resolution the church is asked to approach the SABC not to use television to make the youth of South Africa used to the idea of integration with other races — DDC

Woman guilty in Immorality case

EAST LONDON — A woman who admitted having intercourse with a policeman in a police vehicle was sentenced to six months' imprisonment on an immorality charge in the Regional Court here yesterday

Miss Mina Nomakwinte Matha, of Mdantsane, pleaded guilty to having intercourse with Sergeant Oswald Arthur Pape on March 8

Mr Pape, 40, pleaded not guilty and the trials were separated.

Miss Matha said she had been walking along the main road to Fuller's Bay on the night in question when Mr Pape stopped alongside her in a SAP vehicle and told her to get in "because he needed a woman"

The couple went to the tearoom at Leach's Bay where Mr Pape told her to undress and they had intercourse in the car

"When he was through, we left," she said

Mr Pape took her back to where he had picked her up, she said, and just as they stopped a vehicle approached from behind

Miss Matha said Mr Pape had told her to duck down until the car had passed. She did so, but lifted her head when she saw it was a police vehicle

She said a policeman in the van shone his torch into the car, walked round to her side out of the car and took her to the back of his van.

Mr Pape denied having intercourse with Miss Mathe and said he had not picked her up as she claimed.

He said he had been drunk at the time of the incident. He told the magistrate, Mr S van Zyl, that he had gone for a drive after an argument with his wife and had ended up at the Protea Hotel where he had a few drinks

He said he and some friends had gone for a braai near the Cocabana caravan park and had a number of drinks there. He said he left the braai after ten o'clock and decided to drive home via Buffalo Pass, as he felt there would not be so much traffic.

"I was driving along the Fuller's Bay road and then turned up a side street," he said. "The car jerked and cut out."

"I tried unsuccessfully to start the vehicle. This car has given trouble before. I eventually gave up and went to sleep in the car"

He said he woke up a few minutes later when someone shone a torch in his eyes, and when he sat up he found a black woman sitting next to him in the car.

"I had never seen the woman before," he said, "and I deny having intercourse with her."

Judgment in Mr Pape's case will be passed on Tuesday May 22 —DDR

Book of Life: Bad decisions cost SA R35m

By DOREEN LEVIN

WRONG decisions taken on the original Book of Life under Dr Connie Mulder's management have cost the country as much as floating The Citizen, Mr Dave Dalling, Opposition spokesman on Interior matters, told me yesterday.

"The Book of Life to date has cost us R35-million, compared with R34-million public funds spent on The Citizen," he said

"The only reason why this expenditure has not caused a public uproar is because in this case no dishonesty was involved. It was just pure inefficiency and lack of foresight"

The current Minister of the Interior, Mr Alwyn Schlebush, and his secretary, Mr Theo Booyens, had inherited a mess, said Mr Dalling

He was amazed to hear the Minister announce this week that 2,4-million people still had to be issued with an identity document

At the maximum rate of processing, between 4 000 and 5 000 a day, this week's applicants would have to wait two years, perhaps three, to receive their identity documents

Permanently obsolete

By then they would probably be the new, smaller version mentioned in Parliament this week

"At this rate it's going to be a permanently obsolete set of records. The progress is far too slow, even though the department has done a great

deal to catch up," Mr Dalling said

"They are going to have to do a great deal more than 5 000 a day if they want the country's records to be efficient, especially if you take into account the vast number of changes of address that have to be recorded

It seems that Mr Schlebush and Mr Booyens are determined to bring the system up to date. And I feel we should give them a moratorium of a year in which to do so. A crash programme is needed to clean up the mess left by Dr Connie Mulder

Better concept

"For the past several years it has been the policy of the Government to use the Book of Life as the basic document during elections. But this is impossible if the system is not up-to-date"

Of the proposed new Book of Life, Mr Dalling said

"The concept of the new book is much more handy. It can slip into a wallet or back pocket. But they will have to use more pages, as there was no room for a photo in the example issued to me."

But the proposed new Book of Life will be issued only to new applicants

More than 5-million whites, coloureds and Indians who already hold the original Books of Life with their 50 pages will have to keep them, a Department of Interior spokesman told me this week

So will the thousands of people — estimated at 900 a day — whose identity documents are processed before the introduction of the new edition

C.T. 23/5/79

Morals Act: Climax is surprise, court told 238

Own Correspondent

PRETORIA. — The climax of an Immorality Act investigation was catching the suspects during the sex act, a police captain told the Regional Court here yesterday when six men, including five policemen, faced charges after a police raid on the flat of Miss Celeste Cross.

The five policemen are Detective-Sergeant Leon Boshoff, 27, Detective-Sergeant Gabriel Francois Sinden, 25, Detective-Sergeant Julius Schuld, 22, Sergeant Willem Jacobus Nel, 30, and Detective-Constable Petrus Jacobus Hills, 26. Mr Frederick Christoffel Havenga, 29, a security officer for Anglo-American Property Services, who own the flats where Miss Cross stayed is the other accused.

All have pleaded not guilty to a charge of criminal injury. The five policemen also pleaded not guilty to trespassing and searching without a warrant.

The charges followed a dawn raid during which members of the Immorality Act Squad kicked down the door of Miss Cross's flat and took photographs of her while she was lying semi-naked in bed.

The police were acting on a report by Mr Havenga that an Indian man was sleeping at the flat.

Mr John Fraser, a dark-skinned white man and a friend Mr Hendrick van Staaten, were found in the flat with Miss Cross. The police investigation was dropped

when Mr Fraser produced his identity documents to prove he was white.

Captain Gert van Niekerk, of the Narcotics and Immorality Act Squad, read from the police training manual on which policemen write exams.

The manual prescribes that sufficient men be sent to investigate offences under the Immorality Act. It suggests that binoculars, two-way radios and a tape-recorder can be used. A photographer should accompany the squad.

Observation

The police should obtain duplicate keys to the room where the offence was expected to take place.

Proper observation should be kept and if the squad suspected something was happening they should wait 10 minutes before entering the room. Captain Van Niekerk said.

"It is necessary that suspects are caught in the compromising position when trying to prove an Immorality Act charge. The bedding and clothes must be confiscated and taken to a laboratory for analysis and the suspects must be taken to the district surgeon as soon as possible."

Captain Van Niekerk said that in similar circumstances he would have done the same as the men who broke into Miss Cross's flat. A warrant could be obtained only if time and circumstances allowed, he said.

The prosecutor, Mr Etienne Prinsloo, said it had been unnecessary for the police to take photographs of Miss Cross when they realized she was sleeping alone in her bedroom.

It was obvious there was no possibility of an offence under the Immorality Act, as the two men were sleeping in the lounge. Yet even after Mr Fraser proved he was white, the police took photographs of Miss Cross.

Mr Prinsloo said the whole justification for the raid rested on a statement by Mr Havenga, which had disappeared and could not be laid before the court.

Mr J W Wessels for the defence, said Miss Cross's testimony was contradictory and she had tried deliberately to mislead the court with lies and deviations.

The magistrate, Mr A F Snyman, postponed judgment to June 20.

21679 238 257 AD

Policeman guilty on morals charge

EAST LONDON — A 40-year-old policeman who had intercourse with a black woman in a police vehicle was sentenced to four months imprisonment on an immorality charge in the Regional Court here yesterday

The sentence was suspended for two years

Mr Arthur Oswald Pape, who pleaded not guilty to the charge, was found guilty after the magistrate, Mr S van Zyl, rejected his evidence and the evidence of the witness Mr Pape called, Mr Clarence Allen

Mr Pape said he had not had intercourse with the woman, Miss Mina Matha, but had woken up in his car to find her sitting

alongside him in the police car

He said he had fallen asleep after the car had broken down on the way back from Fuller's Bay where he had been drinking at a braai.

Mr Allen had testified that Mr Pape had been drunk when he left the braai, sometime after 10 pm This was discounted by Mr Van Zyl, who said Mr Allen had admitted that he was only giving evidence because his friend was in trouble

Miss Matha was sentenced to six months' imprisonment last month after pleading guilty to the charge She had one previous conviction for a similar offence —DDR.

THURSDAY
July 5, 1979

Putting patriotism into perspective

~~238~~
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~~46~~

ADDRESSING the Race Relations conference in Johannesburg on Tuesday night, Dr Alan Paton was prepared to be expansive on an extremely delicate subject

Delicate because it calls into question the whole matter of South African patriotism, where it begins and where it should end.

Dr Paton challenged the validity of young South Africans of whatever colour fighting against blacks in the operational area. He asked, particularly, whether it was moral for White youths to go to the border against men who almost without exception were black and who believed they had a duty to liberate this country from its present rules and, more specifically, from the oppression of its racial laws.

Those racial laws, the author said, were made by the conqueror for the conquered, by the strong for the weak, by the rich for the poor and, inevitably, by the white for the black

He questioned the morality of a situation where black South Africans were, in effect, fighting to retain the Group Areas Act Or for a system of education that spent on them one tenth of the amount spent on the average white child.

However delicate the subject may be, Dr Paton has good reason to raise it. It is a matter which is coming more and more under con-

sideration among the young people themselves who are called to defend our borders

Why indeed should they fight — and die — to entrench a political party which still stands by such archaic laws as the Separate Amenities Act, the Population Registration Act, the Mixed Marriages and Immorality Acts and the various security Acts which are a major pillar of the National Party's power?

Sure, Dr Koornhof, Mr Pik Botha and others are now speaking in vague terms about the death of apartheid. Sure, the Wiehahn and Riekert commissions have influenced change in the right direction — though not as far as their own commissioners would have liked.

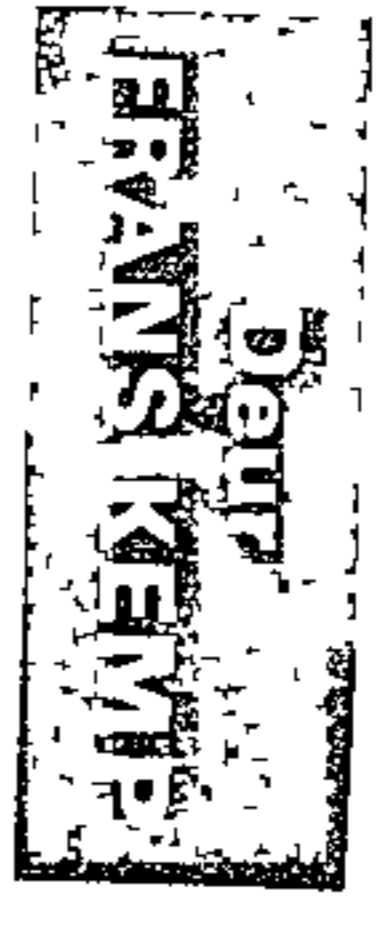
But when is it all going to happen, this lingering death of apartheid? And how do you square the statements of Dr Koornhof and company with those of Dr Treurnicht, while Dr Treurnicht remains a Cabinet Minister?

The test of the "dying apartheid" claim is as simple as looking about you. At the situation of the black people, coloureds and Indians. For them, pathetically little has changed.

Real change must come and come quickly if we are to stand united as South Africans against any external perils. Patriotism would then follow as a matter of course.

Witvrou gaan trou

Rapport 5/8/79



met bruinman

BLOEMFONTEIN

'N AFRIKAANSPREKENDE witvrou, 40, van die Vrystaat gaan binnekort met 'n bruinman, 24, trou. Hulle is verloof en sy is die laaste paar maande feitlik deurentyd by hom en sy Tswana-moeder in hul eenvoudige huisie net buite Thaba Nchu.

Vandeesweek het mev. Bernadine van der Mescht, gebore as 'n Vrystaatse Benecke in die distrik Warthatswana. Mev. Van der Mescht is reeds besig om 'n sake-onderneming in Mkwena aan die gang te kry.

Dis net 'n klipgooi van die aangrensende Thaba Nchu met sy handjievol witmense — waar daar so maklik gesels word oor „daai Van der Mescht-vroumens en haar kaffer in die Lokasie”.

Tot Maart vanjaar was sy nog sakevrou op die dorp. Haar man, mnr. André van der Mescht, het haar in Desember verlaat en daarna het sy nog drie maande

met hul horlosie- en radioherstel-onderneming volgehou voordat sy tou opgegooi het.

Sy vertel dat sy en haar man sowat 'n maand gelede geskel is. Sy het op grond van owerspel gedagvaar

Hulle woon nou albei in Bloemfontein. Sy verwag dat haar man gou weer gaan trou.

Donderdag in die voorke-mer van Frank se sooi-huisie sit sy netjies langs hom by die eekamer tafel en vertel van haar liefde vir die bruinman. „Nooit kan daar weer 'n wtkman in my lewe wees nie.”

Hulle hou nie handjies nie, want liefkosing in die openbaar word volgens Tswana-tradisie nie geduld nie. Dit is net „liefie” en „skattie” oor en weer.

En sy spog met haar verloofing. „Ek weet nie wat die geel steentjie is nie. Sekerlik nie 'n diamant nie, maar die belangrikste is dat Frank dit vir my gekoop het,” vertel mev. Van der Mescht.

Dan wys sy die twee goue hangertjies — ook geskenke van hom. Op sy beurt het Frank aan sy een middel-

vinger 'n teroog in goud wat hy van mev. Van der Mescht gekry het.

Sy is die jongste van twaalf kinders. Haar moeder leef nog, maar haar vader is oorlede en so ook vier van die kinders.

„My moeder en my broers weet almal dat ek met Frank gaan trou. My geve-se man het sowat 'n maand gelede my een suster van ons verhouding vertel en daarmee is die ys gebreek,” sê sy.

„My familie se houding is. Dit is jou eie lewe en maak soos jy wil. As jy met 'n bruinman trou, is dit jou bed en jy moet daarop slaap. Ek is nie bekommerd nie. Intendeel, ek is trots op my aanstaande en wil hom een van die dae aan my familie gaan voorstel.”

Frank is 'n skaam, inkennige jongman. Hy laat mev. Van der Mescht die meeste van die praatwerk doen.

Hy is die jongste van mev. Lydia Momane, 59, se vier kinders. Sy is geskel van haar man wat as Kleurling geklassifiseer is. Frank is die enigste van die kinders wat dieselfde klassifikasie



as die vader dra. Die ander is almal Tswanas.

Die witvrou en die bruinman het mekaar sowat 'n jaar gelede die eerste keer gesien. Frank het sy horlosie vir herstelwerk na die Van der Meschts se onderneming gebring.

Mev. Van der Mescht vertel vinnig. „Maar toe was dit blote vriendskap. Ons het mekaar eers in April formeel ontmoet toe ek vir een van sy swart vriendinne op Mkwena gaan kuier

Eers daarna het ons verhouding begin.”

Nadat mev. Van der Mescht in Maart die onderneming gesluit het, het sy na Bloemfontein gekom. Na hul ontmoeting het Frank ook in dié stad kom werk.

Hy het onlangs as 'n kollekteerder by 'n droog-skoonmakery bedank. Sy maandelikse inkomste was sowat R260 saam met kommissie. Toe sy werk weens die petrolskaaerste afneem, en hy met R28 per week

tevrede moes wees, het hy bedank.

Deesdae sit hy werkloos by sy huisie op Mkwena. Hy sê: „Liefie wil nie hê ek moet werk nie. Die geld is nie goed op Thaba Nchu nie. Ek wag dat ons ons eie besigheid moet begin.”

Mev. Van der Mescht wat geen inkomste het nie, is nou besig om haar eie begrafinsonderneming op Mkwena aan die gang te kry. Sy sê sy het geen sent

IN Bophuthatswana word Bernadine van der Mescht en haar bruin minnaar aanvaar. Hier speel sy en haar verloofde, Frank Momane, regs, en 'n vriend kaart.

na die egskending gekry nie. „Ek het niks gevra nie.” Sy woon by haar suster in Bloemfontein, maar die meeste van die tyd ry sy per trein heen en weer om by Frank te wees.

Nou steek sy eie kinders

DURBAN
VIR Andries Pienaar, 69, van Utrecht, wat jare lank sy swart vrou weggesteek het om nie sy Vrystaatse familie in die verleentheid te stel nie, het die lewenswiel gedraai. Sy kinders steek hom nou weg omdat hulle glo 'n wit pa kan hulle in die verleentheid bring.

hul wit pa weg

Mr Pienaar sê dat hy hom ná sy huwelk geleidelik afgesonder het van blankes Hy was voorheen 'n lid van die NG-Kerk maar op Utrecht het hy hom by die Metodistekerk aangesluit

Selfs op Utrecht weet die meeste blankes nie van die bestaan van die gemengde huwelk in hul midde nie Mr Pienaar en sy gesin het hulle in 1950 op die dorp gevestig.

"Ek het uit die staanspoor my eekant gehou," sê hy "Vandag het ek geen blanke vriende op die dorp nie Al vriende wat ek het, is Alice se familie wat gereeld kom kuier. Ek was sedert my huwelk nog nie weer in 'n hotel of bioskoop nie, maar ek is gelukkig En dit is al wat tel. En as die kinders wil hê dat ek my op die agtergrond moet hou, doen ek dit met die grootste graagte ... Ek doen dit immers al die afgelope 34 jaar"



"Somnige van my kinders het universiteitsgrade en bekleë hoe betrekings," het die voormalige Natalse vervoerkontrakteur op sy kleinhoue in Noord-Natal verduidelik. "En hulle het my versoek om maar op die agtergrond te bly aangesien hulle voel dat hul betrekings benadeel kan word indien dit op die lappe sou kom dat hulle 'n wit pa het.

Die ironie van die saak is dat dit juis ek was wat my huwelk met my vrou, Alice Nyembe, sedert 1945 weggesteek het om nie my familie in die omgewing van Koffiefontein, waar ek gebore is, in die verleentheid te stel nie."

Mr Pienaar se huwelk in 1945 in Durban is een van die weinige Suid-Afrikaanse gemengde huwelke wat nie deur die wet op Gemengde Huwelk geraak word nie. "Hy het getrou voordat die wet in werking getree het. "Maar ondanks alles wat

Man met swart vrou se familie wis niks

**Van
HENRI GROUS**

ek moes deurmaak weens my huwelk, sal ek weer met Alice trou indien ek my lewe kan oorhê," het mnr. Pienaar die week op Utrecht aan RAPPORT gesê.

"Ek het tog klaar my rug op die wêreld gedraai en is doodtevrede om hier op Utrecht my laaste jare deur te bring Ondanks die struikelblokke wat in my weg

VRYSTATER ANDRIES PIENAAR en sy vrou Alice — voorheen het hy haar weggesteek, en nou steek sy kinders hom weg

Schools bear

race-middle kids

238

SUNDAY TIMES, September 9, 1979

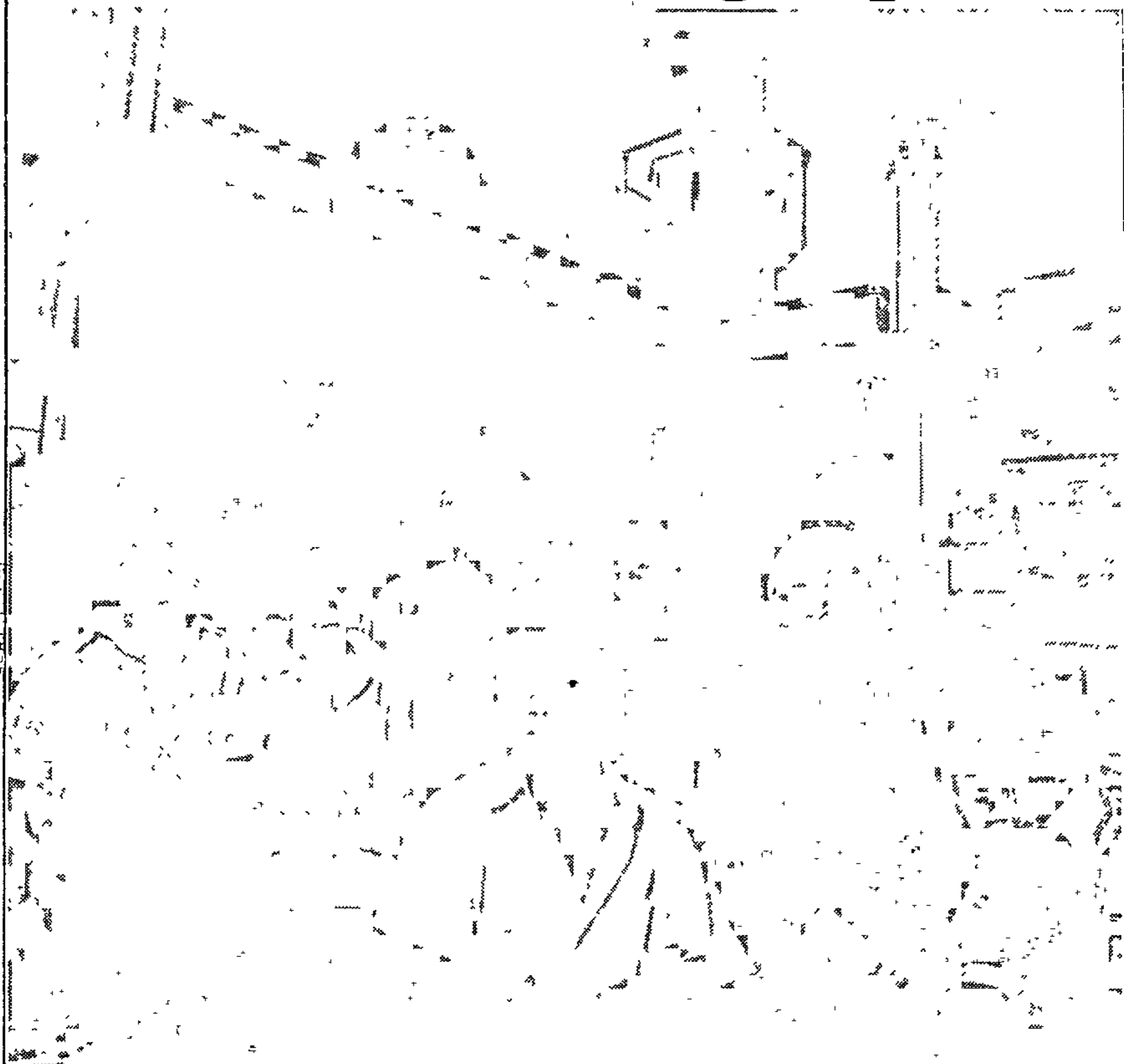
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5/9/79

Haroun's hang-up

44



SCRIPTURE COPY

May Bennett

43

STUFFED CABBAGE SALAD

African Affairs Correspondent
HAROUN Azizi (12) of Chatsworth has a problem — he cannot gain admission to any school in Natal. His father, Abdul Azizi, is a Zanzibari priest at the Anjuman Ikwatul Islam mosque at Montford, Chatsworth, but his mother is classified as a Zulu. Thirteen years ago Poppy Simelane, who had a Zulu father and a Coloured mother, married the Zanzibari moulana from Malawi. Her name, since her conversion to Islam, is

Chatsworth 12-year-old just can't get into classroom

THE Azizi family in front of the Montford mosque at Chatsworth. The children are, from left, Kulsum (4), Zainab (6), Haroun (12), Maymoona (10) and Essa (2) is being held by Mrs Azizi. Mr. Azizi, a priest at the mosque for the past 13 years, is at the back

1 fresh green cabbage
 onions
 carrots
 Cut the centre from a bowl of pineapples and leaves of the pineapple, in a bowl add salt and blend into the cabbage bowl of mayonaisse, cut a roses, cut a iced water u

GERMAN POTATO
 boiled potato
 cooked bacon
 mayonnaise
 Cube the potato with the potato, salt and pepper

EGG SALAD
 hard boiled
 salanaise
 Cut eggs in down, pour

CHICKEN AND
 1 cup cooked
 4 T finely
 French dressing
 lettuce
 Marinade chicken
 Serve on lettuce and refrigerator
 French dressing
 Blend together

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NM 5/9/79

LITTLE Haroun Azizi and his sisters are dying to go to school — but the law is stopping them because of a muddle over their race.

While his friends plot ways to bunk school, 12-year-old Haroun schemes how to get into one

He has tried sneaking in — only to be sent home by the headmaster

The trouble is Haroun and his sisters, Maymoona 10 and Zainab 6, are the product of a mixed marriage

Their mother is a Zulu who converted to Islam and their father is a Zanzibari priest

Like other Zanzibari families, the Azizis are allowed to live in Durban's sprawling Indian township of Chatsworth — but a welter of race laws is barring the children from both Indian and black schools

Mrs Aisia Azizi says her children's plight has been shunted around from one Government department to another

"I just don't know what to do. As a mother, I appeal to the authorities to allow my children to go to an Indian school like other Zanzibari children

"They are good children but what chance will they have in life without an education?"

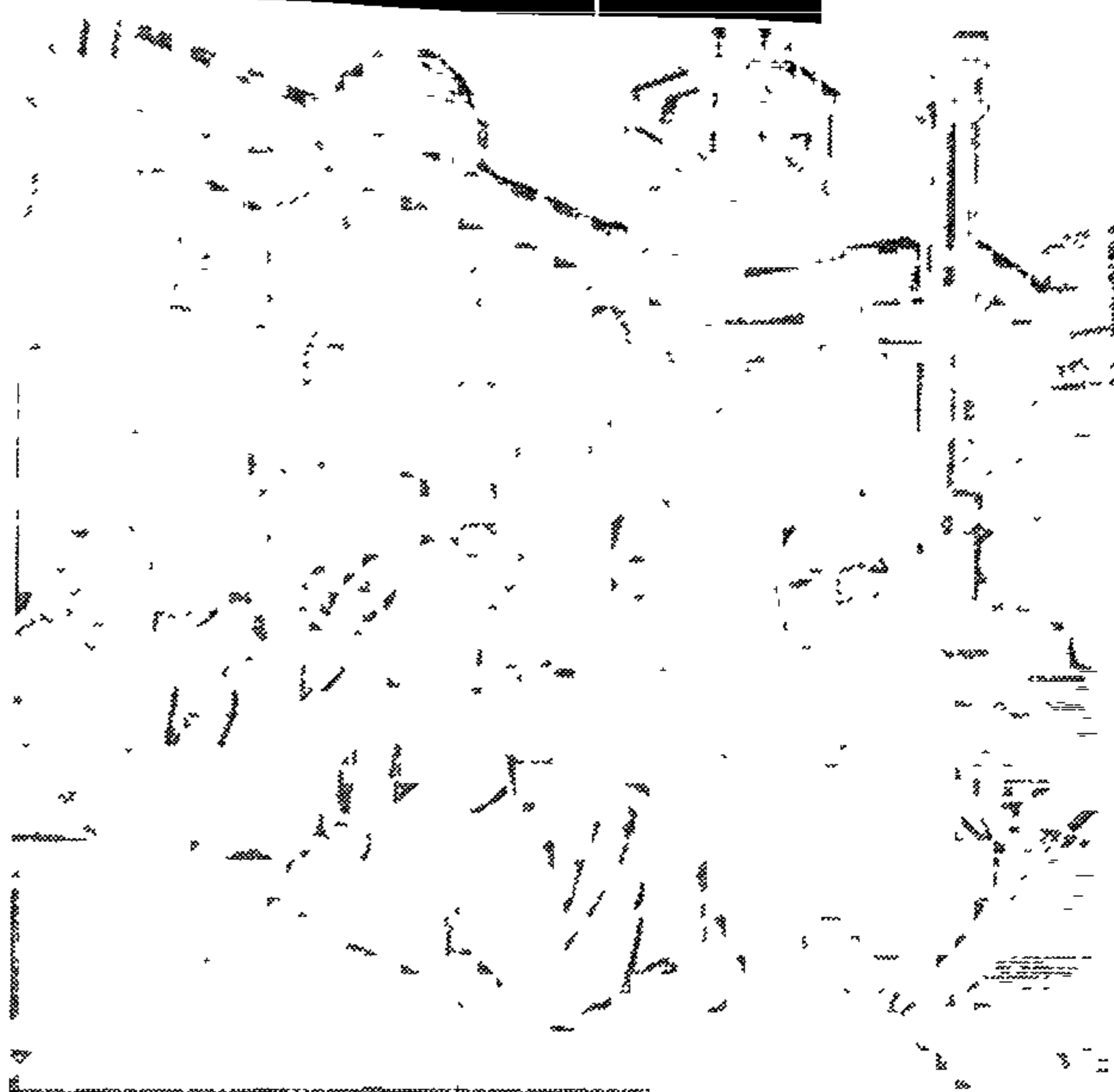
When Mr Abdul Azizi wed his Zulu wife under Islamic rites, they did not register their marriage. So when the children were born they were put on their Zulu mother's pass

That was no problem until Haroun became of school-going age and his mother, who speaks English fluently, tried in vain to get him into an Indian school

Mrs Azizi says she was told that since her children were classified as Zulu, they had to attend an African school

That's when she found herself on a frustrating merry-go-round to nowhere

She says she went to the Department of Co-operation and Development, which referred her to the Department of Coloured Affairs, which referred her back to the Department of Indian



The Azizi family of Durban, from left, Kulsum, 4, Zainab, 6, Mr Abdul Azizi, Haroun, 12, Maymoona, 10, Mrs Aisia Azizi and Essa, 2

Learning for Haroun, 12, is a closed book

(228) Sunday Times 9/9/79

By G R NAIDOO

Affairs, which told her the law prevented her children from attending an Indian school

Meanwhile Haroun, aware that other children of his age had been at school for several years, once tried to sneak into an Indian school

He was sent home by the principal who said he was not allowed to admit "Zulu" children

In a bid to get race reclassification, Mrs Azizi wrote to the Minister of Interior — and was referred to the Commissioner for Co-operation and Development who, she claims, was unable to help her

In desperation, she said this week

"What can I do? My chil-

dren have to be educated. Like their friends, they only speak English, so even if they could be admitted to an Indian school it would serve no useful purpose as they cannot speak any African language"

Mr S A Abdul, chairman of the committee which runs the mosque where Mr Azizi is priest, said he has been trying for three years to get the problem of the Azizi children sorted out

"The principal of the local school, Mr A L A Pillay, who is also a social worker in the area, has been most sympathetic. But his hands are tied"

He said Muslim bodies, including the Islamic Council, have made pleas for the children to be admitted to an Indian school but they have all been turned down

"Our only hope now is the Commissioner for Co-operation and Development in Durban, who told us that he might be able to help the family sort out their problems," said Mr Abdul

Meantime the only education the Azizi children are getting is at a vernacular school in their area

Mr H Kriel, the Commissioner for Co-operation and Development in Durban, was unavailable for comment

The Sunday Times was told he would be back in his office next week

Mr R N Blumrick, Chief Commissioner for Natal of the Department of Co-operation and Development, told the Sunday Times that he could not comment on the case until he had seen all the documents

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Aisia Azizi.

Each time a child was born she was told by a then Bantu Administration official to register it as a Zulu because her husband was deemed a foreigner.

The couple now has five children. All have been brought up in Chatsworth and they speak only English, but their birth certificates say they are KwaZulu citizens.

Mrs. Azizi tried to get her children into African schools, but the former Department of Bantu Administration referred her to the Department of Coloured Affairs where she was sent to Indian Affairs.

In desperation Mrs. Azizi wrote to the Minister of the Interior seeking race reclassification, but was

again referred to the Bantu Affairs Commissioner "who also could not help me".

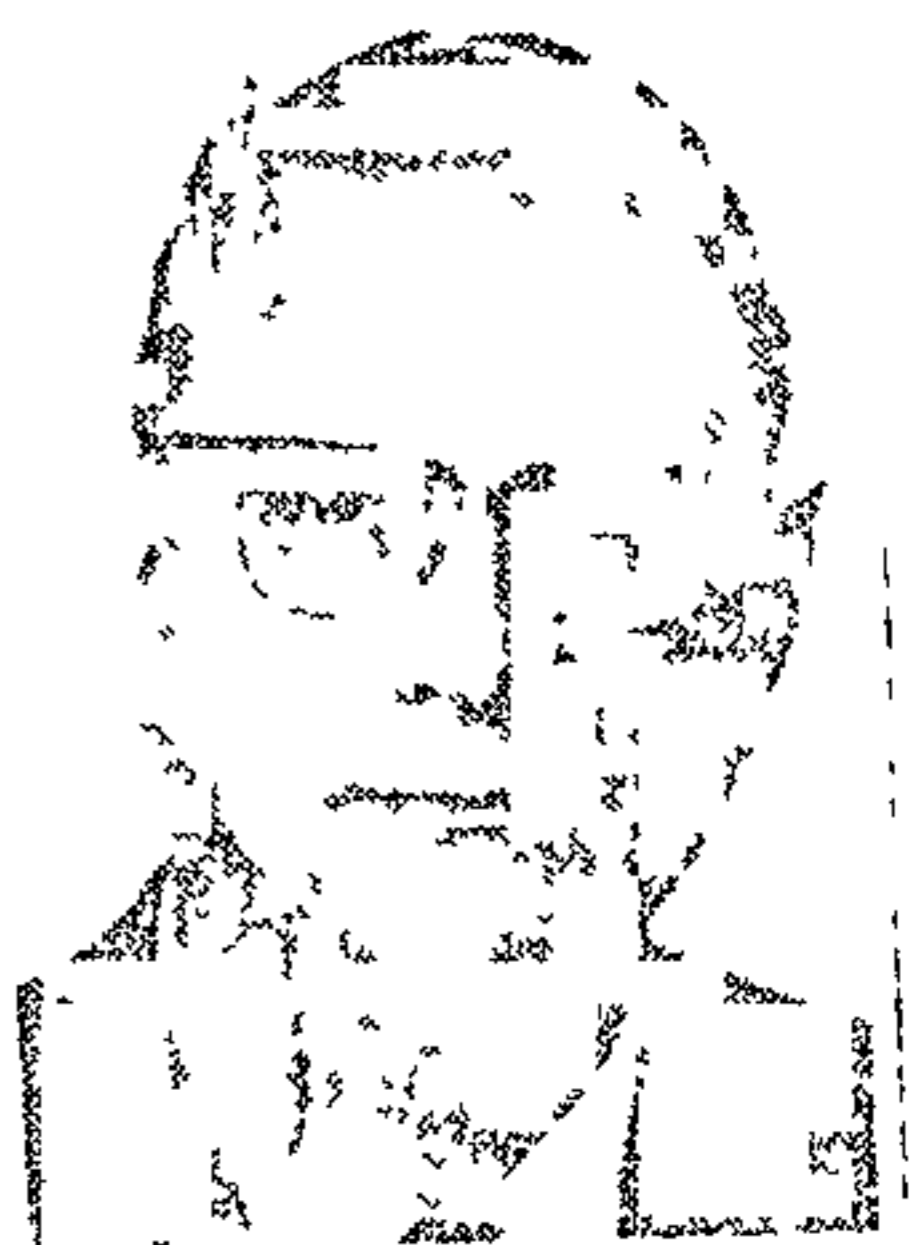
Haroun, who taught himself to read, said there were a number of Zanzibari children at schools in Chatsworth. "Why don't they just make me a Zanzibari like my father so I can go to school," he said.

A spokesman for the Department of Interior said: "We don't have anything to do with reclassifying Blacks. She must go to her own department."

Mr. H. Kriel, the Commissioner for Co-operation and Development in Durban, said he would like to talk to Mrs. Azizi: "Perhaps I can help her," he said.

Trade union rights for all South Africans

DA
18/9/79
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MR FANIE BOTHA major policy change

PRETORIA - In a major reversal of government policy, Mr Fanie Botha, Minister of Manpower Utilisation, announced yesterday that statutory trade union rights would be extended to all citizens of South Africa and countries which previously formed part of South Africa.

The move grants formal union rights to millions of black 'frontier commuters' and migrant workers who were to have been excluded from registered unions in terms of the Industrial Conciliation Amendment Act, which comes into effect on Monday next week.

Contract workers from neighbouring states including Lesotho, Botswana, Swaziland and Mozambique will also be included.

With the concession the government has moved towards full implementation of one of the major racial reconciliation initiatives of the Wiehahn Commission of Enquiry into Labour Law.

Its initial focus on earlier this year was to extend union rights to urban black communities in which areas was harshly condemned in South Africa and abroad.

The concession comes at

a time of major policy adaptations to other fields including bondwinds consolidation, constitutional changes and even suggestions that the government may be prepared to scrap the Mixed Marriages Act and the Immorality Act.

Addressing a conference of the Federated Chamber of Industries in Johannesburg yesterday, Mr Botha said the restriction of union rights to permanent residents would have excluded a large section of the South African workforce.

"I have decided in terms of the powers given to me in terms of the amended legislation to permit all persons engaged in South Africa and who are citizens of South Africa as well as those who are citizens of countries which previously formed part of South Africa, to be eligible for trade union membership."

It works with the exclusion of contract workers from foreign countries and persons who entered the Republic temporarily to undertake specific tasks and then return to their countries would be subject to the provisions of the Industrial Conciliation Act.

A notice to this effect

would be published in the Government Gazette on Friday.

"I trust this decision will be seen as a manifestation of the government's goodwill and determination to ensure equitable treatment for all."

The move was acclaimed by a wide spectrum of employers and trade unionists, but provoked strong reaction from right-wing white union leaders.

Also, it was not clear yesterday whether the concession would change the attitude of black unions who have decided not to register in terms of the Act, one of the main reasons up to now being the exclusion of migrants and commuters from union rights.

Mrs Lucy Mtshelo, general secretary of the National Union of Clothing Workers — the largest black union in South Africa — was overjoyed by the news.

"All we have asked for has become a reality and our aspirations have been fulfilled. It's unbelievable."

"I appeal to black unions to respond and apply for provisional registration as soon as possible," she said — DDC.

Marriage

CT. 25/1/79 (238)
law must

go — prof

Staff Reporter

LEGISLATION such as the Mixed Marriages Act, which was an 'affront to human dignity' would have to go in an overhaul of internal relationships before a new constitutional deal could be effected.

This is the view of Professor Ben Vosloo, head of the Department of Political Science and Public Administration at the University of Stellenbosch. He was asked in an interview yesterday to elaborate on a speech he delivered at the weekend at the Cape Nationalist Party youth congress.

Exploration

He stressed that his talk was on 'an exploration of constitutional objectives - but to attain those objectives human relationships would have to be normalized. And this meant the scrapping of legislation constituting an 'affront' to human dignity. Professor Vosloo said.

There should be a Declaration of Human rights to recognize individual dignity and equality. Discriminatory measures such as the Mixed Marriages Act, clause 16 of the Immorality Act (which prohibits sex across the colour line)

work reservation and certain sections of the Group Areas Act had to go.

Blacks who qualify should be allowed to acquire property rights in the so-called white urban areas and provision should be made for 'open' central business districts. The law should also be changed to allow all races the unregulated use of cultural and recreational facilities.

Expectations

He said that with the creation of this improved climate, South Africa would be in a better position to defend itself as there would be greater loyalty from all sections of the population.

He added: In making changes, expectations will rise and this in turn could cause greater tension and the system not being able to cope with that tension. We must prepare for that by strengthening ourselves internally so that law and order can be maintained.

He said that an in-depth look had to be taken at the Population Registration Act with a view to rather having a system of registration acceptable to all people.

NGK ^{CT.} ~~45~~ divided ^{28/9/79} on mixed ²³⁸ marriages

By NEVILLE FRANSMAN

THE NED GEREF KERK was officially opposed to scrapping the Mixed Marriages and Immorality Acts, but there were "very definitely" differences of opinion in the church on these issues, Dr F E O'Brien Geldenhuys, chief executive officer of the church, said yesterday.

He was asked to comment on government indications that proposals to change legislation relating to mixed marriages and sex across the colour line could be considered on merit.

Dr Geldenhuys, speaking from Pretoria, said the synod had no new ideas on the matter and "our decision in 1974 asking for extension of the law to all races, that is, no mixed marriages between black and brown if the people want it, still stands."

"From what I gather the daughter churches — the African, Indian and coloured Ned Geref churches — want the law to be repealed, whereas the general synod wants to retain the law. There are very definitely differences of opinion."

He added that the church had conceded that the issue was "discussable" and the 1978 synod had amended its stand. It agreed to change its decision from mixed marriages being "inadmissible" to being "highly undesirable."

To find a compromise

Dr Geldenhuys then referred to an NGK publication, "Human Relations and the South African Scene in the Light of the Scripture", in which it was accepted that there was "no direct pronouncement in scripture which either approves or condemns racially-mixed marriages."

Earlier yesterday Dr Geldenhuys was reported as saying that South Africa had a complicated ethnic composition and the law could not be summarily scrapped.

But this is not the view of the African, coloured and Indian sections of the NGK. In an interview yesterday the Rev E J Manikkam of the Reform Church in Africa (the Indian section) said bluntly that the church and the state should refrain from prohibiting racially mixed unions.

He said "Church and state are compelled to submit in faith to biblical principles which offer no ground to regard mixed marriages as impermissible. Any legislation violating biblical principles is untenable and we ask for the law to be repealed."

Botha hint on mixed marriages

C.T. 26/9/79

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By MICHAEL ACOTT

Political Correspondent

THE Prime Minister, Mr P W Botha, yesterday indicated the government's willingness to consider amendments to two cornerstones of apartheid — the Mixed Marriages Act and the Immorality Act.

Addressing his own Cape National Party congress, he went further in spelling out his reformist intentions than he has done in the other three provinces

Mr Botha was careful not to say he would repeal either measure — both of which have been described by some senior Nationalists, including two cabinet ministers, Mr Pik Botha and Mr Hendrik Schoeman, as unnecessary for white survival

The Prime Minister said he would not act under Opposition or foreign pressure, but would consider "improvements" to both Acts

He also said he had unanimous cabinet backing for his planned national strategy and once again staked his leadership on his right to change laws where he regarded changes as being in the country's interest

"The government will reconsider from time to time those laws which are of a hurtful nature, which have nothing to do with identity or the survival of our people

"If South Africa rejects me because of this, then they must do it. I will go with a conscience with which I can live, because I am not prepared to live a lie for the sake of popularity"

His fourth strong verligte congress speech in as many weeks did not provoke the standing ovation he has received at other congresses, but the majority of delegates did not seem unhappy with his attitude

Mr Botha said the Mixed Marriages Act prevented marriage between people of different race groups who had genuinely fallen in love

Mr P W Botha

"I say today that the government will consider any improvement which anybody can put forward to overcome this problem.

"I do not believe mixed marriages are a sin before God and the (Dutch Reformed) church says I am right — the last Synod decided this

"This does not mean they are desirable, particularly in a country like South Africa. Mixed marriages can lead to social evils, such as problems for the children and for the family. Serious problems can arise."

Mr Botha was less critical of the Immorality Act, Section 16 of which forbids sex across the colour line. He said sex between black and white had been prohibited since the 1920s and successive governments had seen no reason to change the situation.

Just before the National Party came to power in 1948, 250 000 people had signed a petition calling for separate residential areas and legislation against mixed marriages because of practical social considerations. It had also requested that immorality between white and non-white be discouraged as far as possible.

"The government will not cling obstinately to the Act," he said.

"The government is open to conviction. The government is open to argument," he said.

C.T.

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Mixed views on race laws statement

Political Reporter

A TOP Nederduitse Gereformeerde Kerk official last night welcomed the Prime Minister's statement that he was prepared to listen to reasonable arguments about changing the Mixed Marriages and Immorality Acts

But black and white opposition politicians were perplexed and even astonished by Mr P W Botha's statement

Dr F E O'Brien Geldenhuys, chief executive officer of the NGK, said the statement had made it even more important for the NGK and its sister churches to finalise discussions they had already been holding on the issues

He explained that the last NGK general synod in 1974 "did not express itself in favour of repealing the Acts"

The synod was followed by discussions on the Acts with the NGK's black, coloured and Indian churches which, he said, were in favour of repealing the laws

"We haven't finalised anything yet," Dr Geldenhuys said, but, of course I welcome the Prime Minister's statement, which means he is open to discussion and this makes it even more important for our churches to get together and voice their opinion"

But Mr Kowie Marais, the official Opposition spokesman on justice matters, expressed

astonishment at Mr Botha's statement

It is remarkable that Mr Botha is even thinking about it

"Those Acts are among the foundations of apartheid. If he is serious about scrapping them the PFP will applaud it as a step in the right direction," Mr Marais said

Mr Marais questioned the position of children of mixed marriages

Once you start tinkering with apartheid, the other Acts must follow

"These include the Group Areas and Population Registration laws

"I only hope Mr Botha is serious. If he is, it augurs well for the future," Mr Marais said who added that similar laws had been scrapped in South West Africa without the sky falling or people rushing to get married across the colour line

Mr Les du Preez, chairman of the Labour Party's constitution commission, did not want to comment until he had studied Mr Botha's statement

He was wary because Nationalists, he said, were experts at rephrasing old ideologies into new words

"I want to know what Mr Botha means by 'reasonable argument'

"What reasonable argument do you need to scrap immoral laws?" Mr Du Preez asked

The chairman of the Soweto Committee of Ten, Dr Nthato Motlana, said he found it difficult to comment on Mr Botha's statement

"It is not clear yet what he is getting at. I will wait for the day when he calls into contention the scrapping of separate development

"Then we will sit up and take notice

The vice-president of the South African Council of Churches, the Rev Peter Storey, said the law preventing mixed marriages had been consistently condemned for a long time by a majority of South African churches on the basis of reasonable arguments from the Bible

"It would be very encouraging if the Prime Minister were to have a look at what the church has said on the basis of the scriptures"

Mr Storey said those laws had caused a tremendous amount of misery to people. "As far as the Immorality Act is concerned I think there are no grounds to prosecute people for a relationship across the colour line

"If the Mixed Marriages Act is unreasonable the Immorality Act (preventing inter-racial relationships) is cruel. I believe a repeal of both would be a tremendous step forward in reasonableness," Mr Storey added

26/9/79 from

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'Heartbreak Acts' have hit 15 000

Political Reporter

More than 15 000 people may have been prosecuted under the Immorality Act since it was introduced in 1950

The announcement by the Prime Minister, Mr P W Botha, that the Government is willing to consider changes to the Act and to the Mixed Marriages Act comes after many calls over the years from all sections of South Africa's population for the scrapping of these laws

1 000 A YEAR

In their wake the laws have left suicides, broken homes, disgrace, lost jobs and deportations. People of different races who have fallen in love have been forced to seek a new life in countries abroad

Estimates of the number of prosecutions under the Immorality Act over the years vary, but by the early 1970s up to 1 000 people a year were being prosecuted. This figure has now dropped to a few hundred a year

Newspaper files record many heartbreak cases. They include:

- An Excelsior town councillor who shot himself after being arrested for an alleged Immorality Act contravention

- An elderly Maritzburg man who gassed himself in his car shortly before he was due to appear in court

- A cafe owner who drowned himself in the Vaal River while on bail

- A 50-year-old Vereeniging man was found hanging in police cells after he and a black woman had been detained.

WINDOW WATCH

The Act has also resulted in hundreds of critical articles about South Africa in foreign newspapers.

To obtain convictions policemen have in the past had to watch people through windows. There have been cases where they rushed into houses to feel the temperature of the bedsheets.

(Report by Tom Duff, 47 Sauer Street, Johannesburg)

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DD 26/9/79 (238)

Immorality Act change possible

CAPE TOWN — The government is prepared to consider "positive" amendments to two of its most controversial race laws, the Immorality Act and the mixed marriages act.

This was disclosed yesterday by the Prime Minister, Mr P. W. Botha, when he replied to a motion at the Cape congress of the National Party.

"We will consider positive proposals but we will not bow to political pressure from anyone," he said.

But twice in his speech, once specifically referring to the Immorality Act, Mr Botha said the government was not committed to any law because laws were there for the good of the country, not the country for the good of the laws.

In his tonesetting speech, Mr Botha, who again showed his determination to move away from previous Nationalist policy, did not actually commit himself to repealing the controversial laws but appeared to be preparing his supporters for the change.

It also seems that he has Cabinet backing for it.

Both laws have been strongly attacked by both black leaders, and by out-

side organisations.

The repeal of the laws has already been publicly supported by the Minister of Foreign Affairs, Mr Pik Botha, and the Minister of Agriculture, Mr Hendrik Schoeman.

In particular, Section 16 of the Immorality Act which prohibits sexual relations between black and white people has been sharply criticised in the past.

The Progressive Federal Party's Mrs Helen

delegate to the congress, to remove any discriminatory laws which were no longer necessary.

In doing so, Mr Momberg became the first delegate at any of the four Nationalist congresses to unequivocally urge the government to move faster.

The Prime Minister said that the Mixed Marriages Act had not been introduced because it was a sin in the eyes of God because

From BARRY STREEK

Suzman, MP for Houghton, has estimated that 10 000 people have been prosecuted under the Immorality Act since 1950.

During 1977, the last year when official figures were available, 356 people were prosecuted under the Immorality Act, of whom 257 were convicted.

Mr Botha's speech followed a strong plea by the Western Province athletics boss, Mr Jannie Momberg, who is a

mixed marriages were undesirable.

The church supported him in the view that mixed marriages were not contrary to Christian principles.

Such marriages, did, however, create social problems both for the children and for the families.

"From a practical point of view, they are undesirable," he said.

The government would consider any positive pro-

posal to improve the situation in regard to the Mixed Marriages Act.

The Prime Minister said the Immorality Act had been in force since the 1920s under different governments. None of them, not even United Party governments, had changed it.

The Immorality Act itself had been introduced after 250 000 people had signed a petition calling for separate living areas and a ban on mixed marriages, because of the social situation between black and white people at the time.

It had to be recognised, that South Africa was in a difficult position, which was in fact a microcosm of the world's problems.

The government would not bow down to political agitation on these two laws.

As a Christian he was opposed to immorality of all kinds but the government would consider amendments which were proposed in a positive manner.

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PM's Race Act speech gets mixed reaction

CAPE TOWN — Sharp criticism from the right-wing Herstigte Nasionale Party and Dr J. D. (Koot) Vorster, moderator of the Cape synod of the NGK has been levelled at the government on the issue of mixed marriages and inter-race sex

Dr Vorster said that if the government dropped legislation prohibiting sex across the colour line, South Africa would find itself in a situation similar to that in South West Africa "where immorality was increasing"

He was reacting to indications by the Prime Minister, Mr P. W. Botha, that the government was prepared to consider on merit proposals to change or improve the Mixed Marriages and Immorality Acts

Asked whether his support for these laws was personal or a reflection of the official policy of the church, Dr Vorster quoted decisions of the synod

One was that "the scriptures defined marriage as a most intimate love relationship between one man and one woman who should be suited to one another in every respect. If two people are not thus suited to one another, marriage between them would be in conflict with biblical precepts for a true marriage

"Factors which impede

the happiness of full development of a Christian marriage and those which would eventually destroy God-given diversity identity would render such a marriage undesirable"

The synod had also decided that factors which stood in the way of mixed marriages were differences of religion, social structure, cultural patterns and biological descent.

Speaking from Pretoria, the chief secretary of the HNP, Mr Louis Stofberg, said he was "astounded" at the changes the Prime Minister wanted to bring about in laws Mr Botha had fought for all his life

"Mr Botha should admit that his convictions had collapsed and that he is throwing in the towel. Mr Vorster's gradualism had made it difficult for the HNP because no one noticed the scrapping of apartheid measures, but Mr Botha is like a bull in a china shop," Mr Stofberg said.

He added that Mr Botha was welcome to change the Mixed Marriages and Immorality Acts and to open restaurants to all because he was simply driving voters to the HNP "as next week's by-elections in Germiston, Prinshof and Rustenburg will show"

The Rev Cyril Wilkins,

secretary of the conference of the Methodist Church of Southern Africa, welcomed Mr Botha's statement.

"Theologically, we can find no justification for the Mixed Marriages Act, and it is therefore obvious that we would also applaud any moves to change this law," he said.

Prof Willem Kleynhans, head of the department of political science at Unisa, described Mr Botha's ultra-verligte direction as "running counter to all that has been practised by the National Party for 40 years or more led by Malan, Strydom, Verwoerd and Vorster.

Prohibition of mixed marriages and sex across the colour line were fundamental principles decided on by congresses and Mr Botha himself had been an architect in their formulation, Prof Kleynhans said. Whether the Prime Minister's boldness would find support among rank-and-file members of his party would be seen at next week's by-elections

Mr Norman Middleton, deputy leader of the Labour Party, said the government should stop talking about change and start doing something To show his sincerity, Mr Botha should call a national convention — DDC-SAPA

Marriages act moves worry J D Vorster

By NEVILLE FRANSMAN

SHARP criticism from the right wing Heistigle Nasionale Party, and Dr J D Kooi Vorster, Moderator of the Cape synod of the Ned Gerde Kerk has been levelled at the government on the issue of mixed marriages and inter race sex.

Dr Vorster said that if the government dropped legislation prohibiting sex across the colour line South Africa would find itself in a situation similar to that in SWA Namibia where immorality was increasing.

He was reacting to indications by the Prime Minister Mr P W Botha that the government was prepared to consider on merit proposals to change or improve the Mixed Marriages Act and the Immorality Act.

Asked whether his support for these laws was personal or a reflection of the official policy of the church, Dr Vorster quoted decisions of the synod.

One was that the scriptures define marriage as a most intimate love relationship between one man and one woman who should be suited to one another in every respect. If two people are not thus suited to one another marriage between them would be in conflict with biblical precepts for a true marriage.

Another synod decision was that in considering racially mixed marriages one should take cognizance that such marriages are physically possible.

However factors which impede the happiness of full development of a Christian marriage and those which would eventually destroy God-given diversity and identity would render such a marriage undesirable.

The synod had also decided that factors which stood in the way of mixed marriages were differences of religion, social structure, cultural patterns and biological descent.

Speaking from Pretoria, the chief secretary of the HNP, Mr Louis Stobberg, said he was astonished at the changes the prime minister wanted to bring about in laws he (Mr Botha) had fought for all his life.

Mr Botha should admit that his convictions had collapsed and that he is throwing in the towel. Mr Vorster's gradualism had made it difficult for the HNP because no one noticed the scrapping of apartheid measures, but Mr Botha is like a bull in a china shop, Mr Stobberg said.

Professor Willem Klenhans, head of the department of political science at the University of South Africa, described Mr Botha's ultra-verligte direction as running counter to all that has been practised by the National Party for 40 years or more led by Malan, Strijdom, Verwoerd and Vorster. Mr Botha is making nonsense of the party's constitution.

Thought for the day

If you are proud enough to stand up for what you know is right, you may earn yourselves labels of being communists. Do not worry. You know you are not. Be proud in your dignity. Be proud of your love for justice and peace.

Keep the white girls and give me a job

Post 28/9/79

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IF you find that I don't make sense, don't despair. You are not the only one I don't think I do, either, so you are in good company.

I mean, in one week, the powers that be have made one sweep which revealed that

● I can now marry a white woman if I so desire (provided, of course, Mr PM carries the whole thing through).

● I can take my loved one to any restaurant which thinks blacks are people, too (provided the Department of Community Development thinks so, too, of course).

● I can now join a trade union, although I'm a "foreigner" in South African law terms.

But before I started shouting "hooray", I went through my normal exercise of caution at government announcements. Bitter experience has taught me to do just that every time.

And so I started looking at the implications. First, the issue of the Mixed Marriages Act and the Immorality Act.

Remember the old Nat rallying cry "Sal jy toe-laat dat Marie met 'n kaf-fir trou?" Needless to say the response was, eh, a resounding negative.

That is how the Nats

appealed to the deeper emotions of people. It got so bad that one learned judge observed in a rape trial some years ago that a black-black rape was not as bad as a black-white rape.

Of course, I have known throughout that rape is rape, and the scar on our women folk who fall victim to such a dastardly act remains the same whether a person be pink, black or blue. So I disagreed with that honourable judge's observation.

But it was the root of such an observation that really mattered. It all started with this kind of "will you let your daughter marry" propaganda.

DIFFICULT

And so it came to pass that the Immo Act made life difficult for some people. I remember the sad stories of suicide, of people leaving the country, and of little places like Excelsior (if you don't know where this dorp is, I can only whisper, "Vrystaat").

As I said, I do not know whether Mr Botha will carry through his propositions.

All I can say at this stage is that, at this point in time (sic) such issues are irrelevant. Who wants to marry a white girl while being unemployed? Or living in a shack because one cannot find proper accommodation? Or facing arrest for "pass" offences? Or being stripped of your



citizenship of greater South Africa and being relegated to citizenship of some remote bundu?

I would say to Mr Botha: Keep the white girls. All I need is a job. A home of my own. The right to work where I wish to and sell my labour to the highest bidder. The right to travel. The right to a proper education.

Those would be my priorities. So, to those who are shouting "foul" to Mr Botha in the right-wing Nat circles, I would say, relax. We have more important things to worry about.

On the question of restaurants, I might add that while again this is a welcome step, it will not alter the basic way of life of Mr Joe Gakenasepe.

I am sure Mr Gakenasepe barely makes it at the end of the month, and with restaurant meal

prices being what they are, Mr Gakenasepe could feed his whole family for a week on the bill for one meal at a restaurant. So, a serious look at salaries and wages must, of necessity, go with such moves.

On the question of trade union rights, let us look, not at the wide sense of the Minister's announcements. It is the various provisos that worry me.

You see, there will be a sort of watchdog (no matter what they decide to call it) that looks at these unions. They will make sure the unions are not used for "political purposes". Now in the context of our situation, that means anything.

What is politics? If a union feels some of its members are being discriminated against, should they say so or not? (If they do, that, in South African terms, it is politics.) See what I mean?

Also, this "watchdog" will be allowed to examine the finances of any union. Aha! You know why? You can't trust these black unions because they may get money from these communist organisations overseas and thereby be under their influence, you see?

PARTING SHOT: It has been announced that a Ndebele Legislative Assembly is to be inaugurated. It will consist of 48 members — none of whom are elected. That's democracy for you.

SUNDAY POST

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Sunday September 30 1979

The original sin is still etched deep

THE granting of trade union rights to blacks this week, the hint by the Prime Minister, Mr P W Botha, that he would scrap the Immorality and Mixed Marriages Act if realistic proposals for doing so were presented to him, as well as certain other indications that the Government is trying to move away from institutionalised racism, have all been hailed as the most important concessions to blacks by a white government at any time in South Africa's history.

No one can dispute this.

But what is infuriating blacks at the moment is that whites, especially those in authority, are actually being congratulated by governments and institutions overseas for making the concessions.

What basis is there for such congratulation?

The stark fact about South

ates an impression that it is because of its extreme generosity that it is removing some of its racist policies.

Because the Government is being permitted to retain maximum respectability through it all, there is a subtle implication that its policies have been, and still are, necessary but that it is because of its enlightenment that it is relenting.

Obviously Mr Botha cannot be held responsible for what has already been done by the architects of South Africa's racial policies. The fact that he is obviously determined to rid South Africa of as much as he can is to his credit and to that of all who work with him to achieve it.

But that said, it must never be overlooked that South Africa's blacks should never have had to endure the discrimi-

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Africa's political situation is that one group of people has been depriving the rest of their rights for centuries. This is nothing to be proud of. Nor is there anything to be proud of in only starting to give back some of these rights 300 years too late.

The last thing the Government should be doing is making a show of its concessions. If it had any moral conscience it would be trying to slip these changes into the community with as little fuss as possible.

There is a saying that there is no such thing as bad publicity. In this case, however, we tend to disagree. All the attention being paid to the Government's moves this week cre-

mination — social, economic and political — that they have had to since the white men arrived.

No creed on earth can possibly justify it, except perhaps one — greed.

It was plainly and simply the white man's desire to have as much as he could for himself at the total expense of everyone else that has kept the black man in chains for so long.

The removal now of some of those chains, does not atone for what has gone before. It may enhance the stature of those responsible for instituting the changes. But the original sin is still etched deep across this land. Much more work will be needed to eradicate it altogether.

The ^{30/9/79}
most ²³⁸
obnoxious...

THE Immorality and Mixed Marriages Acts are almost as old as Nationalist rule itself. They were two of the dozens of discriminatory laws written into the Statute Book soon after the party was swept into power on a wave of "swart gevaar."

Since then they have caused untold misery, destroying the lives of hundreds of people. The trauma of public trial for victims of the Immorality Act; the stigma attached to it in a society whose government was obsessed with apartheid, these were harsher and harder to bear than the sentences imposed by the courts.

The Act's toll is terrible. Many killed themselves rather than go to court. Some killed themselves after they were convicted. It tore apart families. Guilty or innocent, it did not really matter, for even those who were acquitted had to face suspicion and ugly-mindedness in the apartheid society.

The victims were from all language groups, all political persuasions: there were businessmen and policemen, husbands and wives, at least one dominee and a Nationalist prime minister's private secretary.

There were those who wished to marry but could not because the law forbade it, and who were tyrannised as the police and courts probed for the whole world to see the most private part of their lives. Others left their homeland to live and love in lands where the law does not decree who may live and love with whom.

Of all the laws passed in civilised countries since Hitler carried to hell with him his "pure Aryan" dream, these Acts are undoubtedly the most obnoxious.

We applaud Prime Minister Botha for his reversal of attitude to the Acts. We are pleased the Government is prepared to consider changing them.

We hope the Prime Minister and his Government consider the matter soon — and that they come up with the right answer.

For these Acts have no place in the Statute Book of a civilised democracy.

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The Star

The Star Wednesday October 3, 1979

CLASSIFIED ADVERTISEMENTS INSIDE

By
Doo
Rissik

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A class of "twilight" children. Their school is run by the Good Shepherd Community Service. They are unable to attend State-run schools -- they have no identity documents.

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The Star

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People who don't 'exist'

Kliptown, a coloured area, a joining of the street before they were accommodated by the Good Shepherd Community Service where they are still living.

According to a member of the Legal Resources Centre, people are being issued with notices "of intended prosecution" under the Black Urban Areas Consolidation Act. Section 9 (5) states that it is an offence to accommodate any "bantus" in any prescribed area without a licence.

"In effect this means they are charging the head of the house with illegally accommodating his family," said Mr Dangor.

The coloured people whose homes are being demolished are being housed temporarily in Eldorado Park extension 7, "but because they are not building houses in Soweto we have to house the others here," he said.

"I am certainly all in

favour for urban renewal but alternative accommodation should be provided for everyone before the demolition squad sets in."

Mr M F Wilsnach, director of the Coloured and Asian Affairs Department in the Johannesburg City Council, said his department was responsible for the coloured families only and he felt they had been adequately catered for in temporary

accommodation in Eldorado Park Ext 7.

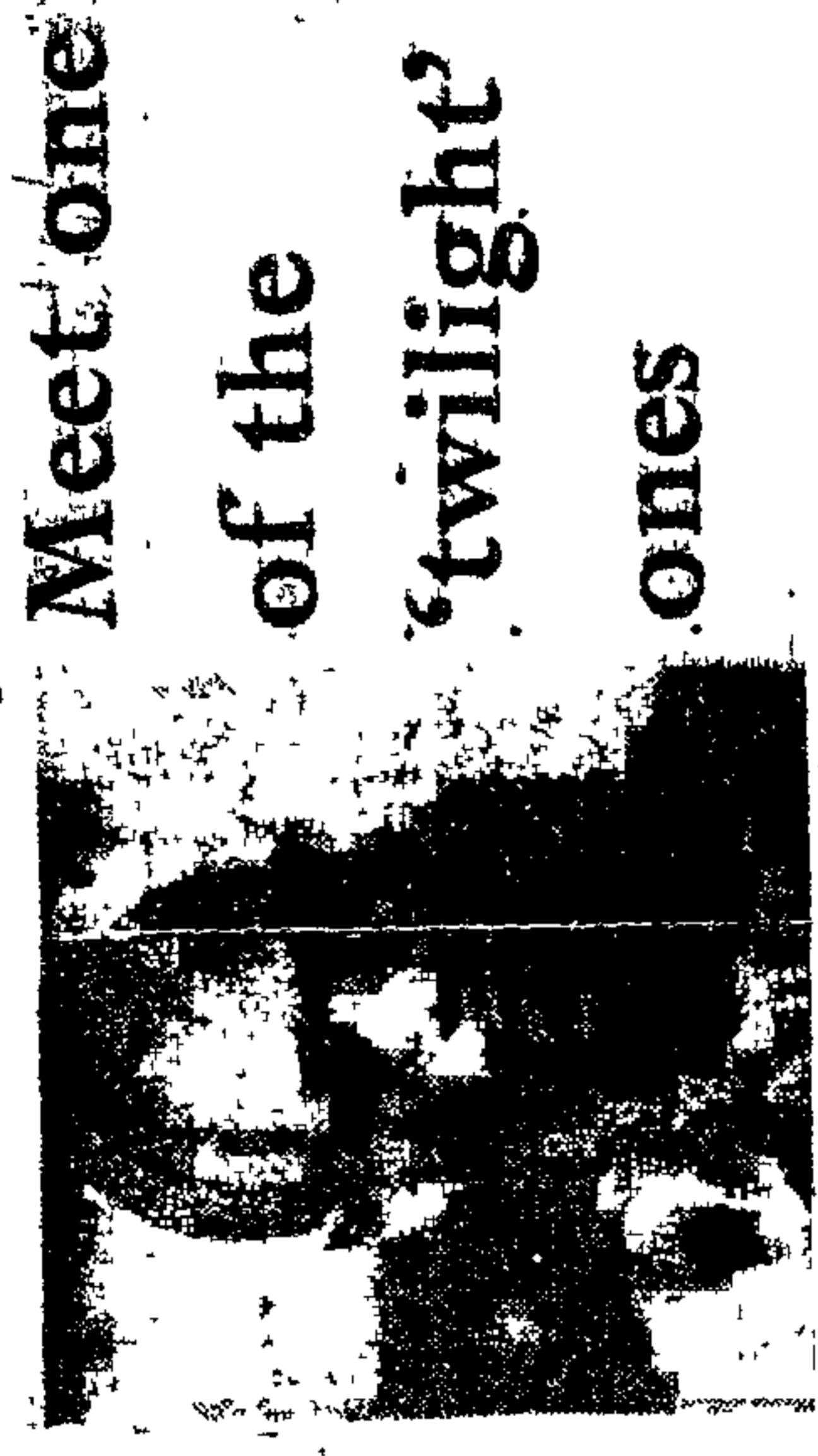
"We have now got the money to rebuild Klipptown and are going ahead as fast as we can," he said. Plans are ready and the go-ahead has been given.

A spokesman for the West Rand Administration Board said that at this stage they were not able to comment on who would be responsible for the black people living in the Klipptown area.

You can't admit a child to school if he doesn't officially 'exist,' so Barend Goodman didn't go to school until he was 17.

And he is at school now only because the Good Shepherd Community Service runs schools for "twilight" children — children who have no identity documents and therefore cannot be admitted to State-run schools.

"We are doing what we can for Barend," said his teacher, Mrs Valerie McNamara. "We are trying to teach him



Meet one of the 'twilight' ones

Mr Daniel Tack first applied to the Department of the Interior for identity documents in 1977. He has just been told his forms have been lost and that he should reapply. He is unable to get a job without identity documents.

Daniel Tack is a "twilight" person. In the eyes of Government he does not exist. At first it did not worry him, but now his plight is desperate.

"When things were easier and jobs were not so hard to find I was okay," he said. But then the economic recession hit and Dan was out of a job.

He was one of the first to go because he did not

have any identification papers. His parents had never registered him so he had never had any papers, he said.

"Since 1975 I have not been able to get a job because every employer wants to see my identification papers."

On June 13, 1977 he sent off the necessary forms to the Department of the Interior. Nothing happened. Twice this year with the help of the Good Shepherd Community Service, he sent off other forms needed by the department.

Began school at 17

Now The Good Shepherd Community Service has phoned Pretoria on his behalf only to be told his forms had been lost.

He must start again — fill out a new form and send it off with two more photographs to the relevant department.

"When will I start existing?," he asked desperately.

the basics so he can cope with life and get himself a job one day.

There are 35 children in Barend's class, all of them in the same plight as he is.

Their average age is about 13.

Shahid Sayed, one of Barend's classmates, is worse off than most. Both his parents died and he now lives with his sister who also has no identity documents.

"I feel his case is hopeless," said one of the community workers. "I just despair at how we are to get him to book of life, in fact I don't think we will be able to."

STUFFED CABBAGE SALAD

May Bennett, Ridgeworth

1 fresh green medium size
cabbage
onions
carrots

tomatoes
fresh pineapple
radishes

Cut the centre from the cabbage, leaving the outer leaves to form a bowl. Wash well. Chop onion. Peel and cube the carrots and pineapple. Cube tomatoes. Thinly slice some of the inner leaves of the cabbage leaving the stalks. Place the carrots, pineapple, tomatoes, sliced cabbage and the finely chopped onion in a bowl adding any juice from the tomatoes, pineapple and add salt and black pepper to taste. Toss well, then pile the salad into the cabbage "bowl". Garnish with radish roses and a small bowl of mayonnaise for those who like it. To make the radish roses, cut across the tops in a double cross, then put them in iced water until the radishes open up.

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GERMAN POTATO SLAD

Ethne Beard, Port Elizabeth

boiled potatoes
cooked bacon
mayonnaise

chopped onion
salt and pepper

Cube the potatoes while still hot. Chop up the bacon, mix with the potatoes, onion and mayonnaise. Season with a little salt and pepper. Use hot or cold.

---000---

EGG SALAD

May Bennett, Ridgeworth

hard boiled eggs
salanaisa

salt and pepper
paprika and parsley

Cut eggs in half and lay on a flat salad platter; cut side down. Pour over salanaisa.

OCTOBER 4, 1979 — 5

Immo:
three
guilty

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4/10/79
DD

EAST LONDON — Two brothers and an Mdantsane woman were found guilty in court here yesterday on a charge of attempting to contravene the Immorality Act.

Miss Pumla Esme Majola, 32, of Zone Four, Mdantsane, a fitter and turner, Mr Elias Paulus Nel, of Grange Road, Panmure and a driver, Mr Wynand Jacobus Nel, 29, of Burn Street, Quigney, pleaded not guilty to contravening or attempting to contravene the Immorality Act and of conspiring to contravene the Act when they appeared before Mr C. L. K. Louw

Each was sentenced to three months' imprisonment, conditionally suspended for two years —DDR

SPRING GREEN SALAD

May Bennett, Ridgeworth

1 medium size lettuce
2 onions
parsley

1 cucumber
mint (fresh)
scallions

Wash and shred the lettuce, chop onions finely and parsley; wash a few pieces for garnishing. Wash cucumber peel and cube. Wash scallions, and cut tops off leaving a short piece of the green left on. Toss the lettuce, parsley, cucumber, onion and scallions together, salt and pepper. Pour over a little french dressing and serve in a glass bowl. Garnish with a few sprigs of mint and parsley.

---000---

CURRIED GREEN BEAN SALAD

Mrs Futter, East London

2 lbs sliced green beans
2 chopped onions

1 d salt, level
2 cups water

Boil the beans (sliced) with salt and onions till cooked, then pour off the water.

Sauce:
1 1/2 cups sugar
1 d curry powder

1 heaped T flour
1/2 bottle vinegar

Mix the curry powder, flour with a little water. Mix well, so that no lumps form, and then add the sugar and vinegar, boil up and stir all the time, then add the cooked beans and onions, bring to boil again. Bottle.

---000---

APPLE TUNA TOSS SALAD

1 medium head lettuce, torn in
bite-size pieces (4 cups)

1/3 cup coarsely chopped walnuts
1/2 cup mayonnaise or salad
dressing

2 cups diced apple
1 11 oz can (1 1/3 cups) mandarin
orange sections, drained
1 6 1/2 or 7 oz can tuna, drained
and broken in large chunks

In a large salad bowl, combine lettuce, apple, orange sections, tuna and nuts; toss together. Combine mayonnaise, soya sauce and lemon juice; mix well. To serve, add dressing to salad; toss gently. Makes 4 - 6 servings.

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By HUGH ROBERTON

THERE are thousands of young people throughout South Africa, especially in the Western Cape, who lead nightmare lives because officially and legally they do not exist.

They are the tragic children born of countless black-white liaisons since the Immorality Act was introduced in 1950 and whose births were never registered

To have registered these births would have exposed the parents to conviction under a law which has led to the prosecution of 15 000 South Africans.

It would have meant that the children would forever bear the stigma of being legally illegitimate and would be classified as Coloured for the rest of their lives, their chance of "trying for white" taken from them.

According to experts on the Government's web of race laws, such as the former MP for Green Point, Mr Lionel Murray, the parents deliberately did not let the authorities know about the births of their children.

Heartrending

Mr Murray, who has handled more than 300 race classifications appeals, said this week: "It's a heartrending situation. These people — and there are very many of them — go through life as non-persons.

"They have no birth certificate, no identity numbers, they sneak into schools by hook or by crook but rarely get beyond primary school

without a birth certificate. They cannot marry, they can only take jobs where an employer is prepared to turn a blind eye to their lack of documentation. It's a nightmare."

Many non-persons turn to white MPs in desperation when they reach a point in their lives where they simply must become 'official'

The consequences are the same as those for the huge number of children of mixed racial unions whose births were registered. They are officially classified as illegitimate and coloured, even though they may have lived as whites all their lives.

Mr Murray estimates that of the more than 500 cases he has handled, at least 100 involved couples of different races living together in defiance of the law



Sun. Tribune 30/9/79

QUOTE

IT'S a heart-rending situation. These people go through life as non-persons. — MR LIONEL MURRAY, FORMER MP FOR GREEN POINT.

The nightmare of the non-persons

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"They take tremendous risks and except where their children are born in hospitals and the hospital authorities automatically register the birth, the children almost always become non-persons," he said.

Legitimacy

Some parents have tried to give legitimacy to their relationship and to their children by marrying in other countries, especially Swaziland, and by ensuring that their children are born there too.

But though their marriage and the legitimacy of their children are recognised under international law, their relationship continues to be unlawful in their own country and their children remain illegitimate.

One of the very few ways out of the nightmare,

Mr Murray says, is for one of the parents to become reclassified. Since it is extraordinarily difficult for a Black or Coloured person to be classified white, the white parent invariably is classified coloured.

"But some families are family, which has almost always been living in a white area, must move to a coloured area. The children must change schools, friends, clubs and virtually every other detail of their lives.

"But some families are prepared to make the sacrifice, just for the sake of ending their non-person nightmare.

"The pressure these people live under is immense. But the pressure to be accepted by the law and officialdom as legitimate is often greater. Very often the consequences are tragic."

NEW LEGISLATION TO BE INTRODUCED

TO BE INTRODUCED IN PARLIAMENT

TO BE INTRODUCED IN PARLIAMENT

By John Battersby

THE former Chief Magistrate of Cape Town, Mr John Wilhelm van Greunen, who pioneered the trend of suspended sentences in Immorality Act convictions, would like to see both the Immorality Act and the Mixed Marriages Act repealed immediately.

In an interview this week he told of the anguish he experienced having to sentence people who were obviously in love for having sex across the colour line.

"From a human point of view it was very difficult to see these people standing before me in court," he said.

"Their only offence was that they had indulged in the sexual act or sometimes had only conspired to commit the act. This would look quite ridiculous in the rest of the world," he said.

"If I had any say I would repeal the Acts forthwith."

"As I read the recent statements of the Prime Minister, Mr P. W. Botha, he would like to do the same and the only factor restraining him is the possible political implications of such a move at the present moment," he said.

Mr Van Greunen said that one of the main arguments for retaining the Acts was that they were essential for the white people to maintain their identity.

"I do not believe they are necessary to maintain white identity and they have failed dismally to achieve that goal anyway," he said.

Mr van Greunen said he rubbed people of all



Former Chief Magistrate of Cape Town, Mr J. W. van Greunen, would like to see the Immorality Act and the Mixed Marriages Act scrapped

SCRAP

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THESE LAWS!

political persuasions up the wrong way when he first started imposing suspended sentences on Immorality Act offenders.

"Many people looked at me askance at the time and people would whisper the disapproval of colleagues to me at parties."

"But I persevered and today it is the normal sentence for first offenders," he said.

He said in the light of Appellate Division rulings, which affirmed that Immorality Act offenders should be regarded in a very serious light, his imposition of suspended sentences was rather unpopular.

"The option of a suspended sentence for certain crimes acts as a safety valve in our criminal law.

"But it was not as though I avoided my judicial responsibilities I always considered carefully the person, the offence, and the interests of the community before imposing a suspended

sentence," he said.

"It was a strictly judicial approach. I couldn't for the life of me see why I should treat immorality cases on a different basis from other cases when it came to the imposition of a suspended sentence," he said.

Looking back on the immorality cases he has presided over during his career as a magistrate, he said in many cases it was obvious there was genuine love between the people

"There were some very difficult cases," he said

"I recall one case in Mossel Bay where the woman involved in the case was about to give birth. Here I went to the length of invoking the procedure of postponing the passing of sentence — which in effect meant no sentence at all," Mr van Greunen said.

"I also handled a celebrated case of a professional man who had relations with a coloured woman. Again I imposed a suspended sentence

QUOTE

From a human point of view it was very difficult to see these people standing before me in court. If I had any say I would repeal the Acts forthwith. — Former Chief Magistrate of Cape Town

"Then there was the case of a Dutch Reformed minister in George who was convicted under the Immorality Act and I suspended sentence on the grounds of psychiatric evidence led by the defence

"I once had a case in the Transvaal of a white man who was convicted with a coloured woman who was herself the product of a union between black and white.

"They made it clear during the trial that they were not going to part so they had to go to Botswana to continue their relationship. Again I imposed a suspended sentence."

He said the only positive improvement in

the legal situation regarding immorality cases was the introduction of the procedure that the Attorney-General had to personally vet all cases before deciding to prosecute

In practice this has led

to a decline in the number of cases coming before the courts," he said.

Mr van Greunen retired as Chief Magistrate of Cape Town in 1975. He lives with his wife in Somerset West.

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Sunderly TITVINE
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Twilight hell for couple who loved

Tribune Reporter

A COLOURED man from a platteland town this week told the incredible story of how he and his white Afrikaner lover have spent the last year together and of the living hell they have endured to realise their dream of marriage.

The couple are living with relatives in a coloured township near Cape Town while they wait anxiously for residence and work permits in a neighbouring African state.

For the purpose of this report they are Vincent and Jenny. Vincent is 42 and Jenny 27.

The couple met in a big platteland town where they worked for the same company — he as a salesman and she as a telephonist.

She had come to the town from Johannesburg where she had recently divorced her husband after a traumatic marriage. She retained custody of her five-year-old daughter.

Vincent was in the process of divorcing his wife when he met Jenny.

"She came to the firm as the switchboard operator and I was introduced to her. There was a special feeling between us from then on, which gradually developed.

"But it was only a couple of months later at the end-of-year office party that things really happened and we had our first date. We spent the night together."

From that day on Vincent and Jenny entered a terrifying twilight world which resulted in a near nervous breakdown for her and her

departure from the town.

Once their relationship became common knowledge things went from bad to worse.

"We were both asked to resign from our jobs. It was done in a roundabout way, but the real reason was obvious," Vincent said.

"But life became increasingly impossible for Jenny. She received threatening notes from neighbours at her flat.

"She also got a hard time from my family and her family who all objected strongly to our relationship. Jenny's sister was the only one who accepted that we could be in love.

When Jenny's brother found out about Vincent he turned against her.

She tried to get her ex-husband's signature to have her daughter included in her passport, but he refused and on one occasion raped her.

Vincent finally went to join Jenny in Johannesburg and her brother threatened to shoot him unless he left.

Her ex-husband was successful in a court application to regain custody of the child. The order was granted on the grounds of emotional instability and the fact that she was involved with a "coloured" man.

"Jenny just cried and cried for days and nights after her child was taken away from her, and she is not over it yet.

"She has fought her family all the way and soon we are going to realise our dream," Vincent said.

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Courts ease up on Immorality Act cases

By TONY STIRLING
Chief Reporter

MAGISTRATES are acting on their own discretion by imposing suspended sentences or postponing sentence in Immorality Act trials.

Reported cases of the Immorality Act indicate magistrates throughout South Africa have in recent years tended to suspend or postpone sentences — a trend which started in the Cape Town Magistrate's Court in the mid-1960's

The man said to have started the trend is Mr Johan van Greunen who retired as Chief Magistrate of Cape Town in 1975

Mr Van Greunen said from his home at Somerset West yesterday that in the mid-60's when he began to introduce suspended sentences or postpone sentences — which in effect means there is no sentence at all — in Immorality Act cases his action caused a lot of raised eyebrows. It was at a time when courts throughout the country were tending to impose actual sentences on those con-

victed under the Act

"At that time a suspended sentence for immorality was almost unheard of," he said

He said although it was clear the legislature regarded the offence in a very serious light by providing for sentences of up to seven years there was no prescribed sentence

Mr Van Greunen said one of the reasons for the repeal of the Act, said this freed him to use his discretion and apply the normal judicial tests on conviction, including the circumstances of the accused and whether or not it was a first offence, and what the interests of the community were

He said, however, that in passing sentence he was using the strict judicial yardsticks which applied in criminal cases where magistrates were given a discretion and had been careful in applying these judicial tests in determining sentence

In this regard he viewed immorality cases as being no different from other criminal cases in which the court was granted a discretion

Inquiries at magistrate's courts and with other legal channels this week indicated there have been no directives to magistrates on how to deal with Immorality Act offences. But from reported cases it is clear suspended or postponed sentences are applied in the vast majority

In recently reported cases, imprisonment was given only in cases of second offences or where there were aggravating circumstances

Mr Van Greunen said one of the factors that had improved the situation since 1974, was that all cases under the Act were vetted personally by the Attorneys General of the provinces

This had led to a sharp reduction in the number of cases coming before courts, although it would appear from reported trials that the proportion of successful prosecutions is higher

Reports suggest there may have been up to 15 000 convictions under the Act since its introduction in 1950.

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Unfortunately, such intuitive processes can pick out only the grossest incongruities which are recognised by all, whatever criteria of 'value' are used. The optimum level of expenditure on a particular objective is, from the point of view of intuitive judgement, highly uncertain, because of the wide variation in benefits attributable to a particular type of spend-

fits of expenditure under each programme to be, a process which cost-benefit analysis seeks to formalise (see below). For example, if it can be shown that expenditure on preventative medicine constitutes approximately 2% of all expenditure on health,¹¹ it may be felt that the benefits from this kind of provision warrant an increase in the share of the budget allocated to it.

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ing. This is partly due to a deficiency in information on the results of the programmes which can be resolved by recourse to appropriate data. Nevertheless, there will also be differences of judgement which cannot be resolved without prior agreement on the relative valuation of different benefits which have to be fed into the analysis; and in the intuitive process, these two factors may not be differentiated.

A very large proportion of decisions are now taken with no further analysis than this. Any further steps involve a way of systematically valuing the benefits of different programmes to render them comparable to one another.

2.4 An Informal Method for Setting Objectives

The following method for guiding the choice of priorities has been described by John Bryant.¹² It has been used by medical and nursing students in Thailand, and one of its advantages is that it can be used where no numerical data is available. It, therefore, lends itself to discussion, to draw on the experience of a group of people.

Potential health problems are first listed, and then given a score (from one to four pluses) under each of four headings:

Diagram 1 A method of ranking health problems

Problem	Prevalence	Severity	Community concern	Vulnerability to management	Total
Large & poorly spaced families	++++	++++	+++	++	96
Inadequate antenatal & obstetric care	+++	++	++	+++	48
Malnutrition	+++	+++	++	++	36
Need for medical care	++	++	++++	++	32
Specific diseases:					
V.D.	++	++	++	++	16
Dental problems	++++	+	++	++	16
TB	+++	+++	+++	++	54
Common cold *	++++	+	+	-	0
Yaws *	-	++	+++	++++	0

* Added to test scoring method

Get rid of these laws

A JUDGE issued a powerful appeal this week to South Africa's legal practitioners to support moves for the repeal of the Immorality and Mixed Marriages Acts.

Mr Justice J H Steyn — on special leave from the Bench to serve as executive director of the Urban Foundation — told a conference of the Transvaal Law Society in Johannesburg that his years of involvement with the law had convinced him that it simply did not work to use criminal law to control everything which was regarded as socially undesirable or morally repulsive.

Of the Mixed Marriages Act he said: "It is only in countries where religious hysteria prevails and is linked to a merciless power structure such as that in Iran and Libya that one sees this kind of legislation being applied with fanatical zeal."

While the desirability of such marriages, like all unions where there are great cultural and religious differences, must be seriously doubted, it was nevertheless inappropriate to prohibit them by means of criminal law procedures.

The Immorality Act could also not be retained on the Statute Book without it being enforced by prosecutions and punishment.

"Is it not much wiser to rely on the sanction of social disapproval rather than to strive inactively to employ the penal

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judge says

Repeal the Immorality and Mixed Marriages Acts

Judge Steyn ... change morals laws

By KEVIN STOCKS

● Said the legal-aid system needed to be extended as no independent court will be given to establish a Bill of Rights enforced by an independent court with the power to

to cater for the legitimate needs and requirements of a constantly developing mankind." Mr Justice Steyn said And he warned that a society

Steyn issues appeal to push for change

ple for the implementation of sectional rather than national interests, and should it seek to oppress rather than to regulate and control the subject in areas necessary to secure order and stability, the respect of the subject will be found wanting and he will decline to participate in its processes save under duress — and duress has a very limit-

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SAYS

APPLIED EXAMPLES

GENERALLY ACCEPTED ACCOUNTING PRACTICE

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code?" he asked.
Judge Steyn made a powerful plea for a more just legal system in South Africa, both in legislation and practice.
In his speech he
● Called for consideration to

review legislation.
● Called for as many black lawyers to be trained as possible, saying there was a crying need for them in all branches of law "including the judiciary."
● Called for consideration to

that allowed its legal system to become either oppressive or vacillating and capricious for felt participation by people and disorder will result.
"Accordingly, should a system of justice become the vehi-

ed life-expectancy
"Moreover, duress feeds on itself, requiring constant reinforcement through ever increasing oppressive provisions"
Mr Justice Steyn said that in his contacts with urban blacks it was obvious there was a lack of faith in the legal system.
"Whether it is justified or not, our legal system is chiefly seen as an instrument whereby black communities are controlled — or even suppressed," he said

'It won't make any difference...'

By Tim O'Hagen

PROFESSOR John Blacking, whose love for an Indian doctor, Zureena Desai, led to a conviction under the Immorality Act 10 years ago, told the Sunday Tribune yesterday: "If you scrap the Immorality Act it won't make an iota of difference to the apartheid system."

The trial was widely reported throughout the world.

Professor Blacking and Zureena, whom he later married, became probably the most celebrated victims of the Immorality Act in 1969 after they declared their love for each other in court. They were each sentenced to four months' imprisonment. The sentence was suspended.

Professor Blacking, former professor of Social Anthropology at the University of Witwatersrand, was at the home of a colleague and friend, Professor

Andrew McCredie of Adelaide, South Australia, yesterday. He is presenting a paper on music.

Reacting to the announcement by the Prime Minister, Mr P. W. Botha, that he intended reviewing the Immorality Act and the Mixed Marriages Act, Prof Blacking told me: "This is not going to make any difference to the blacks — it will help a handful of whites, that's all."

Professor Blacking said Mr Botha's announcement that he would review both Acts had been made only to placate hostile international feeling towards South Africa.

Professor Blacking disclosed his love affair with Dr Desai, which the Immorality Act exposed to the world in 1969, continued when he and Zureena quit South Africa together at the end of 1969.

The couple married abroad after Professor Blacking's wife Brenda, was granted a divorce in the Rand Supreme Court in 1972.

ZUREENA Blacking at the time of their trial

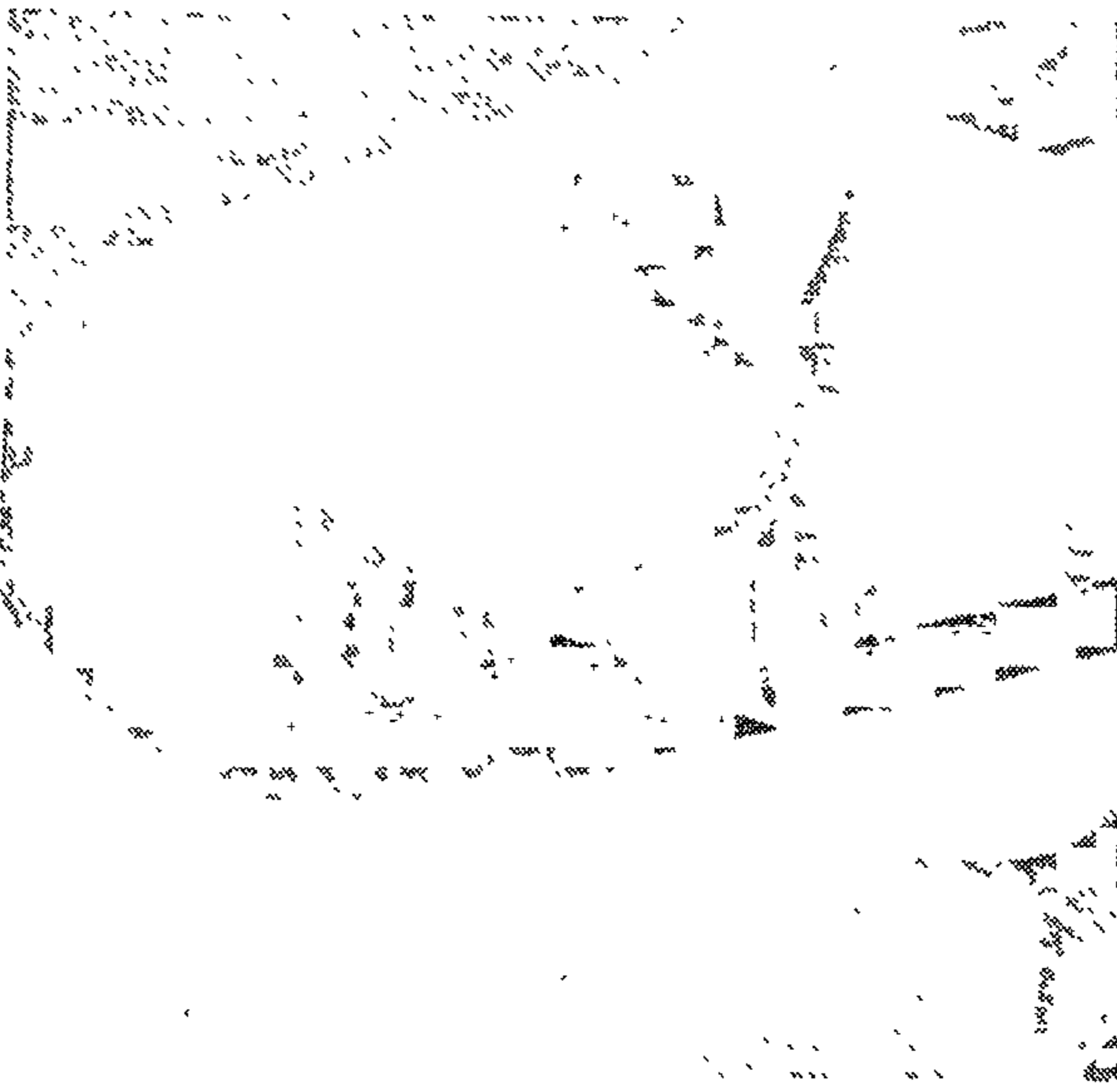
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hope of a change in the Mixed Marriages and churchman Koot takes an uncompromising stand

The week P. W. Botha gave Immorality Acts, Christian

**LET'S
KEEP
THEM
SEPARATE!**



● Lynette Moodley, daughter of a Transvaal judge, Mr Justice Botha, who met her husband-to-be in Pretoria but had to go overseas to marry. Her marriage to Sivalingam Moodley took place in London earlier this year.

By PETER MANN
Political Correspondent

IF THE Immorality Act and Mixed Marriages Act were removed because they were insulting to the Afrikaner, then the law against murder should also be removed, Dr "Koot" Vorster, Moderator of the Cape Synod of the NGK, said this week.

He was commenting on indications by the Prime Minister, Mr P. W. Botha, that the Government was prepared to consider on merit changes to the Immorality and Mixed Marriages Act.

Mr Botha's remarks, made at the Cape congress of the National Party, have caused a furious debate in church circles and will almost certainly lead to a clash with the NGK.

In an interview this week Dr Vorster said the NGK synod was in favour of extending the Immorality Act to prohibit sex between coloureds and Africans "but only if the people want it, of course".

Dr Vorster, brother of former State President and Prime Minister John Vorster, said: "I am definitely in favour of keeping these laws."

Insulting

"I have seen how immorality has been increasing in South West Africa where they have been dropped.

"There are people who say they should be dropped because they are insulting to the Afrikaner. But then you may as well drop the laws against murder.

"Those are also insulting to the Afrikaner because the laws are made for the exceptions — not the majority who obey them."

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Dr. Vorster was backed up by Dr F. E. O'Brien Geldenhuys, chief executive officer of the NGK. In an interview this week with the Afrikaans newspaper, the Burger, Dr Geldenhuys said changes to the laws should be treated very carefully.

He praised the Prime Minister for not giving in to pressure and "throwing the laws out the window".

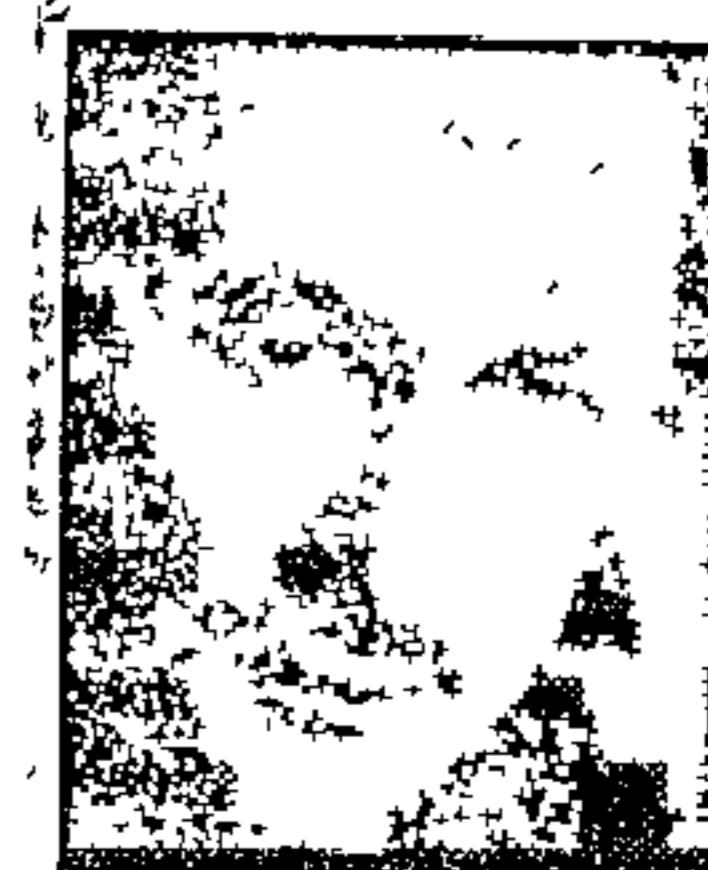
"Nowhere in the Scriptures is marriage between white and black prohibited, but South Africa has a complicated ethnic population and the law cannot be summarily suspended."

The attack has been joined by Mr Jaap Marais, leader of the HNP, who said the Prime Minister was busy destroying the very foundations on which the ruling National Party was based.

"He does not have a mandate from South Africa's voters to do this or the other changes he is talking about," Mr Marais said.

He predicted Mr Botha would come to a sticky end, "as did the previous Prime Minister, Mr John Vorster," and "I will not spare him, although I hope he lasts another year because he has done so much good for the HNP."

Nationalists are so confused about principles and



Jaap Marais . . . Botha is doing the HNP a lot of good

policies since Mr Botha came to power that they are streaming to the HNP, especially the young people who want to ensure a future for their children in a white South Africa

"The HNP does not hate Blacks, but it believes in a white fatherland where there must be self-preservation through self-segregation," he said.

He accused the Nats of destroying apartheid and promoting integration instead, to the detriment of the white people.

News by P Mann, 85 Field Street, Durban, and R. Abbott, 216 Vermeulen Street, Pretoria

Dr. Vorster . . . It's the same as murder in some ways.

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Immorality Act slammed

Political Staff

THE ASSEMBLY — The Government was urged in the Assembly yesterday to spell out what it intended to do about the sex-across-the-colour-line clause of the Immorality Act and about the Prohibition of Mixed Marriages Act.

The issue was raised by

the Leader of the Opposition, Dr F van Zyl Slabbert, who condemned these laws as "miserable examples of human folly and error — a blight on our past and a threat to our future"

He added in his no-confidence speech: "But we have reason for gratitude. For the first time in the history of National Party Government we

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JW 5/1/50
have a Prime Minister who has publicly stated that he is prepared to change these laws."

Dr Slabbert quoted statements by Nationalists, including the Minister of Agriculture, Mr Hendrik Schoeman, and the Minister of Foreign Affairs, Mr R F Botha, suggesting that the Immorality Act provision was not needed in South Africa.

There were others, Dr Slabbert said, who did not wish to see the Act changed.

EXPECTATIONS

"What is the Prime Minister going to do? He has created incredible expectations, both at home and abroad, about his willingness to move away from statutory discrimination."

Reacting to Dr Slabbert's remarks, the Minister of Mines and of Environmental Planning and Energy, Mr F W de Klerk, accused the opposition of creating false expectations by suggesting that the Prime Minister would abolish certain laws.

Mr de Klerk said the Prime Minister, in his reference to the Immorality Act and the Prohibition of Mixed Marriages Act, had spoken of seeking improvements to these laws.

The Chief Opposition Whip, Mr Brian Bamford (PFP Groote Schuur), interjected. "Does it mean you have to phone Pretoria for a permit?"

Today's BUSINESS

Today's business in the House of Assembly is: Resumption, No Confidence debate. — Sapa.

Hansard 1 (229-230)

6/2/80

No Confidence Debate

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WEDNESDAY, 6 FEBRUARY 1980

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that I have discussed this matter with many leaders from church circles and from other population groups and that I have explained the matter to them in the terms they discussed it with me in a reasonable manner in my office and said that they now understood it. The Immorality Act is primarily intended—and this is a fact—to prevent non-White women from being exploited by unscrupulous White men. The hon. the Leader of the Opposition knows that this is true. This is a social evil and if a State connives at this or knowingly allows it to happen, it is playing with one of its foundations. This is so. It can lead to a decline of moral standards and it can create bitterness between White and Coloured. I know quite a lot about this matter because I handled the Coloured Affairs portfolio for years and I remember the discussions I had with Coloured parents and Coloured teachers who think sensibly on these matters and with Coloured clergymen. The fact is that it is not White women who are most frequently exploited, but underdeveloped Coloured women. As far as the future of the Immorality Act is concerned, I want to tell the hon. the Leader of the Opposition that there are strong feelings among his people about these things. For that reason, in its handling of the Immorality Act, the Government cannot blindly heed the clamour which suggests that all will be over in South Africa if we repeal the Immorality Act. I said at the Cape congress of my party that there were professors who said that it should be abolished. However, these professors ponder these matters in their own circle. I have a high regard for academics and I have afforded them more opportunity to participate in consultations than any of my predecessors did. However, they cannot set the pace for us. We are dealing with a nation whose history shows us that it has been opposed to this kind of mixing for 300 years. By that I do not mean to imply that it is superior. Not at all. But it is a social evil to be reckoned with. I then said very well, let us retain the principle of combating immorality as such. I suggest improvements, submit proposals about how the law can be changed while still pursuing the same object. Submit proposals about how we can remove its harmful elements and I shall consider them on merit. I repeat the invitation today. More reasonable

than that hon. members cannot expect me to be.

Mr B R BAMFORD: Have you received any suggestions?

*The PRIME MINISTER: No, I have not received any suggestions. What I have received are letters, which I can write too. I have not even received a suggestion from the hon. member for Grootes Schuur about how we can improve this thing.

Mr B R BAMFORD: It is not at the Cape congress of your party.

*The PRIME MINISTER: My congress does not want us to abolish it summarily. Let us now look at the Mixed Marriages Act. Do not quote P. Botha and Hendrik Schoorlans to me. The way I do it, we can combat immorality while removing from the law the hurtful things to which people refer. We are prepared to go into the matter. However, I am not going to take the responsibility upon me in this country for allowing these things to take place on a large scale to the detriment of the character of the State. Let us examine the Mixed Marriages Act.

Mr D J DALLING: Do not bother. There is no change. Do not deal with it.

*Mr SPEAKER: Order!

*The PRIME MINISTER: The Act is of a completely different nature from that of the Immorality Act. I readily concede that to the hon. the Leader of the Opposition. It is of a different nature. That is why it is implemented with compassion by the Minister concerned. I think we should implement this Act with compassion. This also gives rise to certain social consequences which cannot simply be ignored in a population structure such as the South African one. All I am asking the hon. the Leader of the Opposition is that we should consider these matters in a calm and reasoned manner and that we should not agitate about them. There are other beliefs and opinions on this subject in South Africa as well. Our country is divided on this.

Mr A B WIDMAN: Whom is this Act protecting?

*The PRIME MINISTER: No, wait a minute. I am only saying what happened. I now want to put the standpoint of the Cabinet. In the first place, the Immorality Act has a bearing on moral norms, norms which can be defended on moral grounds because the State, if it has any integrity, has to guard against immorality. I hope the hon. the Leader of the Opposition will concede me that I am talking now of the principle. In the second place, it is the standpoint of the Cabinet that this law is not intended to denigrate any group of people or to render them inferior to any other group. I can tell

Notes:

In addition, much research at universities is funded privately. MRC grants constituted only 21.5% of UCT medical research funds.

Additional costs are: disability grants; compensation for industrial accidents; compensation for occupational disease.

In the latter category, the mines alone accounted for compensation worth R17 million for occupational diseases:

sick pay funds; unemployment insurance paid to workers off sick, health care provided by the industrial sector.

These figures include only direct costs to government, private persons or firms. Indirect costs: loss of productivity, inconvenience etc. which can be measured in money terms would probably be far greater; e.g. Wynand Louw (*20) estimated the cost of alcoholism and problem drinking in the Western Cape alone to be R33 million, of which R14-15 million was accounted for by loss of production. Oosthuizen (*63) estimated the cost of peptic ulcers in South Africa to be R50,8 million p.a., of which R31,9 million p.a. was loss of production. Thus, these direct expenditures are not the only, or the main economic loss to be avoided by improved health care and prevention. Added to this, are the unquantifiable costs of inconvenience, pain and bereavement.

McGrath (Ch.5) pointed out that health expenditure in South Africa has not kept up with the growth of GNP since 1959/60 and is now below the average proportion of GNP for other countries with the same income level. This is associated with a falling proportion of government expenditure allocated to health services. (See Ch.5, Table 4).

The overall impact of health expenditure on health status is limited, McGrath shows, by an extremely uneven allocation. The racial distribution of health expenditure (insofar as this can be judged from official statistics) is more uneven than that of either income or total consumption. 73% of Whites are covered by medical aid, but very few Blacks. There are disparities in both quality and quantity of hospital beds in relation to population. The geographical differences in population per doctor '969:1 in the 13 largest urban areas and 23 037:1 in 'homelands' in 1970) are representative of the differences in the availability of health services by area, and this further accentuates racial and income inequalities.

3.2 HEALTH STRUCTURES IN SOUTHERN AFRICA: SOME CASE STUDIES

Papers discussed in this section are those by Smith (*11), Raine (Ch. 15), Ross, Maswago and Moja (Ch.17) and Kitai (Ch.16), on urban health services and Westcott (Ch.11 & *55) and Scott (*58) on rural services. Kevin Solomons' paper on mental health services, although relevant here, will be discussed in section 9.

All these provide some evaluation of the existing models of health service in South Africa and illustrate the practical possibilities of simple health-service based research. It is useful to consider these studies

in the light of some historical structures, as described by Kanis, Gluckman Commission and the Health Gluckman Commission⁹ investigated structure and found it fragmented health needs, and excessively oriented alternatives for future development in Israel and other countries, but acceptance in South Africa.

The Commission advised the establishment based on a modern concept of health and curative service at grassroots

3.3 URBAN SERVICES

Although the Day Hospitals (in light of the health centre experience) is tenuous: the Day Hospital present and operate with conveniences who attend without attempting to the work of the district sister employed by the Cape Divisional Despite the impressive improvement Smith in support of the Day Hospital difficulties in relating such when so many other variables

Political Staff
THE ASSEMBLY — The Prime Minister, Mr P W Botha, said in The Assembly yesterday that it was the duty of whites to bring home to blacks that the laws preventing sex and marriage across the colour line were not symbols of injustice and humiliation

Mr Botha said this in reply to a question by the leader of the New Republic Party, Mr Vause Raw,

during the no-confidence debate
Dealing at length with the issue during his two-hour speech Mr Botha killed recent speculation that either of the measures might be repealed but repeated his offer to listen to suggestions for improving the measures by removing the sting while retaining the objectives of the laws.
He said that the relevant provision in the Immorality Act was primarily aimed at protecting

black women from being exploited by unscrupulous white men.

Mr Botha said that there were strong feelings among his people about the measures and to repeal Section 16 of the Immorality Act could lead to the lowering of moral standards.

He conceded that the Mixed Marriages Act was a different issue to the Immorality Act and indicated that it would be applied with discretion

Law not symbol of injustice' ^{Spaw 7/2/80} ⁽²³⁸⁾ ^{use} ¹⁵ ^{by} ^{the} ^{es}



Mr Dirk Kotze in Johannesburg yesterday on his "separate" holiday

STAR 8/2/80 238

Twilight marriage of Dirk and Ida

By John Murray

Six years after leaving for Australia to escape the agony caused by South Africa's Immorality Act, Mr Dirk Kotze (34) and his Coloured wife Ida (30) are still forced to take separate holidays in their own country

Mr Kotze arrived in South Africa at the beginning of December and is spending 2 1/2 months with family and friends in Cape Town, Durban and Johannesburg

Ida stayed behind at their mobile home in Werribee, Melbourne, with their two children, Connie (7) and Jasmine (8)

She plans to visit South Africa in September

Mr Kotze said he was still trying to get birth certificates and travel documents for his children

"I contacted the leader of the Progressive Federal Party, Dr van Zyl Slabbert, and he has promised to take the matter up with the authorities

"But we are defi-

nitely not planning to return to this country permanently. We are very happy in Australia.

It was on May 22 1974 that the Kotze family boarded the ship Marconi in Cape Town after four years of harassment and emotional agony because of the Immorality Act

The couple had met in 1970 in a Paarl restaurant where Mrs Kotze had been a waitress

Their problems began immediately and they fled to what was then Lourenco Marques after being married according to Muslim rites in Cape Town

Their children were born there and though both parents were South African citizens, the authorities refused to register the births.

Unable to support his family, Mr Kotze returned to South Africa hoping his family would be allowed to join him eventually

But officialdom continued to bar their way



The agony of waiting . . . Mr Dirk Kotze, his wife Ida and their two children, walk along the beachfront in Maputo six years ago, before being told their children could not enter South Africa. Now the Immorality Act has forced them to take separate holidays

The children were regarded as Portuguese and repeated applications for visas that would allow them to be brought into the country were refused

The only way out was to emigrate. Mr Kotze is deter-

mined not to submit to the dictates of apartheid regarding his passport

"I could get an Australian passport for the kids if I applied for one

"But then that would be giving the

South Africans exactly what they want

"Then I would be running away in every sense and this country needs changing.

"If everyone ran away just because of apartheid, there would be no change"

Ban on his romance unchanged

DISAPPOINTED by what he regards as a lack of change in South Africa, Mr Dirk Kotze can hardly wait to return to Australia where he fled six years ago after marrying a coloured woman in Mozambique.

Mr Kotze, 34, arrived unannounced by bus at his mother's home in Ceres early one morning, full of trepidation as to the reception he would receive from the townsfolk.

CHILDREN

And back 'home' in Warrabee, Melbourne, his wife Ida, 29, spent a lonely Christmas with their two children, Connie, 6, and Jasmine, 7.

But Mr Kotze, an operator in a chemical factory, received a hearty welcome from his mother and new stepfather. And the townsfolk opened their doors to the young man who fell in love with a waitress in a Paarl restaurant.

That is where Mr Kotze's tale of apartheid heartbreak began. He

courted Ida for a year before she agreed to marry him. And then they could only do so in Mozambique.

They married under Muslim rites.

He tried to be reclassified as coloured, but the Department of the Interior turned him down.

The department repeatedly refused to allow Mr and Mrs Kotze to live in South Africa. For more than a year he was refused permission to bring his children into the country.

The couple had gone to Mozambique after being acquitted of contravening the Immorality Act.

'It has been great seeing my mother again. It was good to see my home town and South Africa.'

'But I was disappointed by the lack of any real change. I want to go back home,' Mr Kotze said.

He will fly to Melbourne on Friday. 'I will never live in South Africa,' Mr Kotze said.

s & Monis factory in Bellville Sout have of the fellow workers were dismissed. The 1 five were members of a trade union. er pay and hours of work - P40 a week .he factory says these demands are "out ould lead to "disruption" in his firm.

Food & Canning Workers Union) say the g the union rights to negotiate for better gotiate with the union. It says the man s part of a cut-back of staff.

more than half the men on strike are e threat of being endorsed back to the d firm with their 'Coloured' brothers and men from the Department of Labour tried to o had gathered outside the factory. The u, d, 'We were all there for the same purpose.'

rkers are increasing. At a solidarity ty and college students from U.W.C., Hewat, Technical College called for workers to s & Monis products.

n says it will instruct its members not ere is negotiation.

S) has called on all sports bodies and he call for re-employment of the workers

At a meeting at U.C.T. over 500 students supported a call for a boycott of all Fattis & Monis products.

Fattis & Monis insist that there is no 'dispute'. However a director of the firm says he is worried about the calls for a boycott of the factory's products by blacks as much of the factory's trade is with blacks. The management have kept production going by employing scab workers in the place of the stiking workers. However production has been slowed down.

Who are Fattis & Monis? Fattis and Monis is the factory which produces the following products: All Record flour products including self-raising flour, Cake flour, Bread flour, Sifted flour, Unsifted flour, Wjeatie Treat flour; All products with the Fattis & Monnis brand name including icecream cones, wafers, cake cups, macaroni, spagetti, large & small shells, ribbon noodles - broard, narrow, plain and green, rings and dilatines; All the above noodles and spagettis under the following brand names: Pick 'n Pay, Pot o' Gold, Princess, Checkers and Roma; Philadelphia flour and Koeberg Mille pack mealie meal. Fattis and Monis also control a number of Bakeries including Wrenck Town Bakery in Observatory, Good Hpe Bakery in Elsie River and Ultra Bakery in Somerset West.

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'Ignore bans on mixed marriage'

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Religion Reporter

HAMMANSKRAAL

Churchmen examining proposals for civil disobedience have suggested that ministers should ignore the bans on racially mixed marriages and on quoting banned people and publications

The suggestions, which have not yet been acted on, have been raised in background papers provided for a church consultation on the Programme to Combat Racism of the World Council of Churches being held there

Delegates and observers, mostly from member churches of the South African Council of Churches, are attending the consultations

RACE LAWS

One document, prepared for submission to the executive committee of the SACC, suggests that last year's SACC resolution urging that churches withdraw from co-operation to the State in areas where the law violates the justice of God should first be implemented in church-controlled situations

Then the churches should also attempt to work out what non-co-operation means in some general areas of life that affect everyone, for example race classification and in carrying of identity documents"

The documents mention "positive non-co-operation" rather than "civil disobedience."

The documents proposed

- Churchmen might ignore the Prohibition of Mixed Marriages Act. Such marriages were already taking place but had apparently not been registered with the State
- Banned people and publications facilitating an understanding of the Gospel should be quoted in church media and pulpits
- Churchmen serving in areas for other race groups should live there without permission if necessary

Dean Simeon

Nkoane of the Anglican Church in Johannesburg was doing this

● Whites should attend services in black urban townships

● Christians should ignore the Group Areas and Urban Areas Acts to entertain people of other races in their homes

All church, hospitals, orphanages and seminaries should be open to all races.

'Mixed marriages taking place'

Printed by S.R.C. Press, ...

HAMMANSKRAAL — Mixed marriages are taking place in South Africa today, says the Justice and Reconciliation Division of the South African Council of Churches.

In a working paper submitted to delegates of member churches of the SACC attending this week's conference in Hammanskraal on combating racism in the '80s the Division adds: "To our knowledge no attempt has yet been made to register such a marriage so that the State has not really been challenged."

Referring to the willingness of the Prime Minister, Mr P W Botha, "to consider revision" of the prohibition of the Mixed Marriages Act and the Immorality Act, the Division said the first step should be simply to ask for the total repeal of the Mixed Marriages Act with supporting theological and moral arguments.

"Only if this is refused should civil disobedience be considered."

Staw
12/1/80

If the Mixed Marriages Act could be successfully challenged "essential ideological components of apartheid will have been destroyed. Even though this does not change the whole system, if it is the mind of the State to give way on this issue we should readily assist it"

The question was how to add weight to the call for change.

The General Secretary of the SACC, Bishop Desmond Tutu, said racism was totally at variance with the nature of the church and the credibility of the gospel was at stake.

"We all know the pain of doubting that you are a child of God because you are a victim of a system which tells you you are non-this or non-that," he said.

The bishop said it had been decided that it was time to review the World Council of Churches programme to combat racism. — Sapa.

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Umbutho wala

Umbutho oyi Women for Peace Movement ucele ukuba efektri yenzi uphando nothethathethano kunye nabasebenzi.

Abafundi base U.C.T. bayenzi le eyabo intlanganiselo bebona kalisa ubunye nabasebenzi. Bacele ukuba imveliso zakwa Fatts & Monis zingathengwa okanye zingasetyenziswa.

Umbutho oyi South African Council of Sports SACOS ucele onke amalungu awo nazo zonke iziko ezinonxibelelwane kunye nabo ukuba zixhase abo bagxothwayo de baphinde bageshwe. Yaye akufuneki bayithenge imveliso yale fektri.

Umbutho oyi Western Province Traders Association uthethathethano. Ukuba angayithengi imveliso yalefektri de bavume uthethathethano.

Fatts & Monis ingathengwa. Abafundi bathethathethano mabaphinde bageshwe kungenjalo yonke imveliso yakwa

Ayanda amanani abantu abazibandakanyileyo nabasebenzi kwiveki ephelileyo kubekho abafundi base University nakwano kolegi abangaphezulu kwe - 500. Abafundi bavelu kwezi ziko U.W.C., Hewat, Peninsula Training College ne Bellville Technical College.

Abamnyama xa bebemengaphandle kwefektri. Abasebenzi bali ukwathulwa, omnye wabo uthethathethano ngaphandle kwefektri. "Siphaw sonke yaye injongo zethu zinye."

Nangona aba bagxothwayo ingabantu bebala uninzi lwabo bagwayimbelelo ngamagodka abantu abamnyama. Nangona bathethathethano ngokugxothwa babuyele emphandleni abasebenzi bamnyama bame kwicala lebebala ababathatha ngokuba bangabantu kwabo. Ngosuku lokugala logwayimbo indoda imele cala losibenzi ezame ukubohlula abebala kubantu

lento kunyanzeleke ukuba kuphungulwe abasebenzi. Ifektri ibalula into yokuba omatshini ekusetyenziswa ngabo bathethe indawo yabantu yayo

Abamagunya! kumbutho wunion onamalungu ayi 10 000 (amawaka alishumi) obizwa ngokuba yi (Food and Canning Workers Union) bathi abo bagxothwayo bebesayinile amaphapha anika iunion igunya lokuba benze uthethathethano ngemeko ezibetele ekunokuthi kusetyenzwe phantsi kwazo. Ifektri leyo lalile outhethathethano neunion.

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Population Registration Act

42 Mr D J DALLING asked the Minister of the Interior

238 Hansard 2

- (1) How many appeals (a) were heard, (b) were rejected and (c) were upheld by a board constituted in terms of section 11 (4) of the Population Registration Act, 1950, during 1979.
- (2) what were the reasons for the decision in each case?

The MINISTER OF THE INTERIOR

- (1) (a) 3
- (b) 1
- (c) 2

(2) In the case of the appeal that was rejected the Board found that the objector who had requested that his classification be altered from Black to Coloured was obviously not a Coloured person and had proved neither Coloured descent nor acceptance as a Coloured beyond reasonable doubt. In the appeals that were upheld, the Board did not give any reasons. In these cases the one objector applied to

be reclassified from Coloured White and the other from Black Coloured

'Coloured' number

ends widow's wedding plans

Own Correspondent

CAPE TOWN — A couple's dream of marriage was shattered at the Wynberg Magistrate's Court yesterday when the bride-to-be discovered she had been reclassified as coloured

Mrs Susan Green, a fair-skinned redhead from Diep River, and Mr Aubrey Jooste, with whom she has been living for the past three years, were turned away by a Wynberg magistrate because the number in her "Book of Life" was "coloured"

Mrs Green's late husband was white and her six children were educated in white schools

Her exposure to the realities of the country's race laws began last year when, after an argument with the Department of Social Welfare, her maintenance grant was stopped

and the family was reclassified as coloured

"My brothers and sisters are all classified white, my late husband was white and my eldest daughter is married to a white man," Mrs Green said.

"So I wrote in for reclassification for myself and my children

She heard nothing so she and Mr Jooste went ahead with their marriage plans and, eight months ago, they made an appointment at the Wynberg Magistrate's Court

They were told by the magistrate that he could not marry a "mixed" couple. He advised them to have colour pictures taken — and to send them to the Department of the Interior in Pretoria

As a result, Mrs Green received a "Book of Life"

is Strike

& Monis factory in Bellville South e of their fellow workers were re because all five were members of late for better pay and hours of A director of the factory says and unreasonable and would lead to

ood & Canning Workers Union), saying the union rights to negotiate to negotiate with the union. It that it was part of a cut-back of

ore than half of the men who were on te of the threat of being endorsed are standing firm with their 'Coloured' he strike, men from the Department African workers who had gathered be separated. One said, 'We were all

ers are increasing. At a solidarity

last week more than 500 university and college students from U.W.C., Hewat, Peninsula Training College and Bellville Technical College called for workers to be re-employed and for a boycott of Fattis & Monis products.

The Western Province Traders Association says it will instruct its members not to sell the factory's products unless there is negotiation.

The South African Council of Sport (SACOS) has called on all sports bodies and schools affiliated to SACOS to support a call for re-employment of the workers and a boycott of the factory's products.

More than 400 students from the University of Cape Town held a meeting and called for a boycott of all Fattis and Monis products

The Women for Peace movement has called on the factory to negotiate with the workers.

The Cape branch of Nafcoc — the National African Federated Chamber of Commerce — has issued a statement in support of the dismissed workers.

Fattis and Monis insist that there is "no dispute". However a director of the firm says he is worried about calls for a boycott of the factory's products by blacks because much of the factory's trade is with blacks. The management have kept production going by employing scab workers in the place of the striking workers. However production has slowed down

Who are Fattis and Monis? Fattis and Monis is the factory which produces the following products: The following Record flours; Self-raising flour, Cake flour, Bread flour, Sifted flour, Unsifted flour, Wheatie Treat flour, Philadelphia flour, Koeberg Mille pack — mealie meal, all products with the Fattis & Monis brand name. These include icecream cones, cake cups, wafers, macaroni, spaghetti, large and small shells, pasta ribbons — broad, narrow, plain and green, pain rings, dilatines. Fattis and Monis also pack their pasta products under the following brand names, Princess, Pot o' Gold, Pick 'n Pay no name brand, Ckeckers and Roma. Fattis & Monis also control a number of bakeries in the Cape Town area. These include the Good Hope Bakery in Elsies River, Wrench Town Bakery in Observatory and the Ultra Bakery in Somerset West.



MRS Susan Green and Mr Aubrey Jooste after their marriage plans were upset.

Book of life number ends wedding plan

By Derryn Deavin

no dispute" However a director of the
a boycott of the factory's products
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es, Princess, Pot o' Gold, Pick 'n Pay no

238

Argus 13/2/80

(238)

A CITY couple's dream of marriage was shattered at the Wynberg Magistrate's Court when the bride-to-be discovered she had been reclassified coloured.

Mrs Susan Green, a fair-skinned redhead from Diep River came to The Argus in tears yesterday afternoon after she and Mr Aubrey Jooste, with whom she has been living for the past three years, were turned away by a Wynberg magistrate because her number in her Book of Life was coloured.

Mrs Green's late husband was white and her six children were all educated in white schools. However, her exposure to the harsh realities of the country's race laws began last year when, after a 'set-to' with the Department of Social Welfare, her maintenance grant was stopped and the family reclassified coloured.

APPLICATION

"I didn't understand. My brothers and sisters are all classified white, my late husband was white and my eldest daughter is married to a white man. But I had to take my four children, who were still living with me out of school and I wrote in for re-classification for myself

(Continued on Page 3, col 1)

They wed illegally

MIXED marriages are taking place in South Africa, says the justice and re-conciliation division of the SA Council of Churches.

In a working paper submitted to delegates of member churches of the SACC attending this week's conference at Hammanskraal on combating racism in the 80s, the division adds: "To our knowledge, no attempt has yet been made to register such a marriage so that the State has not really been challenged."

Referring to the willingness of the Prime Minister, "to consider revision" of the Prohibition of Mixed Marriages Act and the Immorality Act, the division said the first step should be simply to ask for the total repeal of the Mixed Marriages Act with supporting theological and moral arguments.

REFUSED

"Only if this is refused should civil disobedience be considered."

If the Mixed Marriages Act could be successfully challenged, "essential ideological components of apartheid will have been destroyed. Even though this does not change the whole system, if it is the mind of the State to give way on this issue, we should readily assist it."

The question was how to add weight to the call for change.

"One way to underline our concern is for the churches individually and together to call on their marriage officers not to observe the terms of the Prohibition of Mixed Marriages Act and to make it known that they are prepared to marry couples, regardless of their race.

"Such marriages are taking place in South Africa today, but to our

knowledge no attempt has yet been made to register such a marriage, so the State has not really been challenged.

"Such an action should not, however, be proposed as a threat. The first step should be simply to ask for the repeal of the Act."

Problems the State would face in maintaining its policy if the Mixed Marriages and Immorality Acts were repealed "are not our concern," the discussion paper went on.

REPLACED

"If the Immorality Act were repealed, the State would have to work out for itself what to do regarding children born of such intercourse in terms of the Population Registration Act.

"If the Prohibition of Mixed Marriages Act were repealed, the State would either have to repeal also the Population Registration Act and dismantle the whole of racial apartheid, or it would have to frame measures by which the subsequent classification of mixed marriage couples would be controlled in terms of the Population Registration Act.

"But it would not be appropriate for the churches to suggest solutions in this area," the discussion paper says — Sapa

Finally, she concludes, although data on incidence of silicosis on the gold mines is inadequate, 'the problem of silicosis in gold mining has to a very large extent been solved'. (The Chamber of Mines now spends R70 million a year on ventilation). But a different disease - chronic obstructive lung disease - is now 'of growing concern' to the authorities and to doctors.

The provisions of the Workmen's Compensation Act and other factory legislation are analysed by Adler (Vol.2). The prevention of industrial disease and industrial accidents has a low priority in Africa, he argues.

- because:
- (i) industrial accidents and disease present a major cost to management
 - (ii) the enforcement of protective measures particularly to the Workmen's Compensation Inspectorate of the Department of Labour

Because Adler believes that the state of industrial health in Africa is a process of bargaining over time between employers and workers, he suggests, in order to improve South Africa's 'very sorry industrial health record':

- (i) the establishment of free collective bargaining rights for all workers;
- (ii) the recognition of the right of unions to include working conditions and the enforcement thereof in the arena of collective bargaining and in industrial agreements;
- (iii) right of access by workers and unions to standards and research of semi-government bodies such as the CSIR (Council for Scientific and Industrial Research) and NRIOD (National Research Institute for Occupational Diseases);
- (iv) the withdrawal of the secrecy provisions in the various Acts covering industrial health;
- (v) the withdrawal of the clause in the Workmen's Compensation Act preventing civil actions for damages by workers against negligent employers. This would allow workers, primarily through their unions, to make employers' negligence a very expensive matter, and the award of punitive damages in a few cases would greatly assist the unions engaged in collective bargaining in obtaining safer conditions.

'Coloured' woman can state case

THE Secretary for the Interior, Mr T J Booyens, said today Mrs Susan Green, whose attempts to be reclassified white have consistently failed, was quite welcome to contact the Department of the Interior's Cape Town office and 'state her case.'



Mrs Susan Green

Mr Booyens refused to confirm his department was investigating the matter but said the only advice he could give to people who were not satisfied with his department was that they contact the office so their cases could be looked into.

'I am not prepared to comment on a hypothetical case,' he said. 'It would be highly irresponsible to do so.'

'The only thing I am prepared to say is that I am empowered in terms of the law to deal with these cases, once my department has done all the necessary investigations.'

Meanwhile, at her home in Retreat, Mrs Green said she would not give up her fight to be white.

Her plight was highlighted by The Argus yesterday after she had been refused permission to marry her boyfriend, Mr Aubrey Jooste, because she had recently been classified coloured.

'I'm sending the book of life with a coloured number back to Pretoria.'

'I am determined to get myself and children reclassified white. Not only mine but the children's futures are at stake,' she said.

or skill, 'improper motivation' and physical problems, factors (such as inadequate work standards, design or purchasing standards, normal wear and tear, abnormal usage). These factors provide the opportunity for unsafe acts (operating without authority, operating at 'improper speed') or unsafe conditions, (such as inadequate guards, defective equipment and congestion) which are the immediate causes of accidents. (On the causes of accidents on the mines, see the notes by Kooy, Vol.2).

Matthysen also describes the work of the National Occupational Safety Association, established in 1951 after an investigation by the Minister of Labour into ways of reducing 'manpower waste'. He concludes that progress is being made in accident prevention; evidence of this is the lowering of insurance premiums which employers have to pay to the Workmen's Compensation Commissioner.

Two papers, by Levy (*57) and Cooper (*41) examine methods of health care for workers.

The focus of Levy's paper is the use of a 'medical team approach' to the health of workers. He suggests, like Matthysen, that it is in the interests of management to maintain and improve worker health because this leads to increased productivity and efficiency, the reduction of time lost due to ill-health and treatment and the prevention of 'premature wastage of trained manpower'.

Promise gives widow new hope

Cape Times 14/2/80 (238)

Staff Reporter

A PROMISE by the Department of the Interior to investigate the plight of widowed Mrs Susan Green of Retreat has raised hopes of her being reclassified white and marrying again

Mrs Green, the mother of six children, said she had had sleepless nights in which she felt like killing herself, following her failed attempt to revert to a lifetime of being a white person.

Her failure in reclassifying herself and her family white was discovered minutes before

her planned civil wedding on Tuesday

Approached by the Cape Times yesterday, a spokesman for the department said an investigation into her position would be made immediately. He said her reclassification last year as a coloured person was "by no means final".

After Mrs Green's wedding ceremony was cancelled on Tuesday morning, a last-minute plea to a Department of the Interior official in Cape Town was met with the reply, "Your classification is final and cannot be changed".

Mrs Green's heartbreak over South Africa's race laws began last year when she and her six children were reclassified coloured. No reason were given.

Since then, she had written for them to be reclassified white, but had not received a reply. A written plea by Mr Aubrey Jooste to the Minister of the Interior at the time requested in Mrs Green being asked to send colour photographs of herself to the department in Pretoria.

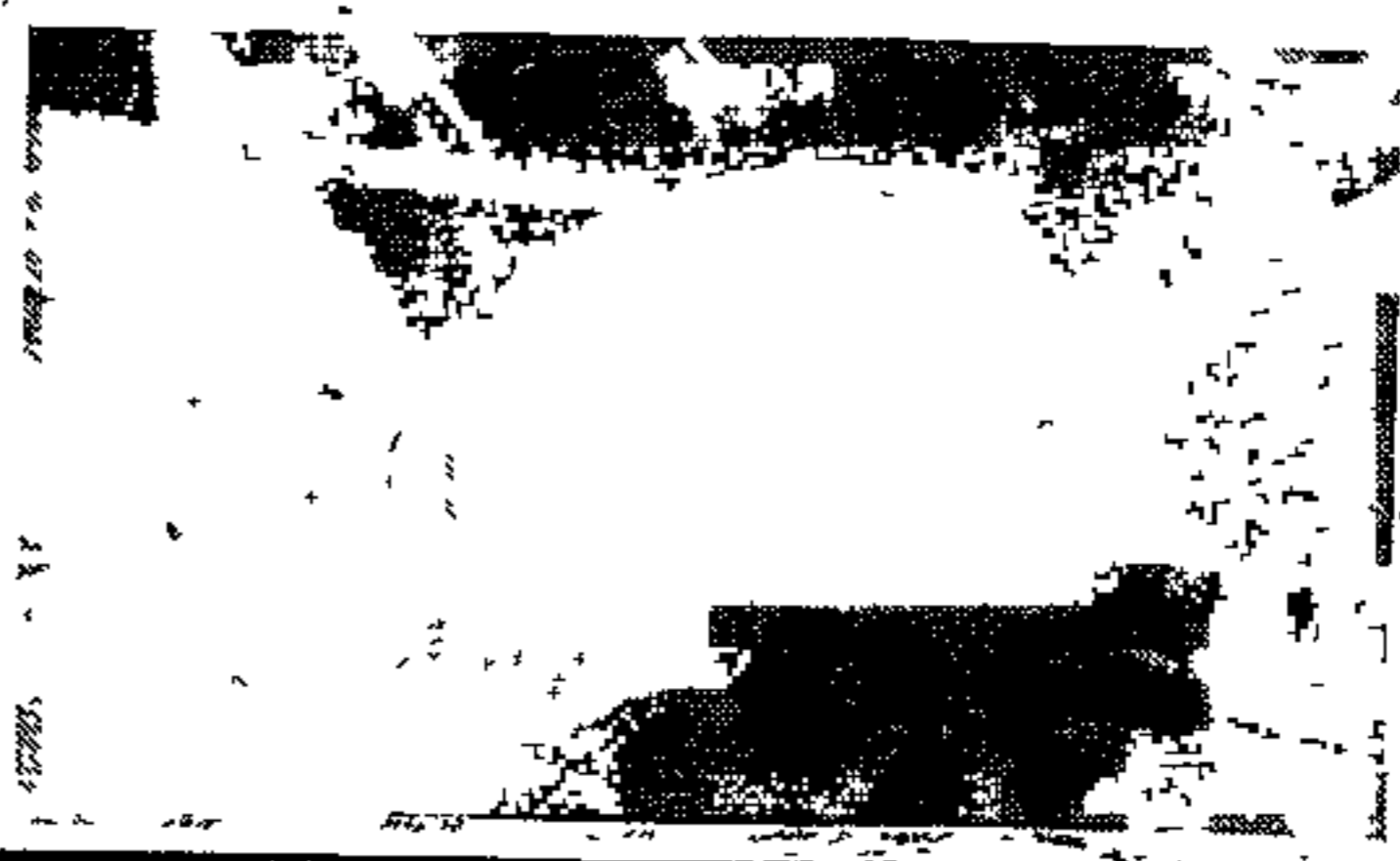
A book of life was sent to her "There was nothing in it to say I was not white and we

thought that everything was all right", Mrs Green said.

At 10 am on Tuesday, a Wynberg magistrate, who was about to marry her to Mr Jooste, the man she has loved and lived with for the past three years, was forced to turn away the couple when he discovered her book of life number was that of a coloured person.

Last night Mrs Green and Mr Jooste looked and sounded happier and more hopeful on hearing that officialdom were at last listening to their pleas. "We are praying that it will turn out right", the couple said.

Mrs Susan Green



Manuscript 2 (75/76) 14/2/80

Identity documents

159 Mr T ARONSON asked the Minister of the Interior

- (1) (a) How many of the identity documents known as the Book of Life have been issued by his Department since 1 January 1977 and (b) what is the estimated cost involved.
- (2) how many (a) applications for these documents have been received and not finalized and (b) identity documents remain to be issued for which applications have not been received?

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FEBRUARY 1980

The MINISTER OF THE INTERIOR.

- (1) Up to 31 January 1980—
 - (a) 2 302 210
 - (b) R2 410 203
- (2) (a) 305 846
 - (b) 1 981 560

MY NIGHTMARE BEGAN

Stamps
12/12

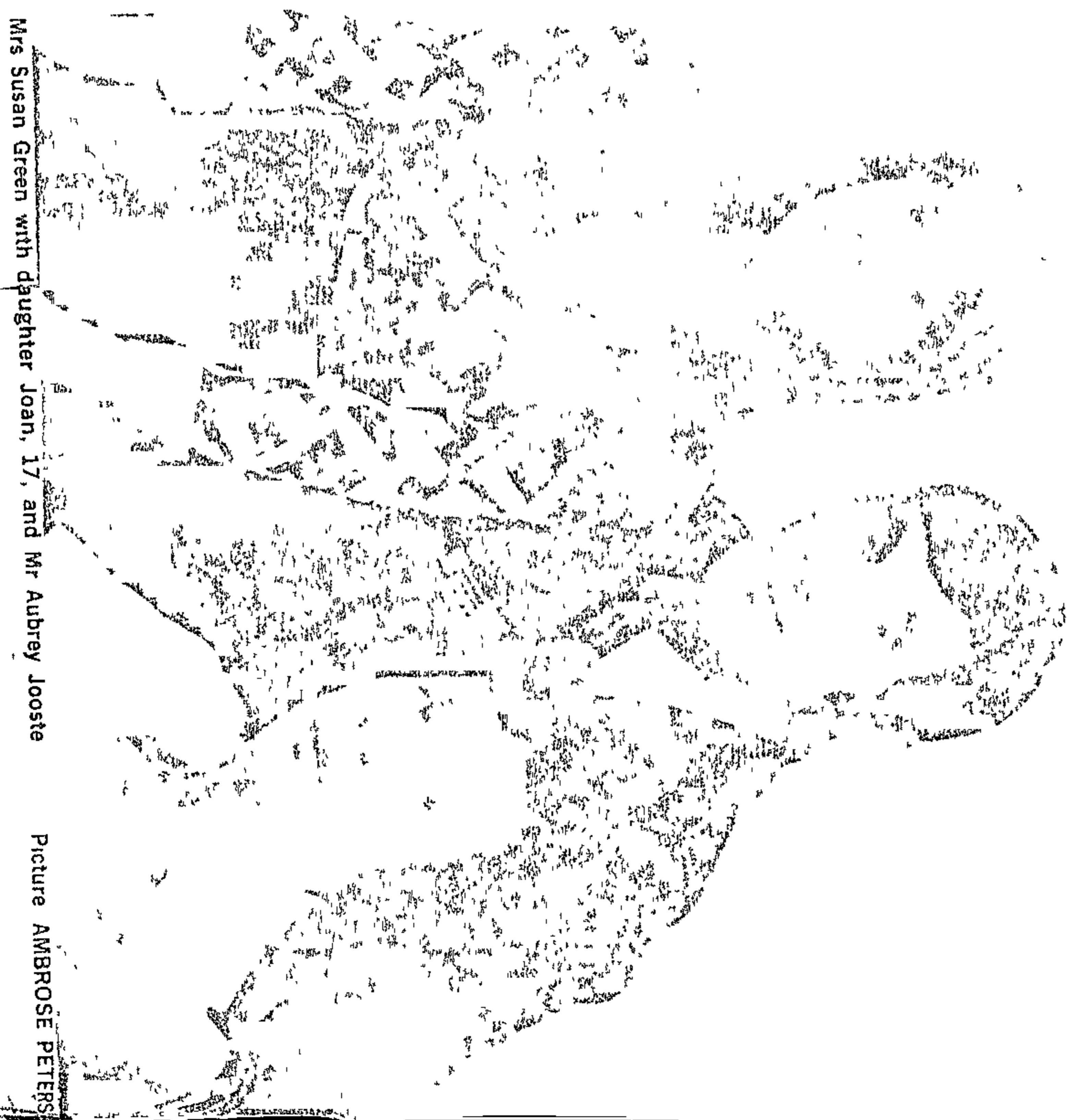
Coloured and her white lover in RACE ROW

By LIZ MCGREGOR

A ROW with a social worker and the advice of a priest landed a coloured woman and her white lover in a race muddle that has turned their blissful life together into a nightmare.

Mrs Susan Green and her boyfriend, Mr Aubrey Jooste of Cape Town, are living in fear of prosecution under the Immorality Act now that their secret is publicly known. Their plight hit the headlines when Cape magistrate refused to marry them because widowed mother-of-five Mrs Green had been reclassified coloured. It was the argument with the social worker that led to her reclassification — and the urgings of her priest to get married that led to this week's confrontation with the law.

Life was trouble-free for au- burn-haired Mrs Green and her family until they came face to face with South Africa's race



Mrs Susan Green with daughter Joan, 17, and Mr Aubrey Jooste

Picture AMBROSE PETERS

Tutu defends mixed marriages

S Times 17/2/80

Tutu defends mixed marriages

By EZRA MANTINI

lution with the law
Life was trouble-free for all-burn-haired Mrs Green and her family until they came face to face with South Africa's race laws two years ago

Said Mrs Green "I was getting a maintenance grant from the Department of Social Welfare and Pensions because I was a widow

"I had a big argument with their social worker because she said she was going to stop the grant unless Aubrey moved out

The next thing she told me to come into the department's offices with my birth certificate For the first time, I noticed that it said I was of mixed parentage

"A month later I got back my birth certificate as well as new ones for all my children reclassifying us as 'Coloured' hours
"From then on life became a nightmare

THE MIXED marriages some ministers have performed secretly in South African churches are valid in the eyes of God, Bishop Desmond Tutu, general secretary of the South African Council of Churches, told me yesterday

The existence of secret mixed marriages was disclosed at a consultative conference of the SACC at Hammanskraal this week

Bishop Tutu would not say in which churches the weddings were celebrated, but said there were "many couples" who went secretly to different ministers for assistance

"The only difference with these marriages is that they are not legally registered

"But in the eyes of God these people are legally married," Bishop Tutu said

In most cases the bridegroom was white and the bride black, he said

"All are South Africans and they still live in South Africa

"These marriages have helped many couples who would otherwise have had to leave the country to get married"

Bishop Tutu said that after the Prime Minister, Mr P W Botha, promised to review the Mixed Marriages Act last year, he was approached by a young white woman

"She wanted to write a letter to the Prime Minister to tell him about her child whose father lives in Soweto

"But she was afraid that the letter would be interpreted as a political gesture," he said

White

I had to take the children out of their schools and we had to move out of our white council house The children refused to go to coloured schools so I had to keep them all at home, even though the youngest were only 13 and 14

"I simply can't understand it Both my parents were classified white and so were my brothers and my sister My brothers both fought in the war and they married white women

"But they are all dead now There is no one I can turn to"

Mr Jooste, a fitter and welder on a farm near Philippolis, said "Somehow, we carried on and then all this happened this week

Susan and I had been living together but the priest at our church — the New Apostolic Church — kept pressing us to get married He said we were living in sin

Family

"After a while we began to feel very guilty sitting in church every Sunday when we were sinning like that So I applied for a book of life for her, explaining the history of her classification

"I got it back and there was nothing saying what race she belonged to We thought everything was all right

"We made an appointment to get married in the Wynberg Magistrate's court at 10 am on Tuesday

"Two minutes before the wedding was due to take place, the magistrate called us and said Susan's number in her book of life was coloured and he couldn't marry us

"My nerves are shot We are so afraid the police will arrive and arrest us under the Immorality Act now"

Hopes of a happy ending were rekindled later this week when a spokesman for the Department of the Interior said an investigation into Mrs Green's position would be made immediately

He said her reclassification as a coloured person was "by no means final"

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**Wedding couples
defy dominie's
dancing ban**

S. Times 17/2/80

SUNDAY

FAMILY THREATENED
WITH CHURCH CENSURE

S. Times 17/2/80

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By GHERHARD PIETERSE

A DOMINEE who refused to marry two sisters to their grooms yesterday, threatened to censure all 22 members of their family for refusing to obey his call not to dance at the wedding reception.

Despite the ban Sonja Coetzer, 21, married Mr Louis Snyman at the appointed time and her younger sister, Annette, married Mr Christo Bruwer — thanks to the good offices of another dominee.

And more than 300 guests shuffled away to the strains of live boeremusiek in the Carolina Town Hall.

Father of the brides, Mr Dirk Coetzer, said the whole family liked dancing and he had engaged an old fashioned boereorkes from Johannesburg for the reception.

"It is not every day a father has both his daughters marry on the same day. We decided from the outset to make the most of the occasion, and as the whole family loves dancing, a band was one of the first things considered.

Kill-joy

The kill-joy cleric, Dominee J. Kits of the Carolina Gereformeerde Kerk, at first agreed to officiate at the ceremony, without stipulating that he would not allow dancing.

But a week ago word reached him that preparations were underway to include dancing at the reception.

When he was told that a band had already been engaged, he refused to have anything further to do with the family.

He threatened to place the entire family under censure if they persisted with their plans.

"We were shocked by his attitude and tried to reason with him," said Mr Coetzer.

He claimed that both the Bible and the Gereformeerde Church Synod considered dancing a sin.

"When I pointed out to him that Jesus officiated at a wedding where dancing took place, he refused to discuss the issue further."

Dominee Kits stuck to his guns yesterday and said he had strong views on the subject of dancing.

"As I understand and interpret the Bible, dancing is definitely sinful and I will not allow my parishioners to partake.

"If Mr Coetzer wants to leave the church as a result of my decision, that is his prerogative."

Mr Coetzer, however, insists that the dominee, and not he, should leave.

"I have no intention of leaving my church because of the narrow-mindedness of one dominee," he explained.

"My advice to him would be to look around for another parish that is prepared to put up with his nonsense."

Both bridegrooms are members of the Nederduitse Gereformeerde Kerk in Belfast and their dominee eventually took pity on the two couples and tied the knot at 4 pm yesterday.

"I have never come across anything so ridiculous in my life before," said bridegroom Louis Snyman.

"But for our dominee stepping in, we could have found ourselves in a serious predicament."

processes is essential; and the division will have to be more fine the more discriminating public decisions can be. 10

The results of programme budgeting may be valuable in themselves, although the mere procedure does not necessarily ensure that better decisions will be made. Their potential is realised only if there follows an assessment of the value of expenditure in each programme.

2.2 Programme Evaluation

Methods of evaluation range from simple procedures for looking at costs, where the conclusions are left largely to intuition, to highly complicated processes which present more or less clear-cut solutions. For these more precise methods, most of the value judgements have to be made explicitly in advance. Some points on the spectrum between these two extremes are analysed below.

2.3 Looking at Expenditure

Basically, one is looking for inconsistencies. It was noted that a logical axiom, basic to economics, is that a rand should yield approximately the same value in whichever programme it is spent. If the net social benefit from the marginal expenditure on one programme much exceeds that on another, one can do better by withdrawing funds from the second programme and increasing expenditure on the first. By simply looking at a breakdown of the budget between programmes, the amounts spent on each may be compared with our intuitive notions of how much 'ought' to be spent on these things. Our judgement is that a breakdown of the budget between programmes, the amounts spent on each may be compared with our intuitive notions of how much 'ought' to be spent on these things.

Hope of marriage for Mrs Green

A SPARK of hope was kindled in the lives of Mrs Susan Green and her family when an official from the Department of the Interior told her today to send back her book of life to Pretoria.

Mrs Green, who has lived her life as a white, was refused permission to marry Mr Aubrey Jooste because the number in her book was coloured.

Later, she told The Argus that an argument with the Department of Social Welfare had resulted in her family being classified coloured.

She had fought the classification and when she received her book of life with no written race category in it, she thought her troubles were over.

However, a magistrate at Wynberg refused to marry her as a white.

WELCOME

The Secretary for the Interior, Mr T J Booyens, when approached for comment on the case last week, welcomed Mrs Green and anyone who was having similar problems to visit the regional office.

This Mrs Green did today. She was told to send her book of life, accompanied by a letter explaining the situation, to Pretoria.

'This has filled us all with new hope,' said a happier Mrs Green.

'We just hope it will be fixed up as soon as possible so we can go ahead with our plans to get married.'

Potential health problems are first listed, and then given a score (from one to four pluses) under each of four headings:

Diagram 1: A method of ranking health problems

Problem	Prevalence	Severity	Community concern	Vulnerability to management	Total
Dental problems	++++	+	++	++	16
TB	+++	+++	++	++	16
Common cold *	++++	+	+	++	54
Yaws *	-	++	+++	++++	0
			+++		0
			+++		32
			++		48
			++		36
			++		96

* Added to test scoring method

ing. This is partly due to a deficiency in information on the results of the programmes which can be resolved by recourse to appropriate data. Nevertheless, there will also be differences of judgement which cannot be resolved without prior agreement on the relative valuation of different benefits which have to be fed into the analysis, and in the intuitive process, these two factors may not be differentiated.

A very large proportion of decisions are now taken with no further analysis than this. Any further steps involve a way of systematically valuing the benefits of different programmes to render them comparable to one another.

2.4 An Informal Method for Setting Objectives

The following method for guiding the choice of priorities has been described by John Bryant. 12 It has been used by medical and nursing students in Thailand, and one of its advantages is that it can be used where no numerical data is available. It, therefore, lends itself to discussion, to draw on the experience of a group of people.

Immorality 355 charged

HOUSE OF ASSEMBLY — Altogether 355 people were charged in terms of the Immorality Act in the year ended June 30, 1979, the Minister of Police, Mr Louis le Grange, said

Mr Le Grange said in a written reply to a question by Mrs Helen Suzman (PFP Houghton) that police had investigated 350 suspected contraventions of the act — Sapa

152 wanted to change race

6.1.22/60 Political Staff
HOUSE OF ASSEMBLY — Attempts to change race classifica-

tion were made by 152 South Africans last year. Most of the applications were rejected.

The largest number of applications, 101, were by people who had been classified "Cape coloured" but who wanted to be reclassified white.

These details were disclosed yesterday when the Minister of the Interior, Mr Alwyn Schlabusch, replied to a question tabled by Mr David Dalling (PFP Sandton).

Mr Schlabusch said that on 81 occasions, the Secretary for the Interior refused to alter the classification of the people concerned.

Other applications were by one Chinese who wanted to be classified white, two whites who wanted to be coloured, six whites who wanted to be Chinese, two whites who wanted to be Indian, ten coloured people who wanted to be Indian, ten Malays who wanted to be Indian, 11 Indians who wanted to be coloured, four Indians who wanted to be Malay, three coloured people who wanted to be Chinese and two Chinese who wanted to be coloured.

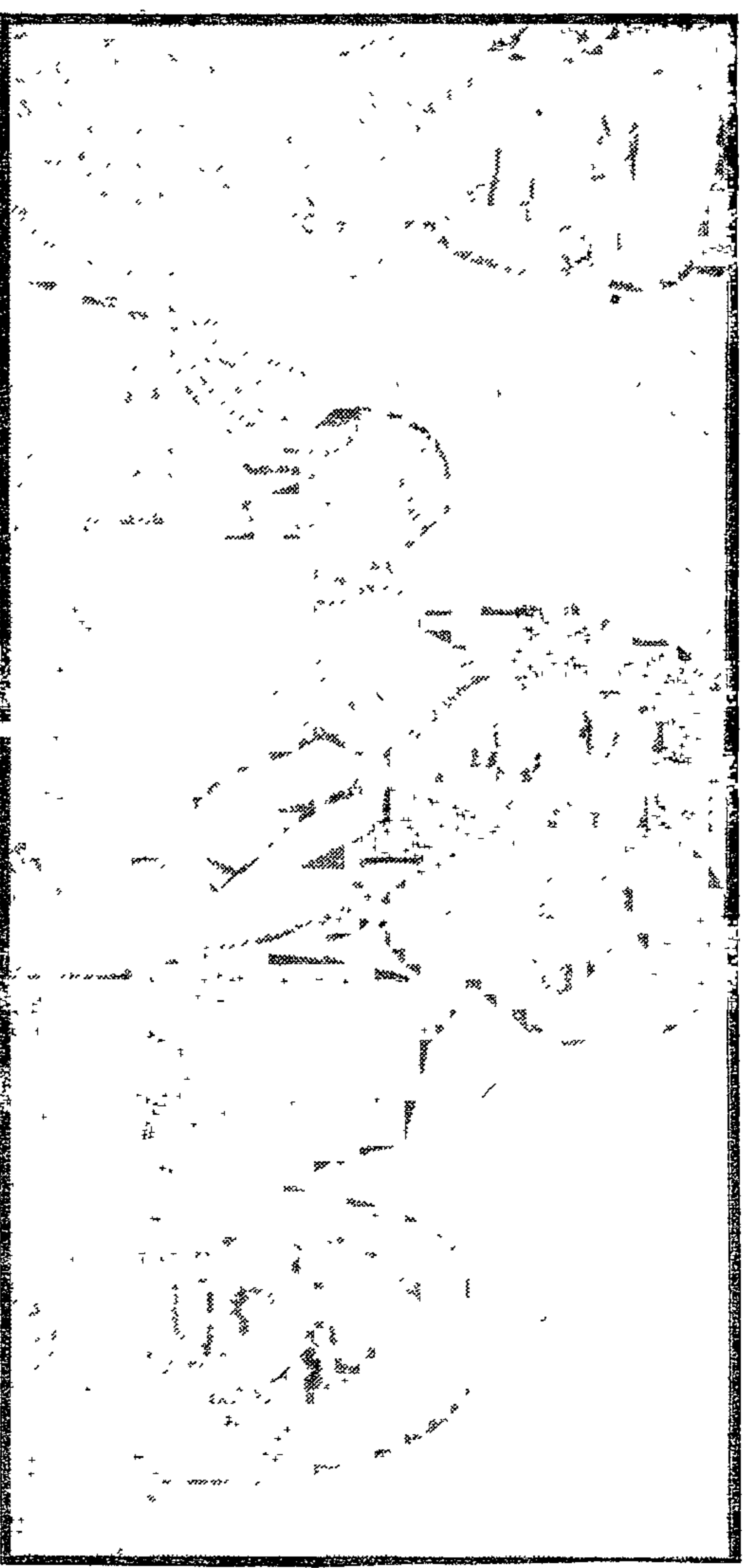
The 152 people concerned applied in terms of section 5 (4) (c) of the Population Registration Act of 1950.

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(238)

NO:RN APARTM BY MIXED MARRIAGES

The
terrible
moment
when a
couple
were
told:
You
can't
marry
...she's
coloured



AT HOME: Aubrey Jooste and Susan Green and her twins Mark and Joan

BOOK OF STRIFE

238

Sunday Tribune
17/2/80

A WHITE MAN who was this week turned away by a magistrate when he tried to marry the woman he loves says he will continue to live with her "and if the police want to fetch me for infringement of the immorality Act they can come for me".

In an incredible Mixed Marriages Act incident this week, Mr Aubrey Jooste (41) and red-haired widow Mrs Susan Green (45) were told by a Wynberg magistrate he could not marry them when he found that her Book of Life classifies her as coloured.

But according to Mrs Green her parents were both classified white, as were her two brothers and her sister and her late husband — and she has always lived exclu-

By **TONY SPENCER-SMITH**

sively among white people.

Last week in a no-confidence debate in Parliament, the Prime Minister, Mr P W Botha, said compassion had to be used in applying the Mixed Marriages Act, but this week this bitter legislation fell like an axe on two people who want only to marry.

At their home the couple, surrounded by some of Mrs Green's six children by her previous marriage, spoke at length of their terrible shock when their attempt to get married failed.

Mr Jooste said Mrs Green had not eaten a bite of food three days after the blow.

Tuesday was to have been a day of great joy for the couple; both regular churchgoers. Celebrations were planned. But, said Mr Jooste, "Susan was on the verge of collapse by the end of the day."

"After we had been treated like animals at the regional offices of the Department of the Interior, where we went to try to get help she couldn't walk."

"I had to put her to bed ill, on what was to have been our wedding night. I thought she was going to have a nervous breakdown."

"In the morning she said to me: 'There is no God God would never be so cruel as to do this to us'. And we are devout Christians."

Mr Jooste said he had always been a Nationalist supporter. "Now I'm going

to have to think again and probably vote for the PFP.

"We still can't believe this has happened. I am very bitter about legislation which can do this to us."

"We are living in sin, and our priest has urged us to see this thing through and get married."

"But they can jail me under the immorality Act and I'll come out of jail and go back to her. And they can jail me again if they like."

Mrs Green said her ordeal began in 1978 when a social worker of the Department of Social Welfare and Pensions suddenly told her that her maintenance grant was to be stopped, on the grounds that Mr Jooste was staying as a boarder in her home.

School

"Three of my children were still at school," she said "I needed the money to keep them there. I had a sort of tiff with the social worker and shortly afterwards she told me I must come in with my birth certificate, which I did."

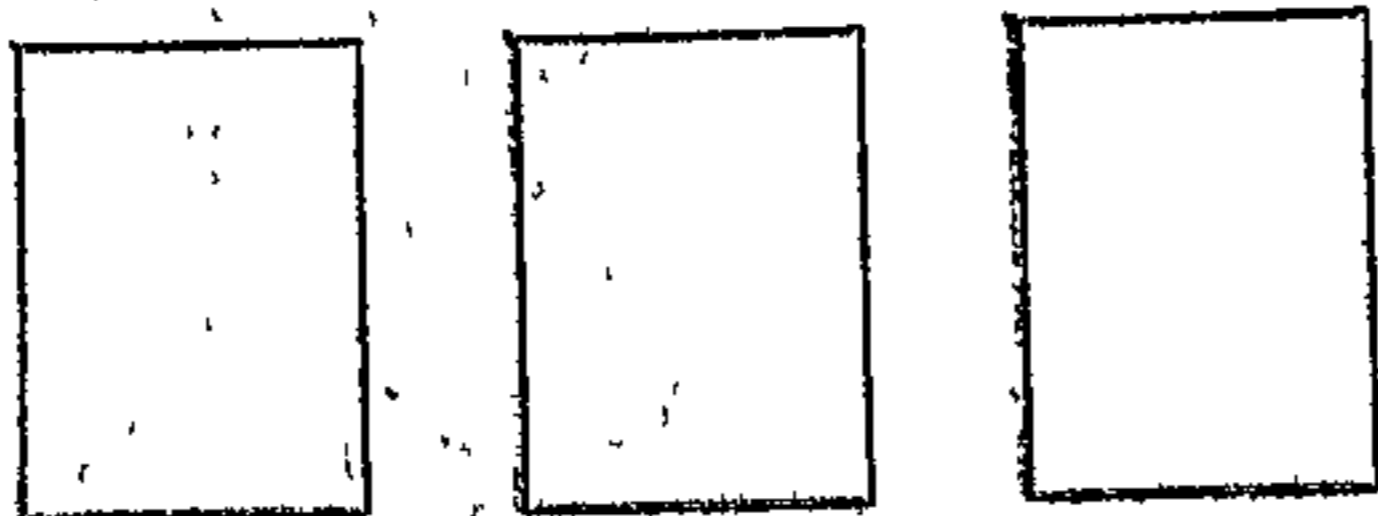
The certificate states she is of "mixed" origin. She is at a loss to explain this and feels it could even be the result of a simple clerical error in Pretoria.

"Then I was called in a month later and presented with 'Cape Coloured' birth certificates for all my children — despite the fact that their original birth certificates said they were white and they had all attended white schools."

Her daughter Joan, an

Sunday Tribune
17/2/80

Indien die jongste foto nie meer 'n herkenbare wêrebeeld van die houër is, sal 'n verdere foto deur die Sekretaris van Binnelandse Sake aangebied word.
Should the latest photo no longer be a recognizable image of the holder, a further photo will be affixed by the Secretary for the Interior.



Kyk opmerkings op bl. 3, Sec. A tot op pag. 3

WESONDERHEIDEN VAN 'N PERSOON - PARTICULARS OF PERSON

SA. BURGER SA. CITIZEN

IDENTITY NUMBER 340718 0088 01 5

Naam
Surname
Voor Naam
First Name

GREEN
SUSAN PADDALERA

Werk
Occupation
Date of Birth
Sex
Nationality
Country of Birth
Date of Issue

DE KLERK
18/7/1934
FEMALE/VROU
SOUTH AFRICA



Die persoon se naam van die Sekretaris van Binnelandse Sake en Immigrasie.
Issued by authority of the Secretary for the Interior and Immigration.
Wettige identiteitskaart op bladsy 4 in die goed van 'n persoon.
Legal identity card on page 4 in the event of a person who remains valid after the expiry date of issue.

The Book of Life which stopped a marriage

attractive 17-year-old with long brown hair, chipped in: "I was so upset I tore mine up and burnt it"

Mrs Green went on "My grant was stopped immediately. I was faced with the problem of where to send my children. How could I send them to coloured schools? I had to take them out of their white schools and they have not been back to school since.

"My youngest son Shane has not been to school since he was about 12 and my twins Joan and Mark since they were about 15."

But Mrs Green's troubles were only starting

She and Mr Jooste wanted to get married about nine months ago

Mrs Green went to the Wynberg Magistrate's Court for preliminary in-

quiries and was told she could not marry Mr Jooste because she was classified as "mixed".

Mr Jooste, divorced in 1978, said, "I wrote a letter to the Minister of the Interior in Pretoria stating our case fully.

"The regional office of the department then told us to send two colour photographs of both of us, one profile and one frontal. So we did"

Delight

Last week, Mrs Green suddenly received her Book of Life, unaccompanied, the couple say, by any letter about their situation. And, Mrs Green said. "We thought everything was fine. The Book of Life said nothing about my not being white. We were delighted.

"Aubrey was so keen to get married he wanted to go to the magistrate's court next day.

"We made an appointment to get married on Tuesday and arrived there all dressed and ready.

"Seconds before the magistrate was due to perform the ceremony, he looked at my Book of Life and said a number in it classified me as coloured, and he could not marry us.

"We could not believe it. He told us to go at once to the regional offices of the Department of the Interior, but an official there said there was nothing he could do, only Pretoria could do anything."

New look

The Secretary for the Interior, Mr T. J. Booyens, said only that the couple, like anyone else, were welcome to go to the department to have matters looked at again.

But Mr Jooste said: "What is he talking about? We have put our case already. They know everything about us. Why should we do it again?"

Mrs Green said she planned to send her Book of Life back to Pretoria. "My children's future is at stake, as well as our marriage. Their schooling has already been cut short. This is all a great strain."

Mrs Green, whose maiden name was De Klerk, lives in a white area. At home yesterday Mr Jooste told me. "I have told the department that if they won't classify Susan white, they must classify me coloured.

"I will do anything to marry — I would even be prepared to live in a coloured area"

Mrs Green showed me documents to support her story, including the original birth certificates of some of her children declaring them white, and new ones showing they were now registered as "Cape Coloured".

I also saw her late husband Mr Christiaan Green's ID card and death certificate, both stating he was white.

I never

want to

**MUM WHOSE BOY
WED MUSLIM SAYS**

**A coloured must know his
place and a white his**

SEE MY SON AGAIN

SUN TIMES 24/2/80

238

A WHITE man who defied South Africa's race laws and married a coloured 10 years ago has been told by his mother: "I never want to see you again."

Dirk Kotze, who now lives with his wife and children in Australia, returned to visit his mother at her home in Ceres, Cape

But instead of a warm welcome, he walked into a family feud

His conservative Afrikaner mother, who remarried after Dirk's father died seven years ago, has admitted she even considered reporting him to the police

Said his mother, Mrs Connie Saayman

"During his visit with me and my present husband he provoked himself a disgrace, an agitator and inciter

"At one stage I even considered calling in the police to lock him up and only release him when it was time to fly to Australia"

Dirk has now gone home to Australia after a vain bid, through the leader of the Opposition, Dr F Van Zyl Slabbert, to get South African birth certificates for his Mozambique-born children

Dirk's family has never approved of his marriage to the Paarl coloured waitress he fell in love with

They first met when she served him in a restaurant in 1970, just after his divorce from his first wife



By NORMAN WEST

MRS ARMENNA ADAMS Pining for grandchildren

"To further complicate matters, the children were both born in Lourenco Marques so I don't know if they will ever be able to return to South Africa, even on holiday," said the 50-year-old Mrs Adams, wife of a Railways employee, Mr Abdur-aghman Adams

Mr Kotze's mission to South Africa was primarily to try to get South African birth certificates for his children

A spokesman for the office of the Leader of the Opposition, Dr Slabbert, confirmed that

Dirk had requested help to secure birth certificates for his children so that he could get visas for them to return for a holiday with their mother

"However, although Dr Slabbert took up the matter with the secretary for the Interior, he was unsuccessful," the spokesman said

Dirk and Shayida hold South African citizenship, while his children hold Portuguese citizenship

After fleeing to Mozambique, the couple sailed for Australia in 1974 to start a new life

The coloured relatives were on the dockside to bid them a tearful goodbye

"That was the last time I saw my daughter and grandchildren," Mrs Adams said this week, holding up the pair of furined slippers her son-in-law brought from Australia

While his family lived in Mozambique, Dirk used to cross the border regularly to work in South Africa as a fitter and turner at Vanderbijlpark

This is how he earned enough money to get them to Australia



Dirk Kotze, the white man married to a coloured his mother considered asking the police to lock him up because of his political views

SUNDAY TIMES.

238

24/2/80

The reason for his mother's wrath was apparently Dirk's association with coloured people while he was staying with her.

"Dirk is against the apartheid laws of this country," said Mrs. Saayman.

"He visited mostly coloured friends in Ceres. He picks political arguments with me and all whites he comes across.

Hatred

"He claims the country's apartheid laws have forced him to flee to another country with the woman he loves.

"He is always on the side of the coloured people, all the way, and creates scenes and shouts out his hatred for this country's apartheid laws," she said.

"I also think the Prohibition of Mixed Marriages Act is just a bloody lot of nonsense.

"But as an Afrikaner, I say a coloured must know his place and a white his.

"I am, however, broadminded enough to accept Dirk's choice of a wife as long as he does not come here and see us.

"Do you know, Dirk even had the audacity to bring some of his coloured friends here to sit on my lawn and, on top of it, he brought a coloured woman one day to eat with us at the same table.

"Now, I am not a racist, but that's the limit.

"My maid Norah, has been working for me for 17 years and we are like friends, and I have even put her in my will. But I maintain a coloured is a coloured and a white is a white," said Mrs. Saayman, a member of the Dutch Reformed Church.

She said her son flew back home to Australia last Friday to his coloured wife, Shayida and their two children Jasmine, 7, and Connie, 6, (named after her white grandmother).

"I have lost no time in posting him a letter, that if I never see him again, it wouldn't bother me," she said.

Mrs. Saayman says she has one daughter who lives in France and who is married to a Frenchman.

Disgraced

Her other son works in Cape Town.

"This son of mine told me he never wanted to hear Dirk's name again.

"He says openly that he hates his brother for having disgraced the family by marrying a coloured woman.

"If ever Dirk would disclose that they were brothers, my other son said, he would not be responsible for what he would do to Dirk if they met."

Meanwhile, Mr. Kotze's coloured mother-in-law, Mrs. Armenia Adams, of Paarl, this week could not stop talking about her "considerate" son-in-law.

The weekend before he left for Australia, he slept at his mother-in-law's council house in Paarl.

She proudly showed us an album of pictures of Dirk and his family taken in Australia.

"I am pining for my daughter and my grandchildren. But they have no birth certificates or proper papers.

"Because they married according to Muslim Rites, to escape the ban on mixed marriages in SA, their marriage is not registered or recognised in South Africa.

LOVE LEADS FROM HILLBROW TO THE ALPS

Baby reunites Swiss and Xhosa

S/Tribune. 7/2/80

(R38)

By CASSIE DU PLESSIS

WHEN an unmarried Xhosa girl recently gave birth to a white daughter it set the whole of New Brighton talking. Now the arrival in Port Elizabeth of a young Swiss man has explained the mystery.

Mr Thomas Oschner, 26, a sports shops assistant from a town near Berne, and Joyce Katoo, 22, told this week of their shadowed life as lovers in apartheid territory.

At one stage they got so sick of their problems and lack of freedom that they split up, with him setting off on a 10-month tour of South America.

It had not been for a letter awaiting him on his arrival back in Switzerland telling of a surprise baby, they probably would never have seen each other

again. Now they are to marry in Switzerland.

Their story starts in a Hillbrow nightclub in 1978. Thomas was on holiday and Joyce was visiting her aunt in Johannesburg.

In the club the black South African girlfriend of a Swiss friend of Thomas's introduced him to the quiet and soft spoken Joyce.

"We immediately liked each other and she promised to phone me the next week," said Thomas.

Her call started a relationship which took them through a secret life together in a Johannesburg flat, steering them towards an inevitable sad ending.

They could not stay in South Africa but Joyce was not prepared to leave.

her family and country behind.

Thomas said "Initially it was not so difficult, but after a police clamp down on multi-racial activities in Johannesburg nightclubs, I could not take the lack of freedom, insult and problems any more."

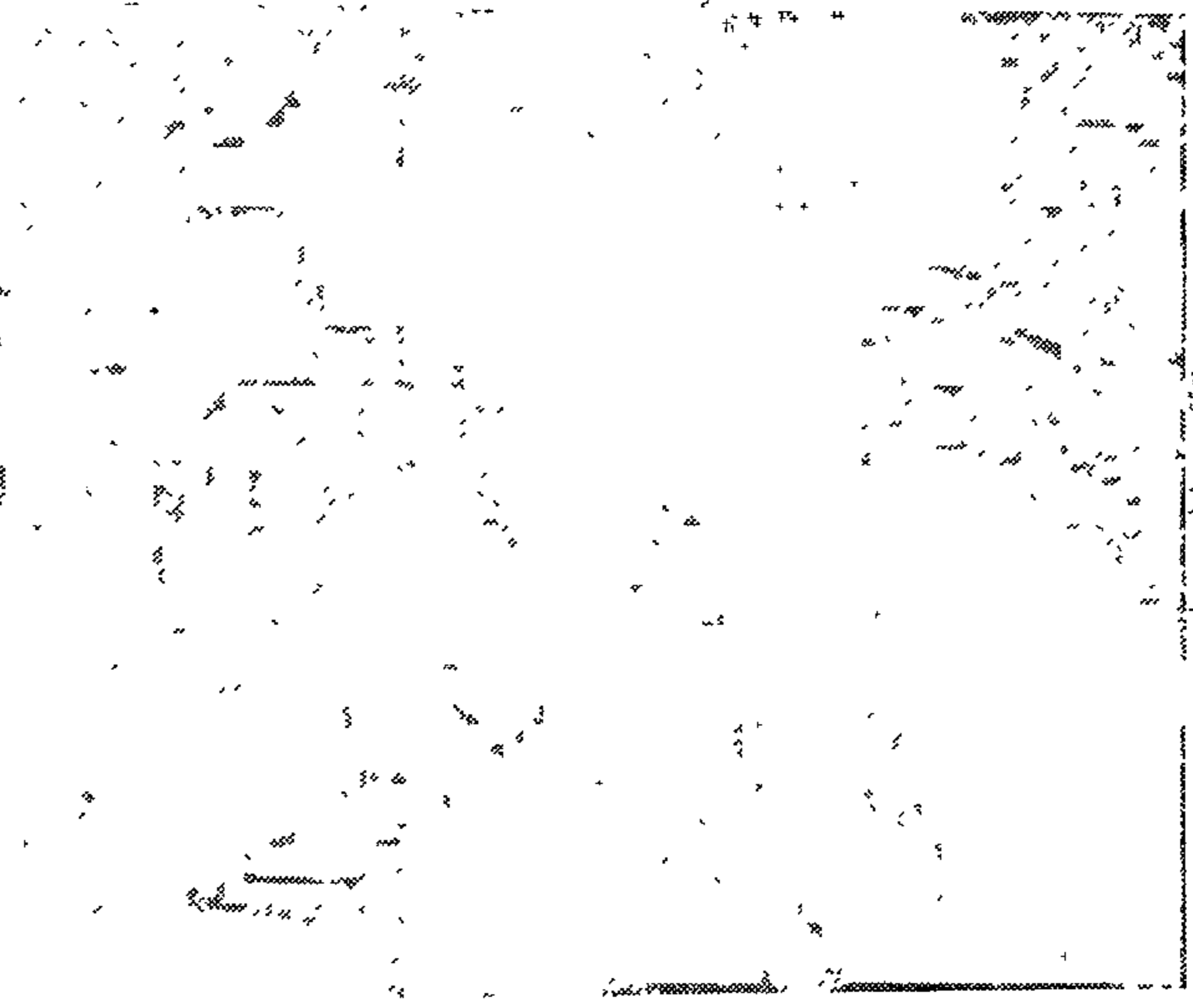
They remember one "terrible experience" when they went to St George's Strand, near Port Elizabeth, with the other mixed couple.

A group of white people blew their tops when Joyce rested her head on Thomas's lap.

After four months of living together Thomas decided to get out of the country. After a sad goodbye Joyce went back to Port Elizabeth because he felt Johannesburg was too dangerous for a lonely girl.

See Book of Strife — Page 10.

AND BABY MAKES THREE: Joyce and Thomas in Port Elizabeth this week



Hansard 2(111)

19/2/80

TUESDAY, 19 FEBRUARY 1980

† Indicates translated version

For written reply

Immorality Act

21.) 11.11. (23r)
13 Mrs H SUZMAN asked the Minister of Police

(a) How many suspected contraventions of the Immorality Act were investigated during the period 1 July 1978 to 30 June 1979 and (b) how many persons were charged as a result of these investigations?

The MINISTER OF POLICE

- (a) 350 •
- (b) 355

238

Hansard 3 Quest Col

155

21/2/80
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238

Population Registration Act: alteration of classification

288 Mr D J DALLING asked the Minister of the Interior

- (1) Whether the Secretary for the Interior, in terms of section 5(4)(c) of the Population Registration Act, 1950, altered the classification of any person during 1979, if so, (a) in how many cases and (b) what alteration did he effect in each case,
- (2) on how many occasions did the Secretary on application refuse to act in terms of the said section?

The MINISTER OF THE INTERIOR

(1) Yes

(a) 152

(b) Cape Coloured to White	101
Chinese to White	1
White to Cape Coloured	2
White to Chinese	6
White to Indian	2
Cape Coloured to Indian	10
Malay to Indian	10
Indian to Cape Coloured	11
Indian to Malay	4
Cape Coloured to Chinese	3
Chinese to Cape Coloured	2

(2) 81

102 reclassified white

Political Reporter
THE ASSEMBLY
A total of 101 coloured people were reclassified as whites last year, the Minister of the Interior, Mr Alwyn Schlebusch, has revealed

Replying to Mr David Dalling (PFP Sandton) Mr Schlebusch gave details of the number of people whose race classification was altered during 1979

There were 81 applications for reclassification turned down

238 Stan 22/2/80
A total of 101 coloured people became whites, one Chinese became a white, two whites received coloured classification, six whites became Chinese, two whites became Indians, ten coloured people became Indians, 10 Malays became Indians, 11 Indians became coloured people, four Indians became Malays, three coloured people became Chinese while two Chinese were reclassified as coloured people.

APPENDIX 4

E MIGRANT LABOUR OF TONGAAT

BY

I.D., F.R.C.P. GLASG.
Hospital, Maidstone, Natal.

The Pondo stems from an essentially agricultural society in which the hygiene and public health arrangements are primitive, and in which the level of education is also very low. Nevertheless, in making a careful study of a year's intake of over 4000 recruits, I have come to certain conclusions which may be of significance.

1. The state of nutrition of the Pondo recruits coming to Tongaat have been eminently satisfactory. Although these people are not giants of men, they are in an excellent state of nutrition, and this may be related to the fact that dietary patterns in the Transkei include the consumption of sweet potatoes and madumbis, in addition to their traditional maize staple diet.
2. On arrival at Tongaat, each new recruit is given a thorough medical examination and is given, as a routine, a vermifuge and a month's course of Vitamin B compound and Vitamin C. He is also inoculated against Tetanus and Typhoid.
3. Any recruit suspected of having tuberculosis is subjected to an X-ray and is isolated and is not returned to the compound to which he was originally directed, nor repatriated back to the Transkei, until he has been rendered sputum negative.
4. It must be borne in mind that Tongaat has a hot humid climate, whereas the Transkei has a cold climate and therefore it is most essential that these people are given a period of physiological and dietary acclimatisation. To cut cane in hot, humid conditions, it is essential that these people be given adequate amounts of first class protein and furthermore, their fluid balances must be maintained, bearing in mind that the sensation of thirst is inadequate to provide sufficient fluid

Son leaves white school

THE son of Mrs Susan Green of Cape Town, who was recently refused permission to marry because she had been classified coloured has not been able to attend school for three weeks

Fifteen-year-old Shane Green, a pupil at Westcott Primary School in Retreat, had to leave school when it was discovered that his mother had been classified coloured

All four of Mrs Green's children automatically became coloured when she was reclassified, making it impossible for them to attend white schools. Two of the three older children have found jobs and a third will apply to work with the Railways as soon as he is reclassified white

"We are hoping that the Department of the Interior will reconsider the case as soon as possible so that Shane can return to school," said Mr Aubrey Jooste, the man whom Mrs Green wants to marry

CA 28/2/80.

(238)

Hausad
 4(230)
 28/2/80

238

Immorality Act
 17 Mrs H SUZMAN asked the Minister
 of Justice

- (1) How many cases under section 16 of the Immorality Act were referred to each Attorney-General in the Republic during 1979?
- (2) how many of the persons concerned were (a) prosecuted, (b) convicted and (c) are still on trial or awaiting trial?

The MINISTER OF JUSTICE

Grahamstown
 Cape Town
 Kimberley
 Bloemfontein
 Pretoria
 Pietermaritzburg

Question 1	Question 2(a)	Question 2(b)	Question 2(c)
52	79	65	11
48	29	21	8
18	23	13	7
19	21	15	2
87	120	92	14
34	27	16	4

STAR 7/3/80
New Book
of Life (238)

Political Correspondent
CAPE TOWN — The Government will start issuing a new smaller Book of Life from April 1, the Minister of the Interior, Mr Schlebusch said in reply to a question in Parliament today.

Answering Mr D J Dalling (P.P., Sandton) he said a report on the issuing of a more condensed identity document had been considered by the Cabinet and a Bill to amend the Population Registration Act would be introduced soon.

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Answering Mr D J Dalling (PFP, Sandton) he said a report on the issuing of a more condensed identity document had been considered by the Cabinet and a Bill to amend the Population Registration Act would be introduced soon.

New Book of Life soon

238 R.D.M.
8/3/80

Political Staff

THE ASSEMBLY — The Government is to replace the unpopular and bulky Book of Life with a smaller identity document as soon as possible after April 1

The Minister of the Interior, Mr Alwyn Schlebusch, said in reply to a question by Mr Colin Eglin (PFP, Sea Point) yesterday that the report of the departmental committee of inquiry into the issuing of a smaller document had already been considered by the Cabinet and a bill to amend the Population Registration Act would be introduced in Parliament soon.

The smaller Book of Life would be issued from April 1, or as soon as possible

thereafter, depending on when the Bill became law

The committee of inquiry was appointed after a trip abroad in 1978 by Mr Schlebusch to study population registration systems used in other countries

Mr Schlebusch said last September the proposed new document would be smaller, with fewer pages than the present Book of Life, and would be easier to carry.

He said the smaller document would be issued to new applicants — it is estimated that 2 500 000 people are still without Books of Life — but this would not preclude the holders of the current documents from obtaining new ones

Why black fingerprints?

CAPE TIMES

11/3/80
Political Staff

238

HOUSE OF ASSEMBLY — The government has explained in an official report why a fingerprint record is necessary for black people, but not for other races in South Africa

At the same time, it has announced a comprehensive population registration system for the "autonomous" black states of Transkei, Bophuthatswana and Venda

In the annual report of the Department of Co-operation and Development tabled here, the government said the black fingerprint record was "absolutely essential"

The record was necessary "because so many blacks, unlike whites, coloureds and Indians, cannot be identified by name alone and, furthermore, do not reside at permanent addresses for long continuous periods, with the result that identification by means of fingerprints is the only infallible method that can be used"

"So, for instance, it was possible during the year under review for fingerprint experts from the reference bureau to assist in the identification of voters during the recent election in South-West Africa

"It can be stated that this service made a positive contribution to the success of the election," the report said

The department also disclosed that because of the great value of fingerprint identification, sophisticated telefacsimile apparatus

had been acquired

Transmitters would be installed at all the larger district offices to make it possible for fingerprints to be transmitted telephonically from these offices to the reference bureau

"In respect of those offices where transmission sets have already been installed and who make inquiries regarding the identity of a person, the bureau is able to furnish a telephonic reply on the same day, thus obviating delay or inconvenience"

The CSIR was also researching whether it would be possible for fingerprints to be classified and searched electronically

"A further field in which the reference bureau made a positive contribution during the past year, is the creation of a comprehensive population registration system for autonomous black states

"As a first step, officials assisted in the planning of a system for Transkei which would enable them to utilize their population register for various administrative purposes as well as for the processing of identity documents on a fully mechanized basis

"Attention was also given to the training of Transkeian workers to enable them to perform the various tasks on their own in future," the report said

After implementation in Transkei, the scheme had been extended to Bophuthatswana and the same help was being given to Venda

Why black fingerprints are 'essential'

RDM 11/3/80

Political Staff
THE ASSEMBLY — The Government has explained why a fingerprint record is necessary only for blacks

In the annual report of the Department of Co-operation and Development, which has been tabled in Parliament, the Government said it was "absolutely essential"

And it announced a comprehensive population registration system for the "autonomous" black states of Transkei, Bophuthatwana and Venda

The fingerprint record was necessary, said the report, "because so many blacks, unlike whites, coloureds and Indians, cannot be identified by name alone and, furthermore, do not reside at permanent addresses for long continuous periods, with the result that identification by means of fingerprints is the only infallible method that can be used"

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"In respect of those offices where transmission sets have already been installed and who make enquiries regarding the identity of a person, the bureau is able to furnish a telephonic reply on the same day, thus obviating delay or inconvenience"

The Council for Scientific and Industrial Research was also studying the possibility of electronic fingerprint classification

"A further field in which the reference bureau made a positive contribution during the past year, is the creation of a comprehensive population registration system for autonomous Black states

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UJCT

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DEAN					
REGISTRAR (ACADEMIC)					

AS AT 29 02 80

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Mixed marriages view significant

STAR 12/3/88

238

CAPE TOWN — The statement by the four members of the Ned Geref Kerk family that they would have no objections should the Government "reconsider" the Mixed Marriages and Group Areas Acts is seen in South African church circles as significant.

The major support for the legislation since its inception, has come from the white Ned Geref Kerk. While it has in the past endorsed the Mixed Marriages Act, it has agreed that there is no Biblical principle to support it.

The other three members of the family, the Ned Geref Kerk in Afrika, the Ned Geref Sendingkerk and the Reformed Church in Africa, have all called for the Act's repeal.

The grounds of their opposition to it is that it has no Biblical sanction.

More recently the Cape Synod of the white Ned Geref Kerk and the Northern Cape Synod have approved resolutions condemning "negative discrimination" based on race alone.

This set the stage for yesterday's historic meeting between the four churches in Pretoria.

NGK ARGU
12/10/60

call to change morals laws

238

Religion Reporter

THE four moderators of the Ned Geref Kerk yesterday declared in a unanimous statement they would have no objections in principle should the Government 'reconsider' the Mixed Marriages Act and Article 16 of the Immorality Act.

The Rev David Botha of Bellville, Moderator of the Ned Geref Sendingkerk, confirmed that moderators of all four Ned Geref churches made the decision.

The moderators met in Pretoria yesterday and discussions took place in a spirit of goodwill.

'It augurs well for the future,' said Botha. 'It had been agreed that no further comment would be made on the discussions other than the agreed statement.'

In the past, the major support for the Mixed Marriages Act and Section 16 of the Immorality Act has come from the white Ned Geref Kerk. While endorsing the legislation, it has agreed there is no Biblical principle to support it.

SPRINGBOARD

The other three members of the family, the Ned Geref Sendingkerk, the Ned Geref Kerk in Afrika and the Reformed Church in Afrika, all opposed the measures and called for their repeal.

The basis of their opposition was the lack of Biblical sanction for racism. It was said these measures prohibited 'mixed' Christian marriages, yet allowed a Christian of one colour to marry an atheist or person of another faith, so long as the marriage partners were of the same colour.

All saw Christians as 'one family' — heirs to the New Covenant established by Jesus.

More recently the Cape Synod of the white Ned Geref Kerk and the Northern Cape synod have adopted resolutions condemning 'negative discrimination' based on race alone. This helped set the stage for yesterday's historic meeting in Pretoria.

In their statement, the four churches 'noted' the hurt involved in the Mixed Marriages Act and

More recently, the Cape Synod of the white Ned Geref Kerk and the Northern Cape synod have adopted resolutions condemning 'negative discrimination' based on race alone. This helped set the stage for yesterday's historic meeting in Pretoria.

In their statement, the four churches 'noted' the hurt involved in the Mixed Marriages Act and Immorality Act.

'On the basis of existing decisions of the four churches, it can be deduced that should the authorities feel that circumstances warrant a reconsideration of these measures, the churches could offer no opposition in principle,' the statement said.

URGENCY

Each of the churches will make urgent studies of these acts for presentation to one another next year. Similarly, a study of the Group Areas Act will be made for discussion with a view to presenting a joint decision to the Government.

Also on the agenda was the question of unity between the four churches. In the past, the three younger churches sought structural unity, but this was rejected by the white church.

At yesterday's meeting it was decided to retain and strengthen the bonds between the four churches.

Black-white couple head out

15/3/80

238

Weekend Argus Correspondent

PORT ELIZABETH — Love for a young white man from Switzerland and a desire to marry him has forced a young black woman to leave her family and home in Port Elizabeth for a new country.

The couple, Thomas Osshner, 26, of Ringgenberg near Interlaken, Switzerland, and Joyce Katoo, 21, of Ferguson Road, New Brighton, left South Africa for Transkei on Thursday night where they will spend two weeks before travelling to Switzerland.

With them was their five-month-old daughter, Constance.

The couple plan to marry in a civil ceremony as soon as they reach Switzerland.

Mr Osshner and his bride to be, travelled together in a compartment on the 'white side' of the Umtata-bound train.

STIR

Their presence caused a stir soon after their arrival.

The group of people on the platform outside their carriage grew as the word spread and friends called others to 'come and look'.

Interviewed before his departure, Mr Osshner



THE Osshner family — bound for Switzerland.

said he liked South Africa but was glad to go because he and the woman he loved had had to run from people and meet in parks and on beaches 'like criminals' because of the laws of the country.

Mr Osshner arrived in Port Elizabeth at the end of January and immediately applied for a passport on behalf of Miss Katoo.

'We got it only on Wednesday' he said 'In order to speed up matters Joyce had to accept citizenship of Ciskei before she was given her passport.'

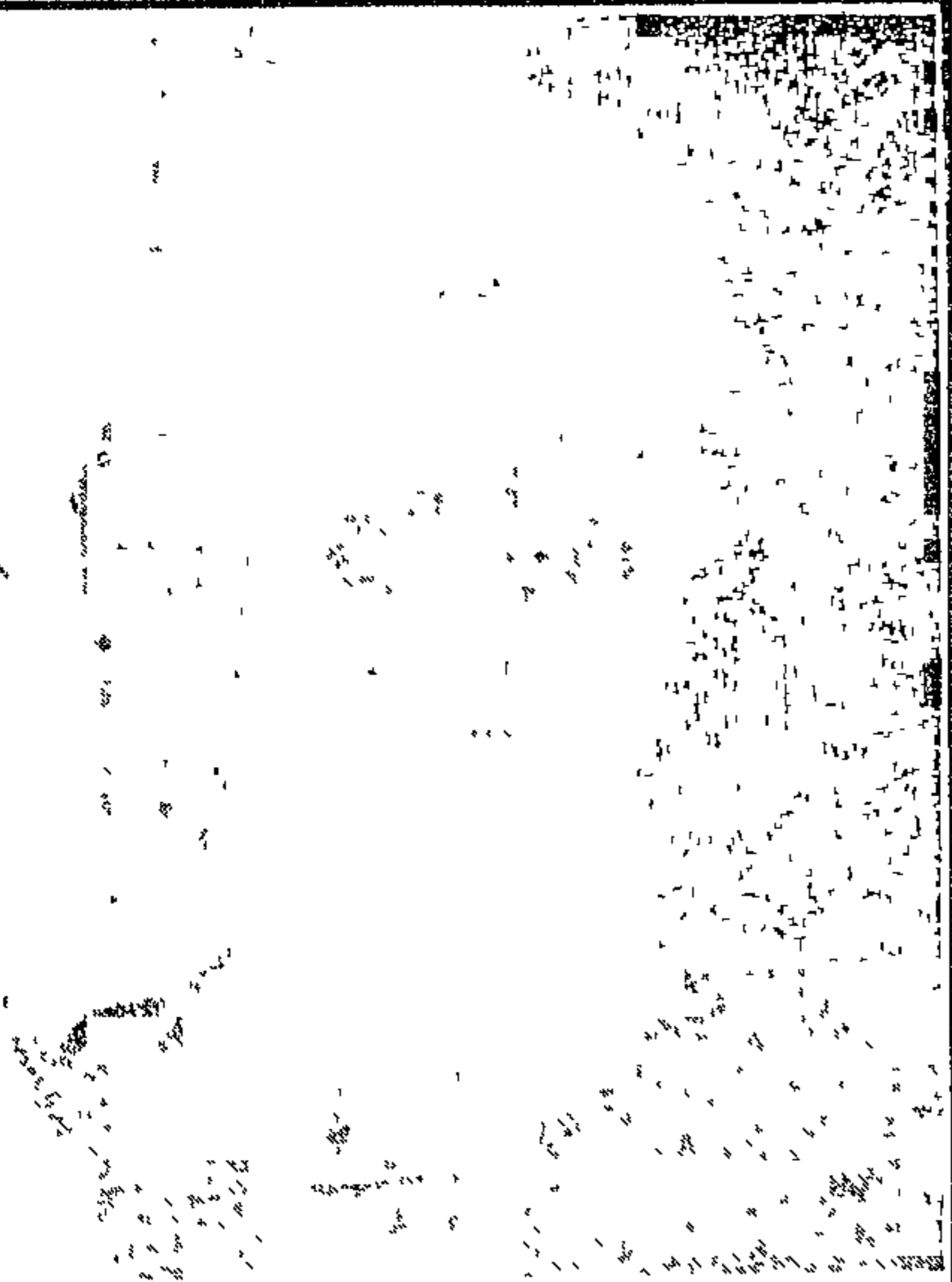
Mr Osshner was also upset about the Government demand that he provided Miss Katoo's return fare to South Africa in travellers cheques.

'It's as if they expect my marriage to fail' he said

STUD NO	SURNAME	FIRST NAMES	COURSE	DESCRIPTION	SYMBOL	AS AT	PAGE
152965K	MENL	MELISSA JANE	911102	MATHEMATICS IA	3 (50)	29 02 60	5
157093D	MERCURIO	ANNETTE ELISABETH INGRID	100102 912102 912103	GERMAN EXTENSIVE CHEMISTRY IB ANIMAL BIOLOGY (HALF COURSE)	{ 27 } FHS		
155747D	MICHAELS	GIANCARLO KAREN	110101 003101 004101 107101	HISTORY I SOCIOLOGY I POLITICAL SCIENCE I ENGLISH I (PRE-1940)	ARS ARS ARS SNX		

(50)	1	158469Z	24
(59)	1	157815N	28
(48)			30
(62)	1	150190P	32
(50)	1	150743V	34
{ 61 }	1	157521U	36
{ 47 }	7	137983G	38
(55)	1	155924H	42
(52)	1	157913V	44
(57)	1	155878H	46
(52)	7	162116N	48
(40)	1	154187V	50
(50)	1	154286C	54
(49)	1	156134L	56
(50)	1	150154L	58
(40)	1	133406G	60
(54)			64
(54)			66

UJCT



Uniquely South African — Sandra Naidoo.

RACE REFUGEE SANDRA IS TOPS ON BBC

238
S Post
16/3/80

THE STORY of Sandra Naidoo, highly successful 35-year-old television news reporter in London, is remarkable — perhaps so only because it started in circumstances uniquely South African.

Her mother is white and Jewish Her father was a fourth generation Durban-born South African Indian

Apartheid forced them to leave South Africa, enabling Sandra to become one of only four black faces on British television news

Sandra was born in Cape Town in 1944, a year after her parents married

"Both of them were involved in the trade union movement My father was a journalist on the South African Guardian," said Sandra

The family, including Sandra's two young sisters, Karen and Jennie, lived at Clifton Life was normal and happy until the apartheid legislation began to bite

"For example, I remember if my mother took us to the beach, we'd go to the white beaches But if my father took us, we had to go to black beaches

"No, we never went with both of them together"

Then came the Mixed Marriages Act in 1949, which resulted in a certain amount of police harassment

Mr and Mrs Naidoo decided to leave South Africa and settle in Britain.

After leaving school, Sandra studied for a year at Manchester University and then became a research officer for the National Council for Commonwealth Immigrants, the forerunner of Britain's Commission for Racial Equality

She married the late Chris Cuthbertson of the BBC — but retained her own surname "I don't

UCT

From a journalist's point of view, South Africa fascinates her

"I'd like to go there for a long time, say a year, as a journalist, and see what things are really like. If someone commissioned me to go, I'd love to.

"But I think it would be difficult on the basis of a personal visit I'm not even sure they'd let me in

"And I'd want to see all the relatives, white and Indian, and that might make things tricky." —

SUNDAY POST Correspondent

NGK to meet soon on morals Acts row

STAR 17/3/80

238

Own Correspondent
 A special meeting will be held soon by leaders of the white Nederduitse Gereformeerde Kerk to discuss last week's row over the Mixed Marriages and Immorality Acts.

The meeting has been called by the general executive of the NGK on which all the white synods of the church are represented.

A time and venue must still be announced, but Pretoria is the most likely place for such a meeting.

Officials of the NGK in Pretoria were today hesitant to talk about the row, which was featured prominently in all the Sunday newspapers.

"We would like to discuss the issue privately, and not in the Press," one church leader said "Only after our meeting will I be able to say what further steps are to be taken."

The row, which is threatening good relations among the white and black churches of the NGK family, was sparked by a joint statement issued by four churches following a meeting in Pretoria last week.

It was the first time the black and white churches had taken a joint stand on these issues but the next day the Moderator of the Church of the Province of Southern Africa, Dr P I Kleynhans, said on television the joint statement was "incorrect".

He said he had to repudiate the statement because it left the impression the white church had no objections to the two laws being repealed.

EXA	
STU13-9	
13010	RACHELOR OF ARTS
STUD NO	SURNAME
1620049	BURNE
158955C	CAHO
162195Z	CHAIT
1539650	CLARKE
157789K	COHEN

104101	DAVID	ARCHAEOLOGY I	F	(237)
110101	LINDSEY JEANNE	HISTORY I	UP	(69)
911101		MATHEMATICS I M102	UP	(54)
916103	HEVERLEY RUXTON	ANIMAL BIOLOGY (HALF COURSEUP)	F	
116120	ROBERT GEORGE RENESON	DRAMA I	F	
004101	COLETTE	PSYCHOLOGY I	UP	(56)
107101	CASSANDRA ELAINE	ENGLISH I (PRE-1980)	3NX	
107101	ANNA IERESH	ENGLISH I (PRE-1980)	3NX	
902101	MICHAEL EDWARD	ECONOMIC HISTORY I	F	(8)
106102	MARCIA ELIZABETH	ENGLISH I (PRE-1980)	3	(57)
107101	ANDREW SYMON	SOCIOLOGY I	F	(49)
003101	ANNO JACQUES ERASMUS	PSYCHOLOGY I	F	(49)
004101	GAVIN MARK READ	CUMPRINCIAL LAW A	F	(35)
901101	GIULIETTA	STATISTICS I (HALF CRSE)	F	(48)
910106	GILLIAN DEURAN	AFR LANG INTENSIVE (X+05A)	3	(57)
101103	MICHAEL BRUCE	ENGLISH I (PRE-1980)	3NX	
107101	PAMELA JOAN	ENGLISH I	UP	(57)
115101	LUIGINA	PSYCHOLOGY I	UP	(55)
004101		PSYCHOLOGY I	UP	(52)
101104		FRENCH INTENSIVE	UP	(5A)
115102		ITALIAN INTENSIVE	UP	(54)
115103		PHYSICS I	UP	(58)
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UJET

1 3 5 7 9 11 13 15 17 19 21 23 25 27 29 31 33 35 37 39 41 43 45 47 49 51 53 55 57 59 61 63 65

The Cape Times

TUESDAY, MARCH 18, 1980

Scrap this law 238

THE CONTROVERSY in the family of Ned Geref churches about the Immorality Act is best left to those churches to resolve among themselves. But questions which are in the domain of private morality cannot be usefully regulated by statutory criminal sanctions. Any suggestion that the Immorality Act be amended to remove its inter-racial character, outlawing promiscuity as such without reference to race, is obviously not to be seriously entertained.

In any event, the Immorality Act is the product of obsolete social and political attitudes in regard to race and colour. It does not arise from considerations of morality. This act, and its evil effects, are the responsibility of the civil authority. As far as the secular government of South Africa is concerned, it is Mr P W Botha who is on the hook, and it is to Mr Botha that the nation is looking for leadership. It should be noted that the prohibition of sex across the colour line is a measure of immense symbolic importance, quite apart from its evil effects in practice. In countries abroad, it is this measure more than any other perhaps, which signifies apartheid. So

the abolition of the offending clause would have an immense effect abroad. It would symbolize a decision by South African whites to abandon the old, discredited racialist attitudes. It is a pity that Mr Botha appears to be dragging his heels. His original announcement of a review of this legislation was not well received by some of his followers. But he should not let this put him off. In his recent city hall speech, Mr Botha declared that the whole controversy could hardly be regarded as a top priority — at a time when black, brown and white South Africans were standing shoulder to shoulder on this country's borders. But it is a priority — because of its symbolic importance. If Mr Botha can screw his courage to the sticking place, and scrap the offending clause, he will reap an immense return in inter-racial goodwill at home — and he will experience a new response abroad. If it is any comfort to the faint-hearted, no one is advocating licentiousness or a lowering of moral standards. What is advocated is a symbolic step which will tell the world that a new era has dawned in South Africa — in which racial prejudice and contempt no longer enjoy statutory expression.

EXAMINATION RESULTS IN FACULTY ARTS

YEAR : 1

AS AT 29 02 80

PAGE 6

13010

FIRST NAMES

SURNAME

COURSE

DESCRIPTION

SYMBOL

1556571	PROUENZIANI	ELIANA LIDIA		
1523024	KAPMUND	IRMGARD BRIGITTE		
1522104	KEID	INGRID MERLE		
114687K	KHODA	GEORGINA ALEXAN		
162450R	KIDGLAY	ANTHONY PATRICK		
135749D	KOINS	STEVEN LANCE		
156722A	KOSFAMLIFF	DEBRA LOUISE		
159211F	SAMPSON	SIQBHAJ KOISIN		
155354N	SAMUELS	MYMOENA		
153405E	SCHULLKAAU	KAREN ANNE		
156890H	SCHWEITZER	PENELOPE ANN		
155761E	SCOTT	ELIZABETH ANNE		
154438T	SHURTT	PATRICK BARRY		
150755P	SLUMAN	ROBERT JOHN LOVEL		
1601630	SMITH	PAULA ANNE		
154446B	STAGMAN	SHARYN LEE		
155070E	STALDER	LINDSAY ELLEN		
159713B	STANFORD	PAIFLA MURIEL		
162606W	SULLIV	DEBORAH MAUREEN		
15R022N	SWINNEY	ROGER EDWARD		
134496K	TAYLOR	SHEREE KIM		
157654N	TEODUCU	SUSAN JAQUELINE		
157553D	THIEM	YOLANDE		

Justified anger

THE moderators of the four Ned Geref churches could hardly have been more circumspect in phrasing their joint statement last week about the Mixed Marriages Act and Section 16 of the Immorality Act. They said simply that they would have no objection 'in principle' should the Government 'reconsider' these laws. But even this was too much for the white church. Within a day, its moderator, Dr E P J Kleynhans, repudiated the statement because he said it gave the 'unfortunate impression' that his church had

no objection to these laws being scrapped

But the church concedes there is no scriptural justification for this legislation. Fundamentally it is adopting a political, not a theological, attitude.

No wonder some leaders of the younger black churches, to whom apartheid is abhorrent, are now threatening a complete break with the 'mother' church unless there is a fundamental change in its thinking.

Argus 18/3/80

(48) (238)

STUD NO	SURNAME	FIRST NAMES	COURSE	DESCRIPTION	SYMBOL	AS AT	29 02 80	PAGE	1
15036	H.A./L.L.B.								15036
10134	HACA	BRYAN GREGIL	602101	PUBLIC INTERNATIONAL LAW	ARS			4	101834P
1154740	HARPER	GREGORY MARK	602101	PUBLIC INTERNATIONAL LAW	2-	(67)		5	1154740
11433HE	HAGGINS	DEWISE ELLEN	604201	ROMAN DUTCH LAW I	1	(76)		4	114438F
1030696	LEWIN	DIANE	603202	ROMAN LAW & JURISPRUDENCE I3		(53)		4	1030696
100344V	LEWIS	MRIANT ANTHONY	603202	ROMAN LAW & JURISPRUDENCE IUP		(56)		5	100344V
094440C	LIAYD	HENRY	603202	ROMAN LAW & JURISPRUDENCE IUP		(50)		4	094440C
094440C	LIAYD	MICHAEL DAVID	603202	ROMAN LAW & JURISPRUDENCE IUP		(50)		4	102255V
BER OF STUDENTS		7							
REGISTRAR (ACADEMIC)									

UOST

Critical meeting for the NGK

Argus 19/3/80

238

Religion Reporter

THE moderamen of the Ned Geref Kerk in Afrika is to meet before the end of this month to discuss its reaction to the repudiation by the white Ned Geref Kerk moderator, Dr E. P. J. Kleynhans, of last week's unanimous statement on the Immorality and Mixed Marriage Laws.

The statement was issued after a meeting of the four moderators of the Ned Geref Kerk family — the white Ned Geref Kerk, the Ned Geref Sendingkerk, the Ned Geref Kerk in Afrika and the Reformed Church in Africa.

The statement, opening the door to the possible repeal of the Mixed Marriages Act and Section 16 of the Immorality Act, was subsequently repudiated by Dr Kleynhans, precipitating a crisis.

'Breach'

Dr Kleynhans was accused by the Sendingkerk and Reformed Church of a double breach of faith by breaking an agreement that there would be no comment on the 'unanimous' statement, and by destroying the agreement contained in that statement.

The Rev. J. M. Lebone, moderator of the Ned Geref Keik in Afrika, said his church would decide on the issue before the end of the month.

Pending that decision, he has not associated himself with the statement by the Sendingkerk and Reformed Church.

'In conflict'

In an editorial article written before last week's consultations, the Ligdraer, official journal of the Sendingkerk, said separate 'ethnic' churches were in conflict with the whole spirit of the Gospel.

This permitted uniform belief and confession, but not joint worship — the only practical witness to

In other words, all churches of the Ned Geref family must become open churches, it said.

STUD NO	SURNAME	FIRST NAMES	COURSE	DESCRIPTION	SYMBOL
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1623211	SIEBA	JOCELYN-NEILA	110117	PRACT ACT I AFRIKAANS LOMERVAARS	3

EXAMINATION RESULTS IN FACULTY ARTS
 AS AT 29 02 80
 YEAR : N/A
 PAGE 1
 13100

TOTAL NUMBER OF STUDENTS: 1

REGISTRAR (ACADEMIC)

'Honorary white' status for Chinese on the cards

By Tom Duff, Political Reporter

CAPE TOWN — There is a growing belief in Nationalist circles that Chinese are to be accorded the same "honorary white" status as Japanese

AS AT 29 02 80

EXAMINATION RESULTS IN FACULTY ARTS

YEAR : 2

15026 B.A./LL.B.

STUD NO	SURNAME	FIRST NAMES	COURSE	DESCRIPTION
133011C	SCHWEITZER	ANTONY GIDEON	604201	ROMAN DUTCH LAW I
1349653	SMITH	ROBERT TRAVERS	105104	LATIN I
1351958	SMUTS	FRANZ	603202	ROMAN LAW & JURISPR
100311J	SNYMAN			JURISPR
132288R	SONNEN			
138545T	STRATTON			
133262A	TFE			
139650U	THOMAS			
101565V	WILLIAMS			

The Prime Minister of Taiwan, Mr. Sun Yun-Suang, disclosed at the end of his State visit to South Africa this week that he had been given assurances that the status of the Chinese community would be improved.

The Minister of the Interior, Mr. Alwyn Schlegelbusch, has also promised that a new look will be taken at the position of nearly 9 000 Chinese in the country.

He said the constitutional commission of which he is chairman would be investigating their political rights.

Nationalist sources expect that in future there will be no separate residential areas for Chinese.

In the past, they have been regarded as a separate group and have been subject to the Group Areas Act.

There is still some uncertainty among Nationalists as to what political representation Chinese should get.

Hitherto, they have not been able to vote.

It was surprising that it should take the visit of a foreign leader to cause the Government to re-examine the position of the Chinese community, Mr Colin Eglin (PFP, Sea Point) said today.

"It appears that what the Japanese managed to achieve with pig iron a few years ago, the Chinese are now doing with uranium."

DEAN

42	44	46	48	50	52	54	56	58	60	62	64	66

UJCT

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Argus 21/3/80

Repeal these laws!

238

THE Prime Minister says he would welcome suggestions for the improvement of two embarrassing pieces of legislation — the Prohibition of Mixed Marriages Act 1949 and Section 16 of the Immorality Act, outlawing sex across the colour line.

Addressing a National Party meeting he made important statements — first that 'mixed marriages are not a sin but have undesirable consequences' and second, that 'the future survival of Afrikanerdom does not depend on the Immorality Act.'

These worthy statements were expressed in Parliament by the United Party during the race-orientated debates of 1949 and 1950 when the Government was laying the foundations for its grand apartheid. They were repeated across the floor by the Opposition for the ensuing three decades and at last today there is a responsive echo.

Mr Botha's concern about the consequences of mixed marriages is only understandable so long as a child born of such a marriage is subjected to discriminatory laws — he will be classified under the Population Registration Act 1950 and if one parent is classified coloured, then no matter the child's appearance, he will be classified coloured, and his children and children's children in perpetuity.

As a result of such classification he will be subject to laws restricting his choice of school, his area of residence, his rate of pay, his ultimate social pension.

The other consequence is the problem of residence of the parents because this Government is opposed to 'open' residential areas (according to Minister F W de Klerk), and of course they could frequent an 'international' hotel but not dance unless they were residents!

I would suggest some action which could be taken to improve this Act.

● Recognise those marriages which have been legally solemnised between persons of different

classified colour in another country, restore their rights to citizenship and legitimacy to any child born of such marriage

● Alleviate the anxiety of many couples who are living 'settled, decent lives without being able to marry because of the race classification of one of them. Allow an application for reclassification of

**Lionel Murray,
former MP for
Green Point,
has some
suggestions for
the Prime
Minister on the
laws affecting
sex across
the colour-line.**

one or other as they choose. Give them security of marriage, enable them to register their children openly as a legitimate birth, to receive married pay, to join medical aid schemes and so on.

● Amend the Group Areas Act so as to enable local authorities to establish 'open' residential areas for all levels of society.

● Re-introduce into the Population Registration Act the original test of appearance and acceptance to determine race

● Amend the Prohibition

of Mixed Marriages Act by restoring the original provisions in terms whereof the marriage officer accepted a declaration of racial identity if, by appearance, a party was what he professed to be and was able to show that he habitually associated with persons belonging to such racial group.

These are suggestions in response to the Prime Minister's offer to consider them. They serve to emphasise that until the foundations of the Verwoerdian concept of grand apartheid are destroyed, hurtful discrimination cannot be eliminated.

As to the Immorality Act (Sec 16) — the Prime Minister has understandable difficulties. Until the law was introduced the question as to whether, and with whom, a person indulged in extra-marital intercourse was a matter of personal decision.

Under the mandatory provisions of the Act, a generation has grown up when personal conscience was immaterial — to so indulge was a criminal offence. To repeal the clause might well be construed as a licence making lawful what had been unlawful.

My suggested improvement to the Prime Minister, short of a repeal, is to ensure that the provision is 'abrogated by disuse' — let there be no prosecutions under the Act.

But all this is merely fiddling. There must be the repeal of these laws to give substance to Minister Pik Botha's assurances to the United Nations six long years ago.

White, ⁽²³⁸⁾
coloured,
and ^{Star} 3/4/80
what now?

Own Correspondent

CAPE TOWN — Mrs Susan Green, a Cape Town widow who was reclassified coloured after the death of her white husband and who again wants to marry a white man, hopes to have her problem solved within a week.

Mrs Green, and the man she wants to marry, Mr Aubrey Jooste, a security guard, have been told they can expect a visit from a Department of the Interior official within a week.

"I believe they check on people before reclassifying them," Mrs Green said. "They ask the neighbours if the applicant associates with coloured people and that sort of thing."

"However, I am hoping they will tell me whether everything is going to be all right when they visit me."

Mrs Green, a mother of four, has known Mr Jooste, a father of five children from his previous marriage, for more than four years. Their children have all attended white schools.

She first discovered she had been reclassified coloured when she received her book of life.

No reasons were given for the change.

Govt wants an address for everyone

Political Staff

HOUSE OF ASSEMBLY — The Government plans to keep an up-to-date record of the address of every individual in South Africa with the help of a network of agents from State departments, local authorities, schools and even private business.

Change of addresses of clients and employees will be supplied to the Department of the Interior and will be noted in the Population Register, which will be used eventually to compile voters' rolls

A complete reorganisation of the Department of the Interior was announced in Parliament yesterday by the Minister of the Interior, Mr Alwyn Schlebusch

Changes include the decentralisation of the department's activities, with the establishment of eight new regional offices, and with municipalities performing the department's functions where no local offices exist

All schools in the country will be asked to arrange for pupils to apply for identity documents when they reach the age of 16

In an explanatory statement, Mr Schlebusch said a departmental committee of inquiry appointed to implement a Government decision to decentralise the Department of the Interior had found that the present centralised system was not effective in keeping the population register complete and up-to-date

To keep the addresses of individuals up to date at all

times, a network would be established in collaboration with Government departments, provincial administrations, statutory bodies, local authorities, undertakings in the private sector, farmers' associations and co-operatives, Mr Schlebusch said

The purpose of the network was "to collect changes of addresses in respect of clients, the identity and addresses of whom are of real importance to them, and in respect of their employees," he said

"It was felt the ideal would be an office or representative of the department in every city and town — no matter how small — to identify and register individuals and serve them there, where they live and work"

Towards this ideal the Government would establish new regional offices at Beaufort West, George, Pretoria, Pietersburg, Kroonstad, Maritzburg and on the East and West Rand

In centres where there were no regional offices, local authorities would be used to perform the decentralised functions of the department for which they would be paid

The united municipal executive and its constituent bodies had already approved the arrangement in principle, Mr Schlebusch said

The Government had decided further that once a survey of the population in the population register had been completed and changes of addresses were being kept up to date constantly, the register would be used to compile voters' rolls

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to compile voters' rolls

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The real pity

THE Deputy Minister of the Interior, Mr Pen Kotze, thinks it a pity that race classification incidents — such as the recent one involving the unfortunate Mrs Susan Green — always end up in the Press. Mr Kotze takes the view that these matters could be solved more sensibly by his department — by depositing them into a sensible pigeonhole — and with less embarrassment to the parties concerned.

Argms 23/4/80

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But the point is that the parties concerned often realise the Press is their only public forum and are ready to risk the embarrassment of publicity.

No, Mr Kotze, the real 'pity' is that the South African race classification law, unique in the Western world, should exist at all, bringing tragedy and misery to so many lives.

argus 23/4/80

Kotze deplures

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Reclassification reports

It was a pity that cases of reclassification of race groups had in the past always ended up in the Press and media, the Deputy Minister of the Interior, Mr Pen Kotze, said yesterday in the Senate.

Replying to the second reading debate on the Population Registration Amendment Bill, he said it was a pity as those

matters could be solved by his department in a more sensible way with less embarrassment to the parties concerned.

He referred to a recent case reported in the Press in which a Mrs Green alleged that she had been reclassified coloured when she had wanted to marry a white man, a Mr Jooste.

'She must have known that she was classified coloured as she had applied to my department five times in the past to be classified white,' the Minister said.

Mr Jooste also must have known that she was coloured as he, in turn, had requested to be classified coloured — Sapa.

Cyclical Trend
+1, +2, +3
-1, -2, -3

Comments

leading indicator may be given a favorable (unfavorable) status well before aggregate economic activity is expected to show a similar status, the anticipated plant and equipment spending figures may prompt the indicator analyst to give this indicator a more favorable (unfavorable) current status in spite of the spending performance to date.

The capital appropriations backlog is classified as a roughly coincident indicator, but it has led at peaks and lagging at troughs.

8 Reflections of Demand for Goods

Many of these indicators frequently have movements which are of several months duration, involve changes of fairly large magnitude, and which are not preceded, accompanied, or followed by similar movements in aggregate economic activity. These movements cannot be dismissed as simply erratic; they are, on the contrary, well defined.

To designate all their ups and downs as "cyclically" favorable or unfavorable would in a very real sense distort their meaning. Their movements are actually cyclically irrelevant much of the time. But to designate all of their ups and downs as irrelevant would be to dismiss the movements which are relevant.

One realistic answer, if not an especially objective one, is to judge or weight their movements in the light of what appears to be happening in indicators which are cyclically appropriate. Weakness or strength which accompanies similar weakness or strength in the cyclically appropriate indicators ought to be given greater cyclical significance.

The indicator of prices of sensitive materials has had a rather checked performance in the 1960s and its contemporary movements at this time probably should not be given too much cyclical weight.

I told the truth—race case mother

MRS SUSAN GREEN, who was criticised in the Senate this week by the Deputy Minister of the Interior, Mr Pen Kotze, for not telling the truth about her reclassification, said today she stood by what she had told the newspapers.

'How can they say I am coloured when I know for a fact that my whole fam-

ily is white,' Mrs Green said angrily. 'As I've told you before, I've lived as a white all my life, married a white man and my children attended white schools.'

Mrs Green said she was classified coloured when she applied for an identity document in 1969/70 and has since then been trying to be reclassified white.

In response to a statement by Mr Kotze that one of her eldest children was married to a coloured person and that her daughter was living in uncertain circumstances with a man, Mrs Green said she has not seen her son since he left home at the age of 18.

'My daughter is married to a man, who is white,

and they live in Diep River,' Mrs Green said.

'I don't understand the whole issue and I think it's unfair and cruel to expect me and my children to live as coloureds after living white for so long.

'Would Mr Kotze like it for him and his children?' Mrs Green asked.

Minister tells of 'different civilisation levels'

THERE are 'very deep inherent hereditary differences' between whites and blacks, giving whites certain abilities while blacks had other abilities, Mr. A J Raubenheimer, Minister of Water Affairs and Forestry, said last night

Mr Raubenheimer was replying to a question on

the 'different levels of civilisation' in South Africa, put to him after he had addressed a student audience at the Huguenot College in Wellington.

Later, Mr Raubenheimer said coloured people had much more in common 'among themselves' (on-derling) than with whites

He said the absence of a clearly demarcated coloured territory — even though 80 percent lived in the South Western Cape — was not an insurmountable obstacle to the development of a coloured 'identity.'

WHITE IDENTITY

Within the framework of separate residential areas the coloureds could 'find themselves' and build up their own possibilities

In his address Mr Raubenheimer had said the preservation of Afri-

kaner identity formed the core of the preservation of white identity and that of all minority groups in Southern Africa.

Afrikaners formed the Government, had to 'inspire' the other groups, and resist 'the forces seeking the destruction of the country.'

There were, he said, no others who could resist this, and Afrikaners had to convince other groups of their 'goodwill and indispensability.'

There was, he said, no other nation on earth who had done more for other nations than the Afrikaner

The present legislation on immorality and mixed marriages had a thorough historical grounding, Mr Raubenheimer said, and 'hasty and emotional decisions and pronouncements on delicate subjects, and especially our national relations (volkeverhoudinge) and our moral standards, were undesirable.'

He endorsed the decision by the Government that the Immorality and Mixed Marriages Acts must be retained 'in the interest of all,' but that 'improvements concerning the content and application' should be sought

30/4/80
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S.P. Post

'ID is simple: have one system for all'

SUNDAY POST
Correspondent

DR Piet Koornhof, Minister of Co-operation and Development, in his bid to formulate an identification system for blacks without the passbook system, need not spend sleepless nights. He need merely introduce one system for all South Africans.

That is how people reacted this week when Dr Koornhof told the House of Assembly during the debate on his Budget vote. "There are 16 million people carrying passbooks. It is a delicate issue and has to be treated with utmost care. It is important that I get the co-operation of everyone. Patience must be shown."

Mr Issac Meletse, a member of the national executive of the National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro), told SUNDAY POST: "My message is that the pass system must be scrapped."

He said that if the Government was true to the spirit of the Riekert and Cillie Commissions — which focused on the pass laws in different aspects — then passes must be scrapped.

"We must have the same identification system as other races," said Mr Meletse.

Mr John Rees, director of the Institute of Race Relations, pointed out that for over 50 years the Institute had emphatically rejected pass laws. "For years the system of identification has been on a racial basis," said Mr Rees.

The Institute rejected a document that controlled the free movement of people's employment opportunities and acted as a means of humiliation. He said the Institute would lend its hand to in-depth studies conducted with all sections of the population on the consequences of pass laws.



Dr Koornhof

Rev Sam Buti, president of the South African Council of Churches and chairman of the Alexandra Township Liaison Committee, was emphatic: "You don't design an identification system for a particular people. The new system shouldn't be for blacks alone." A black identification system should fall under Dr Koornhof's department only for administrative purposes, Reverend Buti said.

"Any kind of identification must be for all citizens of South Africa."

"How can you exercise influx control without humiliation?" Mrs Joyce Harris, national president of the Black Sash, asked.

She said the Black Sash stood for the abolition of passbooks. "We just can't see Dr Koornhof administering inhuman laws humanely."

Mr D G Mtshawulana, chairman of the Soweto Coal Dealers' Association, said Dr Koornhof's intentions might sound good, but he warned that blacks might find themselves with the same old pass system in a different form.

"Dr Koornhof must come out and tell us what he really means," he said.

Mr Christopher Mageza, a Soweto coal dealer, said. "Whatever form the identification system for blacks takes will be discrimination."

12/05/80 ARK 4/2

Hope NCK strife may weaken apartheid

Religion Reporter
A HOPE that the turmoil in the Ned Grief Kerk family over the Mixed Marriages Act and Immorality Act would destroy the credibility of apartheid has been expressed by Christian Leader, official organ of the Presbyterian and Congregational churches.

Christian Leader was commenting in an editorial

article on the dispute between the white Ned Grief Kerk and its three sister churches over a joint statement which said that the churches could not object in principle to a repeal of any of the Mixed Marriages and Immorality Acts.

The statement was not supported, repudiated by the white churches leading to a conflict with the other three parties to the statement.

Christian Leader said the dispute was not incidental but a reflection of the fact that apartheid has placed in the political arena.

It added 'We take delight in the calling of father Christian, but if it for the sake of ensuring that the large circle theological tradition of apartheid are taken away, then we can only rejoice that the turmoil some has caused'.

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Fined for abusing race bar woman

A 25-YEAR-OLD Cape Town man was yesterday fined R30 (or 60 days imprisonment) in the Retreat Magistrate's Court for shouting obscenities at Mrs Susan Green, a Kirstenhof woman waiting re-classification as a white so that she can marry the man she loves.

Ronald Stanley Blake, 25, of 9 Becott Road, Weyton and a 16-year-old youth pleaded not guilty to charges of using obscene language, resisting arrest and assaulting a policeman when they appeared at a previous hearing.

In addition to his sentence on the obscene language charge, Blake was yesterday sentenced to six months, suspended for five years, on the charges of resisting arrest and assaulting a policeman.

The incident occurred on March 29 in Kirstenhof when Blake and his brother visited Mrs Green's neighbour, Mrs Daphne Loubscher, who is also the sister of Mr Aubrey Jooste, the man Mrs Green wants to marry.

'THROWN'

When they became rowdy and refused to leave, Mrs Green called the police.

When the police arrived, the brothers resisted arrest, used obscene language and said 'You can do nothing to us'. They also insulted Mrs Green about her origins.

Blake said he had not used obscene language. He added that Mrs Green had thrown something at him so he defended himself. The policeman then hit him with his fists.

Giving evidence, Constable Amor Swanich said he had arrived at the house after receiving a call from Mrs Green.

The youth had been arrested while using obscene language and was in the police van. Blake then tried to assault the policeman. While trying to escape, the youth kicked Constable Swanich twice in the face, and Blake punched him in the face.

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REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

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Vol 179]

PRETORIA, 30 MAY 1980
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[No 7047

PROCLAMATION

*by the State President of the Republic
of South Africa*

No R 93, 1980

COMMENCEMENT OF THE POPULATION
REGISTRATION AMENDMENT ACT 1980 (ACT
35 OF 1980)

Under the powers vested in me by section 10 of the
Population Registration Amendment Act, 1980 (Act
35 of 1980), I hereby declare that the provisions of
the said Act shall come into operation on 1 June 1980.

Given under my Hand and the Seal of the Republic
of South Africa at Pretoria on this Twenty-first day of
May, One thousand Nine hundred and Eighty

M VILJOEN, State President

By Order of the State President-in-Council

A L SCHLEBUSCH

GOVERNMENT NOTICE

DEPARTMENT OF THE INTERIOR

No R 1114

30 May 1980

AMENDMENT OF THE REGULATIONS IN
TERMS OF THE POPULATION REGISTRATION
ACT, 1950 (ACT 30 OF 1950)

The State President has, in terms of section 20 of
the Population Registration Act, 1950 (Act 30 of 1950),
made the regulations set out in the Schedule hereto
with effect from 1 June 1980.

SCHEDULE

1 In these regulations "the Regulations" means the
regulations published under Government Notice R 748
of 5 May 1972, as amended by Government Notices
R 770 of 3 May 1974, R 797 of 25 April 1975 and
R 924 of 27 May 1977

169—A

PROKLAMASIE

*van die Staatspresident van die Republiek van
Suid-Afrika*

No R 93 1980

INWERKINGREDING VAN DIE WYSIGINGS-
WET OP BEVOLKINGSREGISTRASIE, 1980 (WET
35 VAN 1980)

Kragtens die bevoegdheid my verleen by artikel 10
van die Wysigingswet op Bevolkingsregistrasie, 1980
(Wet 35 van 1980) verklaar ek hierby dat die bepalings
van genoemde Wet op 1 Junie 1980 in werking tree.

Gegee onder my Hand en die Seel van die Republiek
van Suid-Afrika te Pretoria, op hede die Een-en-
twintigste dag van Mei Eenduisend Negehonderd-en-
tagtig

M VILJOEN, Staatspresident

Op las van die Staatspresident-in-rade

A I SCHLEBUSCH

GOEWERMENSKENNISGEWING

**DEPARTEMENT VAN BINNELANDSE
SAKE**

No R 1114

30 Mei 1980

WYSIGING VAN DIE REGULASIES KRAGTENS
DIE BEVOLKINGSREGISTRASIEWET, 1950 (WET
30 VAN 1950)

Die Staatspresident het kragtens artikel 20 van die
Bevolkingsregistrasiewet 1950 (Wet 30 van 1950), die
regulasies wat in die Bylae uiteengesit is, met ingang
van 1 Junie 1980 uitgevaardig.

BYLAE

1 In hierdie regulasies beteken "die Regulasies" die
regulasies uitgevaardig by Goewermentskennisgewing
R 748 van 5 Mei 1972 soos gewysig by Goewerments-
kennisgewings R 770 van 3 Mei 1974, R 797 van 25
April 1975 en R 924 van 27 Mei 1977

7047—1

(238)
Rid SA
ADM
of this
31/5/86
source of
ill-will'

Political Staff

THE ASSEMBLY - South Africa's race classification laws stood as a repugnant monument to all that was bad in the NP's philosophy of separate development, Mr Dave Dalling (PFP Sandton) said yesterday.

Speaking during debate on the Interior Vote, he called for the abolition of a law which 'has caused misery and grief, caused suicides every year, divided families and has caused at least some South Africans to leave this country forever'.

Mr Dalling said that while the law today was in more sympathetic hands than it was a few years ago discretionary alterations could never be more than a gesture.

"The end, that of enforcing separate development cannot be justified by the means adopted in terms of this law," he said.

'Does the future of South Africa really depend on it? Is the prospect of the retention of the identity of whites so fragile and weak as to require a law of this sort? I think not,' said Mr Dalling.

He said the Act was designed initially to create a system of race classification based on appearance, general acceptance and repute. Over the years there had been many borderline cases, causing much humiliation, anxiety and ill-will with resultant disastrous publicity for South Africa.

Later the issue of descent became the determining factor.

Although this had resulted in the number of applications for reclassification dwindling, there were today still isolated cases that had to be investigated.

The Act placed a statutory stigma on people who had committed no sin.

Mr Dalling said the Department of the Interior would become known, after rationalisation as the Department of the Interior, Constitutional Coloured and Indian Affairs.

'I want to query the wisdom of this. I am not at all convinced that this re-arrangement is at all suitable.'

Replying, Mr Schiebusch said the heads of all the departments were told of the reasons for the rationalisation programme and were asked to make suggestions. These were considered before the decision was taken to combine them.

Men guilty on morals charge

STAR
16/6/80
(238)

East Rand Bureau

Two Germiston men who claimed a black woman had enticed them to have sex with her were today each sentenced to a year's imprisonment, suspended for five years.

Roelof Johannes Cornelius Brits (21) of Dawnview and Andre Petrus van den Berg (18) of Gerdview were convicted

by a Germiston regional magistrate of contravention of the Immorality Act.

The men were initially charged with raping the woman, but the State accepted their plea of guilty on the immorality charge. The case against a further accused, Mr Pierre Stivdom (19) was withdrawn in absentia.

Sex Act accused is 'disheartened'

STAR 16/6/80

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A Germiston man convicted of having sex across the colour line said today he was disheartened that such a case had been brought before the court in light of the "changing world we live in today".

Johannes Hendrik Pretorius (35) was sentenced by a Germiston regional magistrate's to one year's imprisonment suspended for five years. His common law wife Esther Scholtz (30) was sentenced to six months' imprisonment suspended for five years.

Both pleaded not guilty.

Pretorius told the court he was still married to a coloured woman and they had three children. Scholtz is unmarried with four children.

Lieutenant J de Korte said when he visited Pretorius's Germiston flat in March the accused produced a marriage certificate to show he had married a coloured woman in Swaziland.

Mr P van der Merwe said in passing sentence he took into consideration the lenient attitude that other courts adopted regarding interracial intercourse.

DP 24/6/80
Race Act

p. 36
**man
sentenced**

EAST LONDON — A former police constable was convicted in the Regional Court here yesterday for contravening the Immorality Act

Mr Robert Bryce Gower, 21, of Lilly Valley, Kidd's Beach, was sentenced to six months' imprisonment, conditionally suspended for three years.

Mr Gower admitted he had intercourse with a woman who later gave birth to a child. He said he was unable to say if the child was born as a result of their relationship.

Mr Gower also admitted that the incident happened while he was still a policeman, but that he had resigned from the force in January this year.

The prosecutor, Mr S Grobbelaar, accepted Mr Gower's plea and did not lead any evidence in the trial — DDR

Witwatersrand

He left ⁵⁷⁰⁰
SA to 9/7/60
save his ⁽²³⁸⁾
marriage ⁽⁴⁸⁴⁾

By Neil MacLucas

Apartheid has turned a young family man's longed-for return home into a nightmare.

Mr Liam Keeley of Westdene, Benoni, brought his wife and their two Japanese-born children to South Africa, his country of birth, in April for a working holiday, and six weeks later was called up for military service in the operational area.

The fact that he is now an Irish citizen has not impressed the Defence Force and he has now applied to the Pretoria Supreme Court for an order to have his call-up set aside.

Mr Keeley's problems began when he went abroad after completing his military service and graduating from the University of the Witwatersrand.

"I visited Japan because of my interest in karate, and while there I met and married my wife, Toshi. Unfortunately, as a South African, I was not allowed to work there and returned home to make arrangements for Toshi to join me here."

"We were separated for 10 months while I fought a running bat-



Mr Liam Keeley with his wife Toshi and daughters Rina (5) and Maya (4 months), at his parents' home in Benoni. Picture by Dale Yudelman.

tle here with the Department of the Interior for permission for my wife and newly born daughter to join me.

I eventually realised I was wasting

my time and that if we wanted to continue as man and wife I would have to renounce my citizenship and settle in Japan," he said.

Mr Keeley returned to Tokyo where he ap-

plied for the necessary passport. He has been teaching English at a Tokyo university for some years.

After another long wrangle his wife was granted a temporary visa for one month. Mr Keeley said that he had intended to contact Mr Keeley on the grounds that he was a Citizen Force member regardless of his nationality.

"My best wife case was a call-up for pending a deci-

EX-SA man contests border call-up in court

10/7/80
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Own Correspondent
PRETORIA. — A man who renounced his South African citizenship because his Japanese wife was refused entry to the country, has gone to court rather than perform a border call-up issued while he was visiting his parents in South Africa. Karate expert Liam Brink Keeley is on holiday with his wife and two children at his parents' home at 13 Willow Terrace, Westdene, Benoni.

He has submitted an affidavit to the Pretoria Supreme Court contesting the South African Defence Force's interpretation of a military camp although he forfeited his South African citizenship in 1976.

In his affidavit, Mr Keeley said he was born in the country and performed military service here between April 1969 and January 1970. Being a karate expert, he wished to visit Japan and left the Republic on his South African passport in 1973.

In Japan he met Toshi Ohashi, whom he married in February 1975. He was unable to work in Japan on his South African passport and returned to South Africa where he tried in vain to obtain an entrance visa for his wife between March and December 1975.

He returned to Japan, where he applied to the Irish Embassy for a passport on the grounds that his father's father was Irish. He was told he could only have Irish citizenship if his South African passport was cancelled.

On February 5, 1976, his South African passport was cancelled and he assumed Irish citizenship. Earlier this year his wife was granted a visa to visit South Africa and they decided to know his wife so they could get to the middle of April and towards the middle of

May I received call-up papers from the SADF to attend a three-month military camp in one of the operational areas, said Mr Keeley. He wrote to the SADF, advising them that he was no longer a South African citizen, but was informed by the Chief of the Defence Force that their interpretation of the Defence Act was that Mr Keeley was liable for military training.

Mr Keeley said: "Through the country's race laws I have been forced to leave the Republic and

forfeit my citizenship. I am now an Irish citizen and my wife, family and I are visiting South Africa for a maximum period of one year and I do not regard myself as being liable for further military training."

Mr Keeley was due to be called up on July 17, but Mr Justice Curlewis ordered the deferral of the date and postponed the matter to August 26.

Mr L. T. C. Harms, instructed by Savage, Jooste and Adams, appeared for Mr Keeley.



Mr and Mrs Aubrey Jooste relaxing at home last night and life will continue as usual, Mr J

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Joostes
told not
to talk
to press

A RETREAT couple who married on Monday, hours after the bride had been informed by a senior official of the Department of the Interior that she had been reclassified white from coloured, said yesterday they had been asked not to give any interviews to the press.

Mrs Susan Jooste, nee Green, 46, and her husband, Mr Aubrey Jooste, 43, were unwilling to speak to the Cape Times yesterday morning because they said they had been asked by the department's Cape regional representative, Mr H Nothnagel, not to give newspaper interviews.

Mr Nothnagel yesterday denied this, saying he had simply requested Mrs Jooste in his office not to give interviews which would lead to publicity

after she had been reclassified.

Mr Nothnagel had asked her to come to his office on Monday morning where he informed her that she and her six children had been reclassified white, Mrs Jooste said. The Joostes were married hours later in the Steenburg Apostolic Faith Mission church by the Rev G Meyer.

The plight of the Joostes, which received wide publicity and was mentioned in the Senate, started in February when a Wynberg magistrate refused to marry them because a code number in Mrs Jooste's Book of Life indicated that she was a coloured person.

The Joostes said yesterday they felt very happy and relieved that the six-month-old drama was over.

Mixed ^{7/1/68} marriage in ^C City ⁽²³⁸⁾

Staff Reporter

THE government this week allowed the marriage of Mrs Susan Jooste to go ahead, in spite of the fact that her new husband is white and she is still officially classified coloured

Confirming this yesterday, the Secretary for the Interior, Mr T J Booyens, rejected the theory that his department had therefore tacitly authorized the first mixed marriage in South Africa

Mr Booyens said last night Mrs Jooste was still officially classified coloured, but her application for being reclassified white was under consideration

"We had told her that we would not take steps if she married while we were still proceeding with our investigation for the reclassification she had requested"

Mr Booyens could not say when the department's reclassification investigation would be completed

A Wynberg magistrate in February refused to marry the 46-year-old Mrs Jooste, formerly Mrs Green, to Mr Aubrey Jooste, 43, because her Book of Life indicated she was coloured

She then applied to the Department of the Interior to be reclassified white, and sent colour photographs of herself to Pretoria as requested

On Monday this week permission was given for the marriage at the Steenberg Apostolic Faith Mission church

After she had received permission to marry on Monday, Mrs Jooste told the Cape Times she had been reclassified white. Mr Booyens, however, denied this last night.

Mrs Jooste's first husband was white and she and her children were originally classified white. They were subsequently reclassified coloured.

The Prime Minister, Mr P W Botha, indicated last year that the government would consider "improvements" to the Mixed Marriages Act. While the law would not be scrapped, mixed marriages were not a sin and people of different race groups could genuinely fall in love.

Both he and the Minister of the Interior, Mr Alwyn Schlabusch, have subsequently said that the act must be applied with compassion.

Woods

Explain why?

Kleurgrenns kon liefde nie keer

Susan, Aubrey
1971
Andg...
eindelik saam

Van KOBUS TERBLANCHE
KAAPSTAD

IN haar bed het Susan Green, 46, vroeër vanjaar geworstel met die gedagte dat daar nie meer 'n God is nie, óf dat dit haar lot moet wees dat hy nie na haar wil luister nie.

Dit was nadat sy die oggend van 'n landdros in Wynberg moes hoor dat sy en die man wat sy liefhet, nie mag trou nie. Want, is aan haar gesê, Aubrey Jooste, 51, is blank — en jy is 'n Kleurling.

Vandeeweek het Susan, die De Klerk-meisie wat geen kéréls gehad het voordat sy des-tyds met Henry Green getroud is nie, met haar Aubrey afgehaak

Blank is sy nog nie verklaar nie. Maar sy glo dat dit binnekort so sal wees Die huwelik is van-

begin het, en dis ook waar Aubrey moes hoor dat die vrou wat hy liefgekry het, vóór hul kennismaking as Kleurling herklassifiseer is Maar dit het hom nie afgeskrik nie „Ek sou veg tot die einde toe om haar my vrou te maak,” sê hy vandeeweek



Rapport 238

10/7/80

deesweek voltrek nadat die Departement van Binnelandse Sake toestemming gegee het dat die twee maar kan trou. Intussen moes sy weer aansoek doen om herklassifikasie. Die Departement sê die aansoek word nog oorweeg.

Daar in die kerkie van die Apostoliese Geloof-sending in Steenberg het die drama van ses maande Maandag geëindig toe sy met 'n blinknuwe ring en 'n nuwe horlosie haar trou aan Aubrey beloof.

By hul eenvoudige huisie het Aubrey haar ná die plegtigheid vasgegryp en gesê: „Nou kan ons nóg liewer vir mekaar wees.” Die stryd wat hulle in Februarie vanjaar aangepak het, was uiteindelik gewonne.

Vergete was haar eerste huwelik met Henry Green, destyds toe sy nog as blanke deur die lewe kon gaan. Henry is 'n paar jaar gelede oorlede en in dieselfde tyd is Aubrey van sy vrou geskei. Aubrey het by haar komloseer. Dis waar die liefde

hewelik was daar ook die blydschap dat Susan se kinders, 'n 17-jarige tweeling, Joan en Mark, Shane, 15, en Doby, 9, as blank herklassifiseer gaan word.

„Ons kon net nie verder so voortgaan nie. Dit was wonderlik dat al die spanning verby is. Ons gebede is verhoor,” het die twee ná die huwelik gesê.

Aan diegene wat dink dat sy aan weerskante van die kleurskeidslyn geleef het, wil sy net sê: „Dit was destyds vir my 'n skok om te hoor dat ek as Kleurling geklassifiseer is, maar ek het daar en dan besluit dat my lewe soos altyd sou voortgaan en dat ek vir niemand sou terugstaan nie. Ek het voortgegaan om soos 'n blanke te leef,” sê Susan.

„As Christen het ek geglo dat ek moet volhard en dat alles eendag weer sal regkom. Maar daar was 'n tyd toe ek gemeen het dat die Here nie meer daar is nie. Ek het selfs aan selfmoord gedink. Vandag kan ek nie begryp

SUSAN EN AUBREY...
groot gesukkel en baartseer uiteindelik saam.

hoe ek byna my geloof oorboord gegooi het oor al die verdriet wat ek moedeurmaak nie,” sê sy.

In die klein sitkamertjie sit Aubrey deurentyd met 'n glimlag. „Heel in die begin van ons verhouding het ek besef dat Susan 'n vrou is met 'n hart vol liefde,” sê hy.

Hy vertel dat hulle saam gebid het dat dinge moet verander sodat hulle kan trou. „Omdat ons geglo het, gehoop het en saam gebid het, kan ons vandag nie eens bitter wees oor die stryd wat ons moes deurmaak nie,” sê Aubrey.

„Nou kan ons kerk toe met skoon gewetes. Ek kan nou weer in die koor gaan sing,” sê Susan.

„Ek daag iedereen uit om my verlede te probeer opdiep om te sien of daar iewers fout is. Ek weet tot vandag toe nog nie hoe die klassifikasie as Kleurling gekom het nie,” sê sy.

By TONY SPENCER-SMITH

THE Government this week gave the go-ahead for a mixed marriage — probably the first time this has happened since the Nationalists introduced their notorious laws barring sex and marriage across the colour

More than a year of race classification agony for Cape Town widow Mrs Susan Green and her lover Aubrey Jooste ended on Monday when they finally were able to get married.

Mr Jooste is white — and Mrs Jooste is still officially coloured.

Ironically, their mixed marriage came in the same week as the attack on sex across the colour bar — even a mixed marriage — made in Die Kerkbode by former Ned Press Kerk moderator Dr E. P. J. Kleynhans.

Dr Kleynhans was not available yesterday to comment on the Government move. He was quoted in a Cape Town daily newspaper at the weekend as saying he would not clash with the Government on the Jooste case. It was their business, he said.

The Secretary for the Interior, Mr T. J. Booyens, confirmed yesterday that Mrs Jooste had been informed by the Department of the Interior on Monday that it would not take action if she married Mr Jooste.

The couple believed that this meant that she and her six children had been reclassified white — but Mr Booyens said Mrs Jooste had merely been told that her application for reclassification was still being considered.

He refused to discuss the implication of this. "This is an intensely private matter for the couple concerned."

Asked if their marriage was valid in terms of the law, Mr Booyens said: "Only the Supreme Court can give a ruling on something like that."

Turned away

In February, the Sunday Tribune told how the couple was turned away at the last minute by a Wynberg magistrate who had been about to marry them.

The number in Mrs Green's Book of Life classified her as coloured.

A desperate battle followed to have her reclassified

But there was only silence from the authorities —

But there was only silence from the authorities — offices of the Department of the Interior.

They wasted no time and got married at the local Apostolic Faith mission church that evening

They were reluctant to talk about their case — having been asked by a Department of the Interior official not to give interviews — but they revealed how the months of waiting had turned them into nervous wrecks

Said Mrs Jooste: "I can't express how awful it's been now it's all over and we are so happy"

Mr Jooste said in February his wife had been on the verge of collapse at the end of that terrible day that should have been their wedding day. She had not eaten for three days after that.

He said then he would continue to live with her and if the police want to fetch me for infringement of the Immorality Act they can come for me"

At the time of their abortive marriage attempt in February, Mrs Jooste had just received her Book of Life — and believed it classified her as white

Mrs Jooste said she always lived as a white. Her children were all classified white as was her former husband

The couple's home is in a white area.

Govt.

10/8/80 SUN TRIB

says

yes!



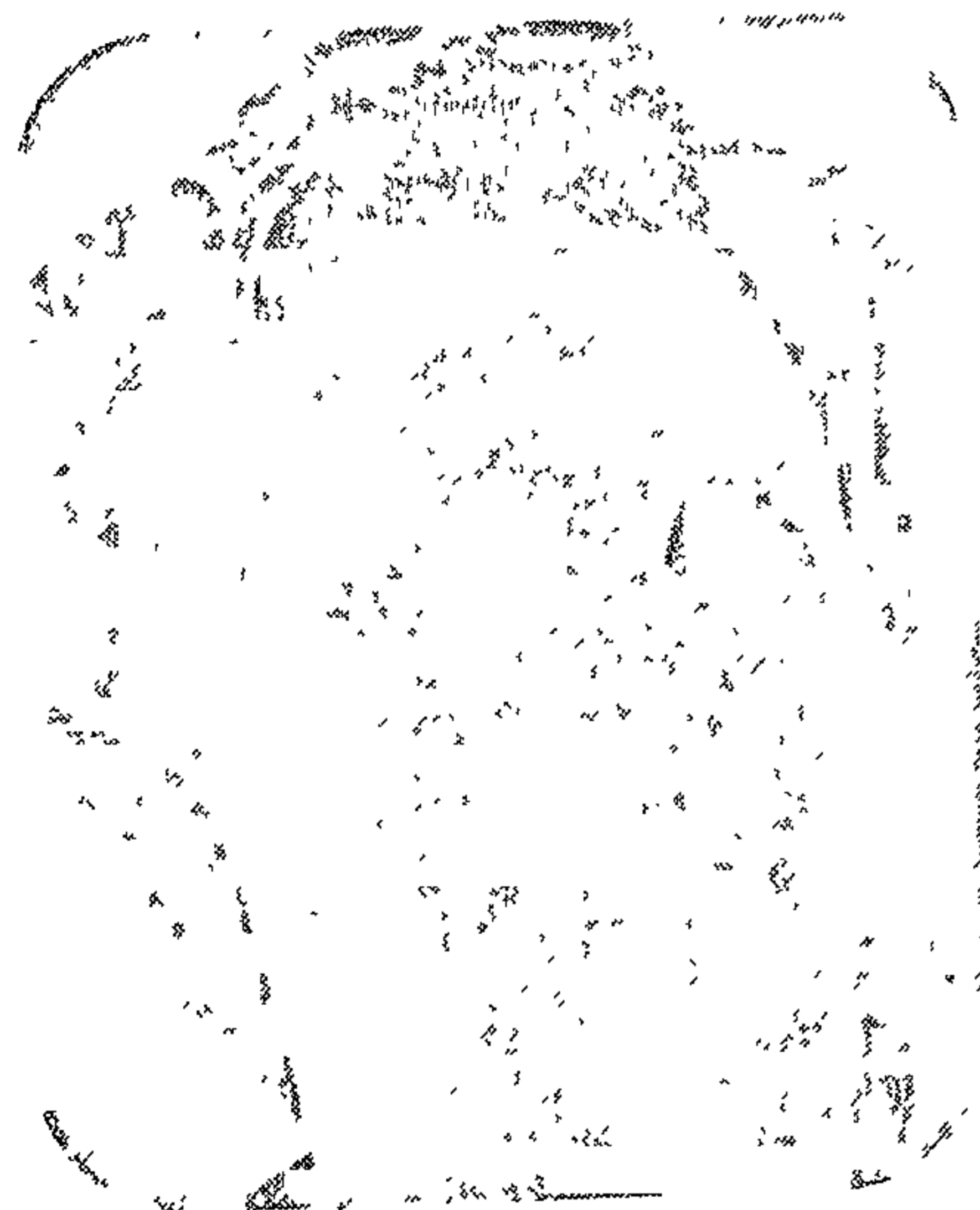
● Celebrating after their wedding this week . . . Susan and Aubrey Jooste



Bessie is taken to task

STAR 22/8/80

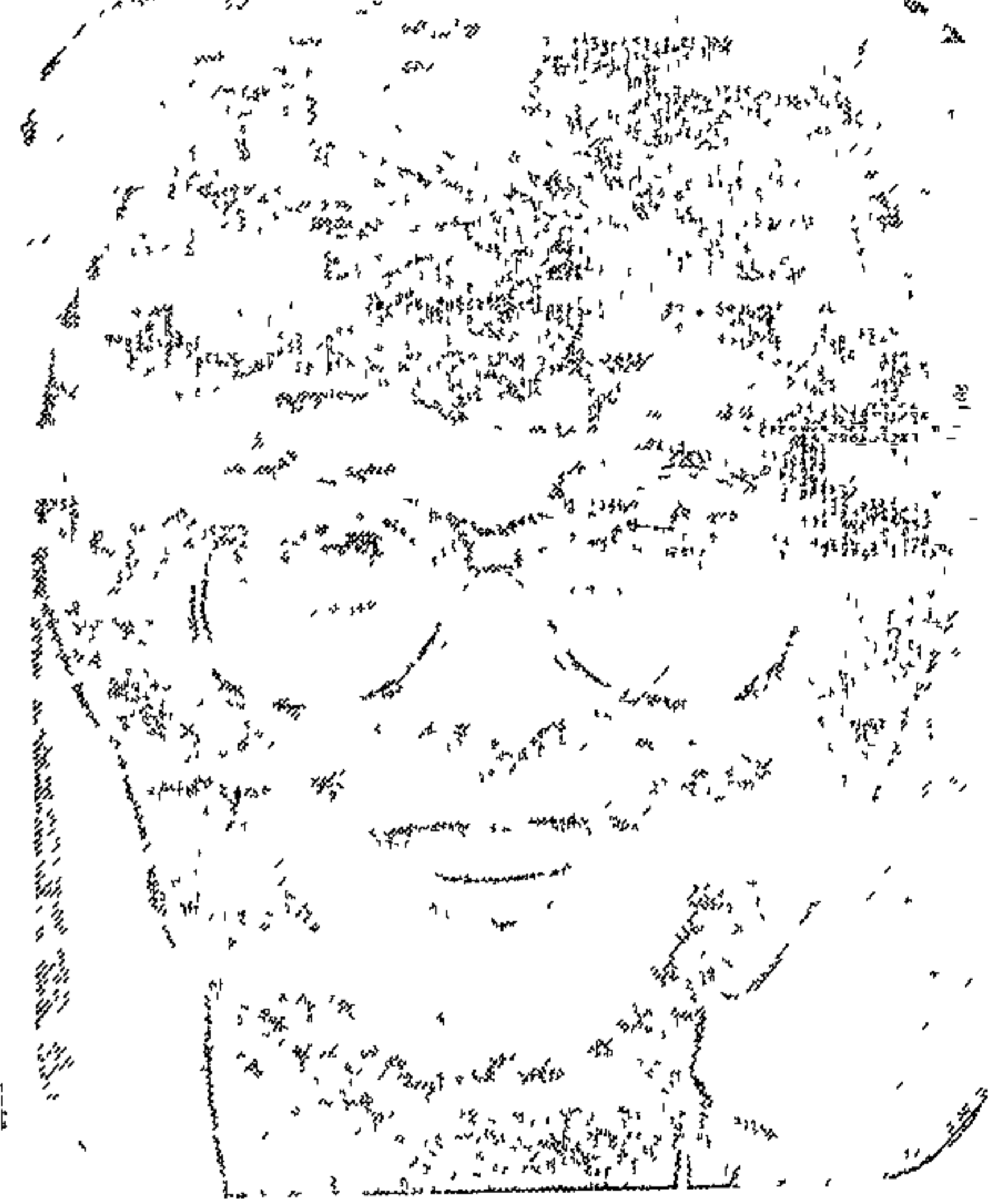
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BESSIE SCHOLTZ — small families "a danger to our existence"

FPA angry over 'more babies' plea to whites

The Family Planning Association is furious that National Party MP and mother of 11, Mrs Bessie Scholtz, has exhorted whites to have bigger families. MOLLY HARDING reports.



JANET WILLIAMS — "It could eat us back years"

While Bessie Scholtz of Johannesburg, sole female National Party MP, voices her concern that a dwindling white birthrate is threatening the future of whites in this country, the Family Planning Association is outraged by her public statements.

Mrs Scholtz (mother of 11) said at the first meeting of Dames Akteuel in Verwoerdburg recently that there was danger to our existence with families getting smaller.

Mrs Scholtz told The Star this week that the white birthrate was at a standstill right now, as the average family had fewer than two children.

"This means those two children will only replace the parents," she said. "With an increase in top jobs today, if we don't have more children, we won't be able to fill them."

Was she advocating whites have more children while insisting the blacks limit the number of theirs?

"It isn't like that," she said. "With their way of life, a black man can have children with one wife and then have more children with another

one. If we keep getting smaller in numbers we won't have enough people ourselves to cope because we have to look after all those other children."

As far as the Family Planning Association is concerned Mrs Scholtz is jumping on the bandwagon set rolling by two dominees, who also advocated more white children.

And the FPA is really angry about it. Executive officer Janet Williams told The Star the FPA's motivational work with blacks could be set back years.

Black people are going to turn round and ask "What the hell is going on?" Is this a white plot to reduce our numbers?" she said.

The black man had traditionally believed his wealth lay in the number of children he had. Family Planning had been trying for years to show him that the bigger his family the less materially wealthy he was likely to be, for over-population is one of the major causes of poverty, ill-health and malnutrition.

"Now we have people saying that the most

materially wealthy sector should also start having more children," said Mrs Williams. "They're advocating the white have more of the one form of 'wealth' the black has always had — children, while we keep telling black people it is wrong."

Who are they going to believe? Look at kwaZulu! The dreadful conditions there now are partly due to overpopulation which has been aggravated by the drought. Those poor people must NOT have more children.

"The consequences of what the dominees and Mrs Scholtz have done, in terms of human suffering resulting from it, are too ghastly to contemplate. It makes us furious!"

At the annual meeting of FPA in Cape Town last week, Professor Ren Piek, an FPA executive member, also voiced his concern at the dominees' recent statements on increasing families.

Professor Piek is director of the Institute for Development Studies at Rand Afrikaans University and he quoted statistics to show that it is demographically impossible for the South African whites to be threatened with extinction.

STAR 26/8/80
Abortion cases report queried

Reports of up to 15 legal abortions being done a day at the new Johannesburg Hospital, have been described as "doubtful" and "surprising."

Both a spokesman for the Department of Health and the MP for Houghton, Mrs Helen Suzman, were commenting yesterday on a recent report which stated that as many as 15 abortions a day were allegedly performed on schoolgirls at the Johannesburg Hospital.

The report quoted a doctor who was allegedly told by a hospital sister that "10 girls were done yesterday, and 15 are being

done today"

Mrs Suzman said that although she had not read the report, she would be "very surprised indeed if 15 abortions were being performed a day at the Johannesburg Hospital

"I think the question to ask would be how many of these operations are abortions performed fully in terms of the provisions of the Abortions Act, and how many are actually miscarriages or septic cases which have to be cleared up.

"There are a large number of operations due to injury, sepsis, miscarriage or several other reasons, and this is no secret," she said.

A spokesman for the Department of Health said the figure of 15 abortions a day sounded "doubtful" and added that only 423 abortions in terms of the Act were performed last year.

"There were, however, some 37 000 operations for the removal of residue, because of miscarriage, injuries, pathological conditions or sepsis performed last year," he said

Figures released to Mrs Suzman showed only 545 cases of legal abortion and 19 818 reported cases of illegal abortions between March 1978 and December 1978

'LOVE PERMITS' WHERE DO THE WEEDING SHOPS FIT IN?

16/8/58
 A.K.A.M.S.

toilets?

OFFENCE?

The mind boggles. What if many people are granted similar permits — and why shouldn't they be? — where will they fit into the racial set-up?

'It is not much use being married if you can't eat in the same cafe.'

Says Mr Brian Bamford, an Opposition legal expert: 'Technically, of course, all the parties including the State representative, might have committed a criminal offence in the case of Mrs and Mrs Jooste.

'Apart from that however, what makes the case

'If the Department of the Interior, for whatever reason, was prepared to anticipate a reclassification in the case of Mrs Green, there can be no possible excuse why it should not be prepared to do so in all the other cases in which reclassification is in the pipeline,' he said.

OTHERS

Mr Bamford said the department should be asked to explain what its motives were and whether it would consider applications for marriage by permit by the 'hundreds' if not thousands' of people who are in a similar position to Mrs Green.

'No state can stop two people falling in love. But that is precisely what the Nationalist Government is trying to do,' Mr Bamford said.

Until something is done about this 'immoral Act,' he said, 'people in this terrible dilemma have only two options. They can live together as unmarried people and face prosecution while also bringing illegitimate children into the world, or they can emigrate.'

By Kella Kiewiet

OPPOSITION spokesmen are astonished by the Government's latest move to break apartheid barriers by allowing a 'love permit' marriage across the colour line.

They ask if the Department of the Interior will now extend this 'courtesy' to the 'hundreds' if not thousands' of people who are in a similar position to Mrs Susan Green, who, though classified as 'coloured,' was allowed to marry Mr Aubrey Jooste, who is classified as a 'white'.

But these spokesmen conclude that by running away from basic changes to the law itself, the Government will just be 'making a mess'.

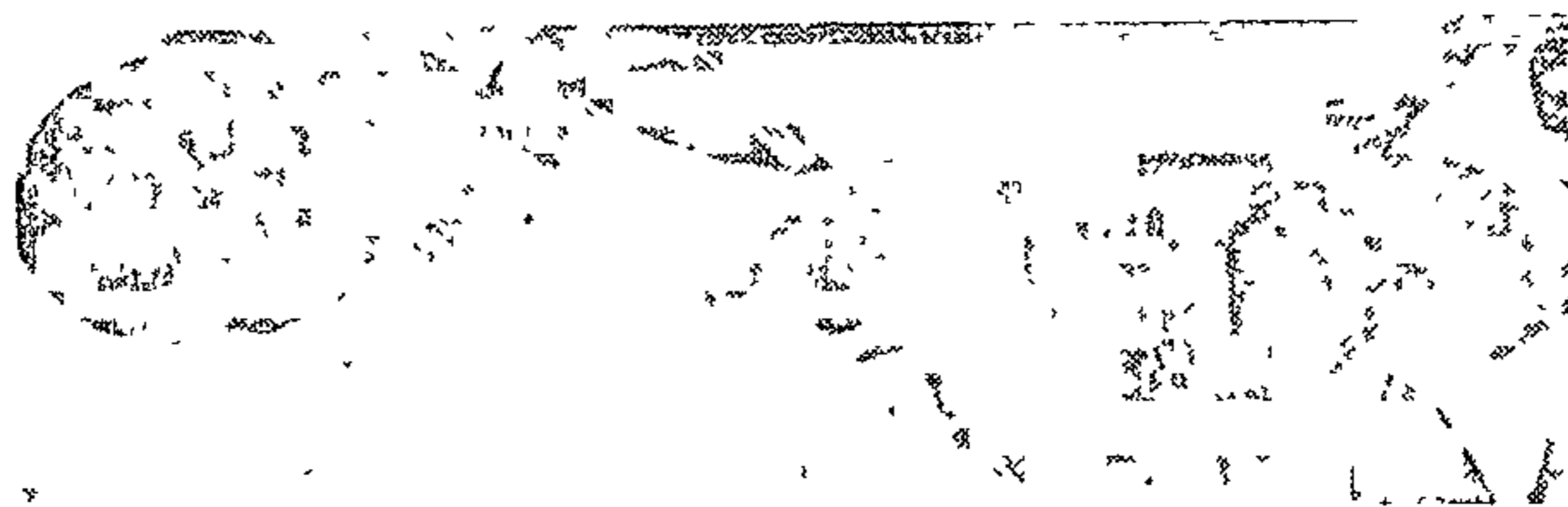
Says Dr Frederik van Zyl Slabbert, Opposition leader who has been approached by two couples in a similar predicament to Mr and Mrs Jooste: 'The whole thing is a mess.'

'It is all so unclear — for example they may now be married (Mr and Mrs Jooste) but where will they live? Will they live in a white or coloured area? (At present they live in a white area).

'Can they use the same train carriage? The same toilets?'

OFFENCE?

The mind boggles. What



Mr and Mrs Jooste

so extraordinary is that the permit system has now been extended to matrimony.

'If the Department of the Interior, for whatever

Morals Act
sentences

STAR 238
2/2/80
Mr Fared Valley (24), an Indian, attorney of Pretoria, and Miss Magdalena Prinsloo (25), a white woman of Capital Park, pleaded guilty in a Pretoria Magistrate's Court to contravening the Immorality Act between November 1979 and June 22 1980.

Mr J O van Schalkwyk sentenced them to nine months' imprisonment, suspended for five years. — Sapa.

308180 rom

Sex Act couple ⁽²³⁸⁾ sentenced

AN INDIAN man and a white woman have been given suspended sentences for contravening the Immorality Act.

Mr Fared Valley, an attorney, who has a partnership in a Pretoria firm, and Miss Magdalena Prinsloo, 25, of Capital Park, appeared recently before a Pretoria Magistrate, Mr B J O van Schalkwyk.

They pleaded guilty to having intercourse at Miss Prinsloo's home between November 1979 and June 22, 1980.

Mr Van Schalkwyk sentenced them to nine months' jail suspended for five years each on condition that neither of them contravene the same Act within the period of suspension — Sapa

Abortion ^{S. Times} can be ⁽²³⁸⁾ forced ^{31/1/80} on girls

Sunday Times Reporter

THE parents of a pregnant girl under 18 can legally force her to have an abortion if they believe it is in her interest — even if she wants to have the baby

This view is expressed by Professor S A Strauss in his book "Doctor, Patient and the Law"

But, he adds, a court could overrule the parents and allow the girl to have the baby if it was given evidence that the shock of the abortion would seriously affect the girl's mental or physical health

Professor Strauss also reveals that a married woman can only have an abortion with the consent of her husband, and that a doctor carrying out such an abortion without the husband's consent would be liable to an action for damages

Consent

Similarly, a woman cannot be sterilised without her husband's consent, nor can the husband be sterilised without his wife's consent as this intrudes on the other's right to have further children

He says a doctor would also be liable for nominal damages if he prescribed an oral contraceptive to a wife without her husband's consent

This too would intrude on his right to have further children

Girls over the age of 18 are, in his view, entitled to obtain a prescription for contraceptives without the consent of their parents

He adds that doctors who prescribe the Pill to girls under 18 are "technically contravening the Children's Act", but are not committing a punishable offence because the relevant section of the Act is not linked to a penalty clause

Race Act: woman's sentence suspended

EAST LONDON — A domestic servant who had previously been convicted in the Regional Court here for contravening the Immorality Act was sentenced yesterday to six months' imprisonment

Miss Eunice Gcisa, 33, of Zone Nine, Mdantsane, pleaded guilty when she appeared before Mr S van Zyl. Her sentence was

conditionally suspended for three years.

At a previous hearing, Mr Charles Anthony Schoeman, 18, of Morningside Road, Morningside, who appeared with her and who also pleaded guilty, was sentenced to six months' imprisonment, conditionally suspended for three years — DDR

Sex laws: 'deleting them is only way'

Pretoria Bureau

LEADING law academics yesterday called for the scrapping of the Mixed Marriages Act and the bar on sex across the colour line provided by the Immorality Act, saying there was no way in law the legislation could be "improved", as the Prime Minister hinted this week

They were reacting to a statement by the Prime Minister, Mr P W Botha, at the National Party's Transvaal congress in Pretoria

He said he did not believe that the survival of his people was dependent on such legislation and was prepared to "improve" these laws

Professor Barend van Niekerk of Natal University said

there was no way in law in which these Acts could be improved — 'you either maintain the laws or scrap them'

He felt that what the Prime Minister probably had in mind was a move away from rigid enforcement of these laws

Prof Van Niekerk commented "In fact, for the past five years — ever since the Excelsior Immorality prosecution fuss — the law has hardly been enforced. Where there are convictions — and they are getting fewer and fewer — the sentence is suspended

The only effective way of "improving" the legislation was to reduce the number of prosecutions even further

However, if the Prime Minister is prepared to go that far,

why does he not scrap the legislation completely?"

He added "Perhaps he does not fully appreciate that the time for laws like the Mixed Marriages and Immorality Acts — if they ever were justified — have gone"

Professor S A Strauss, criminal law authority at the University of South Africa, said the Mixed Marriages Act and the relevant provisions of the Immorality Act were incapable of "improvement"

They should be abolished. They went against the grain of accepted standards of justice and were the ultimate symbol of racism. Prof Strauss said

The suggestion had been made at the current National Party Transvaal congress that

the sex-across-the-colour-line provision of the Immorality Act should be widened to include immorality between whites

This was archaic and unacceptable in a modern society

It was part of our law during the middle ages and for some time after but the provision fell into total disuse because the punishment of people involved in extra-marital relations was totally unacceptable

Prof Strauss said there was no justification for attempting to maintain the 'whiteness' of a society by legislation such as these two Acts

Legislation could not guarantee 'racial purity'

The Prime Minister appeared to have conceded this

LEADING gynaecologist Dr Jiyane "GG" Mbere this week called for the legalisation of abortion to avoid the high incidence of backstreet operations.

Dr Mbere made the call in a memorandum he is preparing which will be forwarded to the Minister of Health, Dr L P Munnik.

Dr Mbere, a senior gynaecologist at the Baragwanath Hospital, said he was perturbed at the high number of abortion cases admitted to his hospital, and something has to be done to alleviate the problem.

In 1978, 2 881 women were admitted to the hospital for problems associated with abortions, 26 women had their wombs removed, 18 were treated in the intensive care unit and two died.

He said he would present the memorandum to the public at a symposium on September 27 and he was inviting people to come forward with ideas or feelings about it before it was submitted to the Minister.

"We should have a committee of interested people like doctors, social workers, priests, lawyers and parents. This committee would also look into the rape epidemic in Soweto," said Dr Mbere.

He said what was needed was the liberalisation of abortion laws to suit the circumstances under which blacks live and to help the people it is intended to help.

"The law does not in any way help a black woman. Worse still are those from the poor socio-

Legalise abortion, says Soweto doctor



Mbere

By Derrick Luthayi

economic group where ignorance of contraception, sex education and abortion laws is more rife.

"The Abortion and Sterilisation Act (1975) is, to say the least, inadequate. Even those patients who may be acceptable according to the Act, are not usually aware of the Act," said Dr Mbere.

It has been established that most of the abortion cases are rape victims who do not report rape be-

cause of the social stigma attached to it, and as a result are not covered by the law.

"Police are generally unsympathetic and insensitive to the emotional trauma of rape victims. This keeps them away from the police. Considering that we have more criminal abortions than whites, I feel we should put across to the Minister our recommendations that.

● Legal abortion should be offered in cases of proven contraceptive or sterilisation failure.

● Girls under 16, who in my mind are physically, psychiatrically and emotionally incapable of rearing a baby, should be offered legal abortion if they want to.

● Mothers over the age of 40 who have a certain number of children and feel that an extra baby would be a burden both economically and health-wise.

"I know some will say contraceptives will make people promiscuous, it is not true. The youth that come to clinics for contraceptives are people already engaged in sexual activities and are worried about unplanned pregnancy. So it is not a licence to promiscuity," Dr Mbere said.

Dr Mbere said a study of the abortion epidemic has shown clearly that it is not only young unmarried girls who resort to abortion in desperation, but also the older women with large families who get desperate when confronted with the unwanted pregnancy.

NGK will back PM in sex-law changes

By John Allen

Religion Reporter

The Prime Minister, Mr P W Botha, now has the full backing of churches of the Ned Geref Kerk family if he wants to "reconsider" laws prohibiting inter-racial sex and marriage.

But efforts to get the four NG churches to agree that "reconsidering" clauses in the Immorality Act and the Mixed Marriages Act means that they ought to be scrapped, have failed.

The efforts to secure support from the white NG Kerk for the scrapping of the legislation began when Mr Botha indicated to a church delegation in April last year that it would be helpful if the NGK family spoke with "one voice" on the laws.

After a six-month-long controversy, it is now clear that while the black, Indian and coloured NG churches want the laws abolished, the white church will go no further than to say it will not object if they are "re-viewed".

White NGK agreement to a reconsideration of the laws was confirmed yesterday when it was revealed that the NGK national executive had repudiated the actions of former church moderator Dr Evert Kleynhans earlier this year.

Six months ago a conference of leaders of the NGK, the (coloured) NG Sendingkerk, the NGK in Afrika and the (Indian) Reformed Church in Africa agreed that "if circumstances justify the reconsideration of these laws, the churches cannot object in principle".

But Dr Kleynhans, who has since resigned to take up a lecturing post — broke agreement not to comment on the point — statement to deny that it applied to the Immorality Act.

Yesterday, another conference of church leaders was told that the white NGK's executive had expressed regret that the agreement was broken and said it abided by the earlier statement.

Dr Kleynhans also said that "reconsidering" the laws did not mean scrapping them. The white NGK remains firm in this belief, say church leaders.

convictions for pass offences, but the overtly racist clauses of the act have destroyed people and careers, and made the law an abomination here and abroad

So much so that in 1971 — after the Excelsior affair — a directive was issued that offences under section 16 of the Immorality Act, which outlaws sex between black and white, were to be referred to the Attorney General before prosecutions could go ahead

Prosecutions fall

Since then, when the average was 600 section 16 prosecutions a year, the number has plunged, and most offenders now get away with suspended sentences. But the laws still stand and the difficulty of "improving" the Immorality and Mixed Marriages Acts, as PW Botha says he wants to do, is aggravated by their lopsidedness. At present the preservation of identity, which is what the laws ostensibly aim at, works only for whites. Only marriages across the white-black (African) line are prohibited. And only sex between black and white is "immoral" in terms of the Immorality Act. The real question is whether the acts are needed at all.

A vice-president of the ASB, Abrie de Swardt, has said that the acts are not essential for the future of the Afrikaners, and the PM has recently expressed the same view. Professor John Dugard says

"I think that section 16 of the Immorality Act, and the Mixed Marriages Act could be abolished (as in SWA) without serious consequences to the government.

That, of course, assumes that abolition will not have implications for other props of apartheid. It is unlikely that there will be a massive upsurge in sex or marriage across the black-white line. Even among whites inter-"ethnic" relationships are still the exceptions. So in terms of "preservation of identity," Botha and De Swardt are right: there is no need for special legislative measures.

But which group area will a mixed couple occupy? Where will the offspring attend school? Which amenities will the couple, and the children, use? Will the black wife of a white man be given the vote, as a consequence of marriage to a person eligible for one? If you abandon the Mixed Marriages Act, an observer notes, you must abandon grand apartheid. The Botha government does not seem ready for that yet.

LEGISLATION

(238)

Apartheid's props

FM 12/9/80

Since the Immorality Act was promulgated in 1949, more than 10 000 people have been convicted under it. Of course, this figure pales into insignificance alongside

One SA passport plan for all races

STAR 19/9/80

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Political Staff

The Government is planning a single South African nationality for all races and a single multiracial Parliament which excludes blacks.

The new South Africa will be the "Confederation of Southern African States" in which blacks will have their own governments in their own homelands.

High-level National Party sources confirmed this today after it was leaked to the Afrikaner newspaper, Beeld. But they stressed it was still only a plan and was subject to whatever constitutional ideas emerged from the new President's Council to be installed next month.

The proposed Confederation of Southern African States would provide a single form of passport for all people within it irrespective of race and including blacks belonging to independent homelands.

But the separate state within the confederation would retain a form of separate citizenship relevant only to their own national states. At present there are only three independent homelands - Transkei, Bophuthatswana and Venda.

The effect of the system would be to create something like the European Common Market with a single nationality and passport but including fully independent as well as self-ruling states.

Framework

Constitutional thinkers in the Government envisage a loose overall body called the "Confederal Chamber for Consultation" which would control all factors of the confederal framework. This would include representatives of black homelands.

This chamber should not be confused with Parliament, according to spokesmen. Parliament itself could be extended to include coloured, Indian and Chinese people but not blacks.

This does not mean a return of coloured people to the common voters roll as the Government is thinking in terms of separate voters rolls for these races.

One stumbling block to the scheme is the refusal of the non-independent homelands such as KwaZulu, Ciskei, Gazankulu and Lebowa to accept independence.

The Cabinet is known to be anxious for these states to accept independence in order to help round off the proposed confederal system.

This proposed system makes provision for urban blacks who could be represented in the confederal chamber. The Rev Alan Hendrickse, leader of the coloured Labour Party, slammed the proposals as providing no real shift in political power.

"The main principle of objection is the exclusion of the majority of the population" - namely blacks from the joint legislature.

To Page 3, Col 7

One SA
passport
for all

Even within the joint white-Asian-coloured Parliament, he added, separate voter representation would ensure whites kept control.

"The concept is still a white National Party concept," Mr Hendrickse said. "It makes a mockery of the President's Council as an instrument for constitutional development when the outlines of constitutional development are pre-determined."

Mr George Wauchope, publicity secretary of the Azanian Peoples' Organisation, said "Our stand has been that we reject all Government-created institutions. Nothing short of one-man-one-vote will satisfy us."

Bishop Desmond Tutu, general secretary of the SA Council of Churches, said the exclusion of blacks from a central legislature made the new proposal "totally unacceptable."

He also objected to it on the grounds that "it's decided unilaterally, and it still works on the basis of the dismemberment of South Africa."

Talk

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NM 26/9/80

of the town

Mercury Correspondent

JOHANNESBURG—A white woman in Bophuthatswana has taken a coloured husband — but the diehard Free State community from which she comes finds this hard to stomach and Barendina Monnane has become the talk of Thaba N'chu.

Stand back and you take in a massive sprawl of shacks, tin roofs, mud walls and black children dancing in the new rains. This is a sector of Thaba N'chu, where the white woman and a coloured man live in matrimony.

Thaba N'chu, a stare away from the mountain kingdom of Lesotho, is in Bophuthatswana — and formerly part of the Free State.

It's only 50-odd kilometres from the town of Excelsior, where a number of white townsmen faced charges under the Immorality Act 10 years ago. The charges were later withdrawn but not before the town's identity had been firmly imprinted on the national consciousness by the publicity involved.

The black suburbs of tumbledown houses surround the inner core where the last of the diehard whites live, very much in old Vrystaat style.

Even the bottlestore has whites-only signs but the man behind the counter admits no one pays any attention to them these days.

Recently, some of the white townfolk of Thaba N'chu and the local Free State Nationalist Press have had a field day defending their apartheid roots by attacking Barendina Monnane, who used to live in town with her first husband and was the local credit controller.

On the 15th of this month she married, after a courtship of 18 months, Frank Monnane, whose birth certificate states that he is a Cape coloured.

Previously, she had divorced her husband, Mr André van der Mescht. Her two children are now living with him in Patensie in the Cape.

Various local and national Afrikaans newspapers emphasised the fact that Barendina is much older than Frank. They alluded to a third marriage and to two other children, and they quoted some locals who had scathing things to say about Barendina.

A photographer and I arrived in Thaba N'chu and were taken to the Monnane household.

In the rain, puddle-streaked dirt roads curved in and out of Mokoena suburb like a mess of flung-down snakes. Finally, thanks to good shock absorbers, we arrived at the stone and mud house.

Barendina opened the door, asked us to mind the rainstopper outside and invited us in.

The evening meal was cooking on a little stove in the

front room. We met Frank, a friendly young man who looks a bit like Richard John Smith, the coloured singing star.

There was great affection between Frank and his woman Barendina spoke openly when she was finally convinced we weren't there to crucify her.

She spoke about her childhood in Clocolan, in a big family with a conservative father who, if he had been alive, certainly would have opposed the marriage.

'But my mother was different. She did not judge people by colour, she looked for the good inside everyone.'

Barendina speaks of her ideal type of person, Lady Ruth Seretse Khama, wife of the late President of Botswana.

'And perhaps the Lord sent me here to do something, in some small way, for race relations.'

'I cannot tell other people to do as I have done. By the same token, I must be allowed to make my own decisions about my life.'

Frank and Barendina met two years ago when she was visiting a friend in Mokoena. Later, their romance became the talk of the town and she moved in with him after her divorce.

Not shunned

When they were finally married this month, it was a simple, small ceremony at the local magistrate's office.

Barendina, because most of her friends and neighbours are Tswana, planned a little party after the wedding, in traditional style.

She speaks about an unhappy former marriage, and would like to have her two young children with her. 'The only problem, as I see it, would be their schooling,' she said.

And in town, although she is not shunned by her white friends and acquaintances, their conversation never touches on her lifestyle.

'I don't live in a hovel. Look around you,' she said. And indeed, the place was clean, though sparse, home-warm though a trifle cold.

The local Tswanas have all accepted her. They call her Mathabo, Woman of Joy, and the local black magistrate has taken her under his protective wing.

In the evenings, there is no giddy social whirl for the newly married couple. They have a small television set which they hitched on to the car battery for power.

'I want to ask one question of the people who criticise me. When God made Adam and Eve, did he specify whether they were white, black or mixed?' Barendina said.

Love law fugitive leaves

Saw first 2/11/80
AN ILLEGAL, three-year colour bar romance with a white man has driven a disillusioned and heartbroken young coloured woman into leaving South Africa.
Miss Heather Reagon, 27, of Cape Town, spoke this week of her romance in the shadow of the Immorality Act — and its final breakup
She leaves today to work and live in Windhoek
She has refused to continue seeing her married lover — a 30-year-old sales representative who emigrated from Britain eight years ago
In August, their unborn child — "the only part of him I would ever be able to keep" — miscarried
Miss Reagon blames the loss of her baby — and her lover — on the strain of being illegal, "fugitive lovers"
My doctor said the miscarriage was caused by worry. Our relationship was so insecure

Sunday Times Reporter

Heartbroken
Heather: It isn't worth it

man behind her

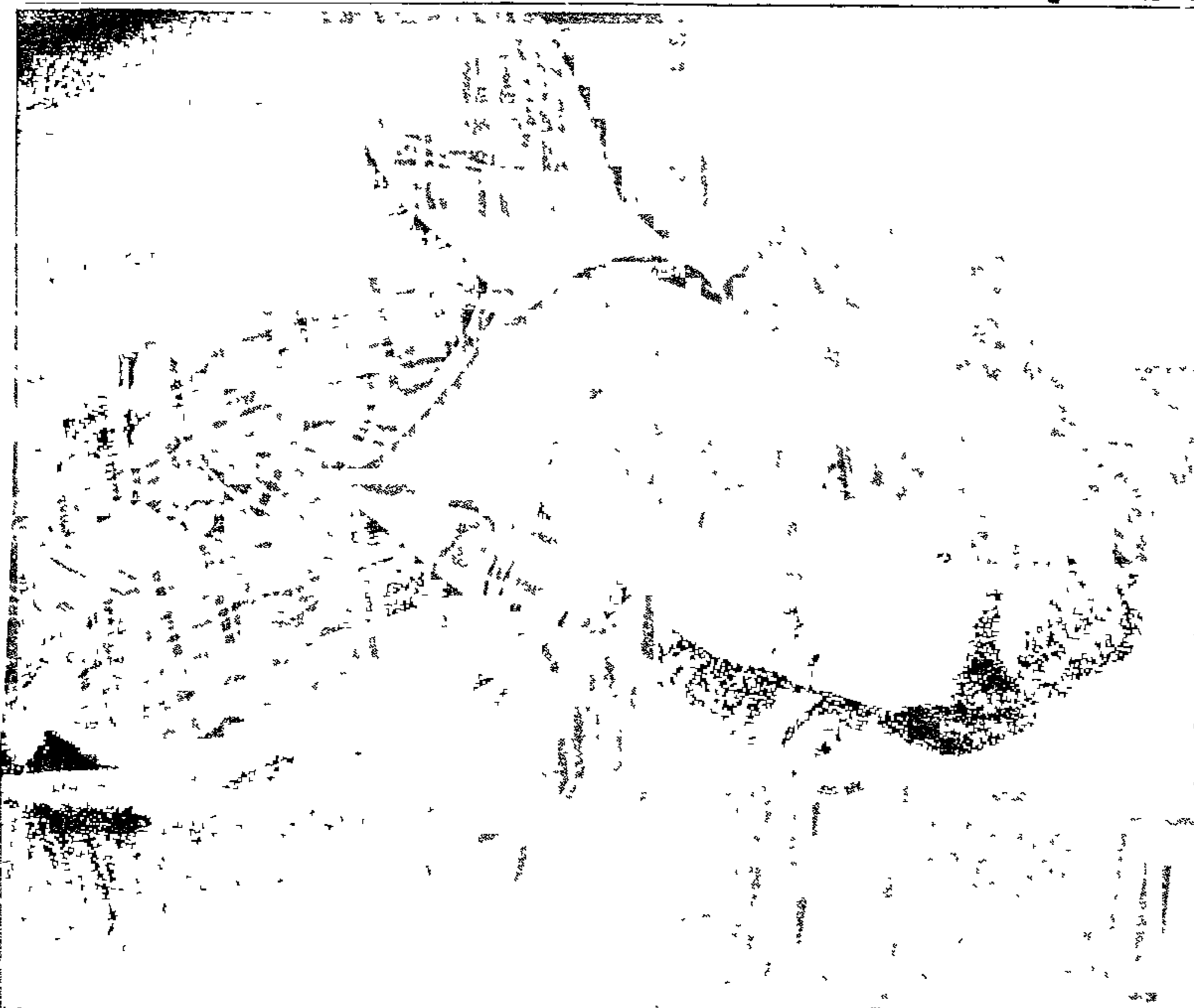
We would book into hotels separately. I could never sleep, I was so afraid we would be discovered
I jumped every time I heard a knock. I don't think I could go through it all again.
Miss Reagon said she wanted other young girls to know the heartache of having a relationship with a man one may not love because he is married and because he is of a different colour.
"Before more girls like me

Afraid
make this mistake. I want them to know it's not worth it.
"The colour difference did not seem a problem to us when you are in love, everything seems easy."
Restricted
"But he was used to going wherever he wanted to go. He was so restricted because of me," said Miss Reagon.
"We could only go to certain places and he got frustrated sometimes."
"He always told me his marriage was no good, that he loved me and wanted all ways to be with me."
I believed him. Two months ago, he left his wife. He told her about me and said he wanted to sort things out in his mind.
"He saw a lot of me and

Torture
then, suddenly, he told me he had decided to go back to his wife."
Miss Reagon said that her lover always said that their relationship should end if he ever came to that decision "but he now wants to keep me in a flat."
All I can do now is leave this country. I don't want to leave my family, but it would be torture to remain here seeing the man I love but cannot live with."
Miss Reagon said she always feared that he would leave her and return to his wife. "His excuse is that he can't leave his children."
"If a man knows he can never leave his family, why does he have an affair, get

Virgin
Miss Reagon said that she had never hidden their affair from her friends.
"I thought it better if I told

them, myself, that I was going out with a married man.
"I was a virgin when I met him, my friends called me a prude."
"He could hardly believe that, yet he is so jealous now. He has even accused me of seeing other men."
"My mother could have helped me by chasing him away, but she never said a word to him."
"My sister had an affair with a married man but he was coloured."
"My mother's very strict. She kicked this man out of the house because he was married. He never came back."
"Yet, in my case, she let it go on and on, she believed him when he said he loved me."
Miss Reagon added: "Girls have to realise how they can be hurt."



The drifting ends for Sandra Laing

Sun 7:10 5/10/80

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By CHRIS VICK

GELUKSDAL: Sandra Laing's years as a drifter are nearly over.

Fifteen years after the first fingers of racial prejudice first pointed at her, she has finally found her home in this township on the outskirts of Brakpan where she shares a house with the township's mother figure — "Tant Lena".

"Tant Lena" — or Mrs Lena Smale — has taken the 24-year-old mother of three into her care in an effort to normalise her life.

"Sandra has been shunted around before," she says with authority. "Now she's here and she's happy. It's time to forget the past and look ahead."

Sandra, a rosy-cheeked young woman, nods her head in agreement. Her respect for "Tant Lena" is overwhelming. Whatever "Tant Lena" says is gospel. "I'm very happy here," she whispers. "All I want to do is get my papers sorted out and get my children into school."

Only last week Sandra heard she would now be classified "coloured", and her identity document should be authorised on Thursday.

Then it will be a flurry of red tape as she goes about registering the children

Home at last: Sandra Laing relaxes on the doorstep of her new home in Geluksdal with her children Elsie, left, Prince and Henry

It was after the birth of her first child, Henry, that Sandra's problems started. The father, Petrus Zwane, fathered the child while Sandra was still at school.

The couple eloped to Carolina, where their second child, Elsie, was born.

But after being mistreated by her lover, Sandra moved on and moved in with David Gabede — who was already married.

David left her with his uncle in Balfour, where her third child was born.

But it was David who eventually put an end to Sandra's drifting when he arranged for her to go to Geluksdal. She met "Tant Lena", a woman deter-

mined to put an end to the heartbreak.

"We decided to forget her past," "Tant Lena" said. "The only thing that matters is what happens tomorrow."

"We only want Sandra's happiness — nothing else."

"We don't blame anyone for what happened to Sandra — there is discrimination everywhere, in all countries. We don't blame the whites."

All that matters to Sandra now is her children and her new home.

It's bare and a far cry from her old home in Piet Retief, "Tant Lena's" little brick house at the bottom of a bumpy dirt road.

But it's filled to the roof with human kindness.

The law bends again for once-white Sandra



Sandra Laing with her three children, baby Prince, Henry, 8, and Elsie, 7 ... they could find security at

238 'I'm coloured community is offering home, friends

THE search for Sandra Laing is over.

It ended this week in the muddy streets of a nondescript coloured township near Brakpan.

Here, South Africa's apartheid laws may be bent once again.

Born of white parents and forced to live in a twilight world for 15 years, Sandra expects to be told later this month "You are officially a coloured".

The girl whose see-saw battle for a racial identity touched the hearts of millions in the famous BBC television documentary, "The Search for Sandra Laing", is crossing the racial divide at her own request.

At home

For 24-year-old Sandra, kicked out of a white primary school at the age of nine after being teased about her "dark" complexion, it will be the start of a new life.

Hugging her three children, Elsie, 7, Henry, 8, and six-month-old Prince in the modest

By DAVID JACKSON

R81-a-month bungalow that is her new home in Geluksdal township, Sandra told me:

"I have no desire ever to go back to the white community. Nor do I hold any bitterness in my heart."

"The coloured people have made me feel at home. My own private search for happiness is over."

"Now I just want to be left alone to lead my private life in peace."

Sandra is still officially classed as a white in terms of the race-classification laws. But the coloured folk of Geluksdal who have taken her to their hearts are praying that her plea to be recognised as coloured will be sympathetic-ly treated by the Department of the Interior in Pretoria.

A department spokesman confirmed this week.

"The case is under consider-

ation. It will be treated on merit within the framework of the law. We cannot discuss individual cases."

Factors usually taken into account in reclassification appeals are the applicant's forebears, the race of the parents and whether the person has been accepted in the new community.

Sandra will score a full house of points on the final factor.

Says Mrs Lena Smaale, a Geluksdal resident who took the distraught Sandra under her wing:

Black man

"We accept her as one of us now. We will see to it that she never lacks for a home and friends again."

Sandra disappeared from the headlines last year when she ran away after a nine-year association with a black man, Petrus Zwane — father of two of her children.

"He treated me badly. He

used to beat me," was Sandra's only recollection this week.

Later came another friendship with another black man known as David.

The couple tried to settle down at KwaThema, near Springs, and then at Balfour.

But in each case Sandra was refused permission to stay there because she was not black.

In desperation David arranged for her to move to Geluksdal.

She is there with the blessing. This will be her permanent home if her race-change application is accepted.

Says the local information chairman at Geluksdal, Mr Peter Roman: "Why should Sandra want to go back to the white community?"

"It is whites who caused the whole issue in the first place. Yet she does not hate them."

We are a happy little community here. We are trying to fix Sandra up with a job at a local telephone company and, when she is able to pay her own way, she will have her own little house.

"If she is reclassified coloured, her children will automatically be coloured, too, so there will be no problems with schooling."

Shy and articulate, Sandra has a Std 8 certificate from a Catholic school in Dur-dee, Natal.

The past does not come easily to mind.

Waged battle

Bruised by the indignity of having to leave school in Pietermaritzburg in 1967 because school-mates complained that she "looked different", Sandra was summarily declared coloured.

Her father, Mr Abraham Laing, waged a battle with the Department of the Interior to preserve her white status.

She remained white — on the grounds that her parents were both white.

But, ever since, Sandra has uneasily trod the borderline between two separate existences along with all the hurts that her country's race laws can unwittingly bring.

If she is successfully reclassified, Sandra will lose all the day-to-day privileges that being a member of the "white race" automatically brings.

She says she understands the implications and is happy to accept them.

"The past is to be forgotten. It's important that I feel I belong here."

"I would like to marry eventually, but now is not the time."

With that, Sandra Laing disappeared into the anonymity of Geluksdal.

One stroke of a pen in a Pretoria Government office could secure for her the privacy she craves — and which her adoptive people have vowed to protect.

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Deported from a bantustan, two men are . . .

Starvels!

Township Council, but was detained for 90 days and charged in court under the Riotous Assemblies Act as a result of the bus strike

That's the story of two Xhosa-speaking men who have been deported from the Ciskei and are now living in white South Africa waiting for permission from the Department of Co-operation and Development to live in East London

Mr Joe Kobo and Mr Livingstone Malotana have now been informed by Dr Piet Koorhof's department that they will be informed in two weeks whether they can remain in their refuge in Duncan Village near East London

And besides Mr Kobo's Ciskei ban he is also not wanted in Transkei, where he recently spent 387 days in detention before being released this year and ordered out

Transkei-born Mr Kobo and Mr Malotana are now unable to visit their wives and children in nearby Mdantsane because it falls under the Ciskei Mr Kobo has five children and Mr Malotana two

Mr Kobo says his troubles started in the mid-sixties when he entered Transkei politics after studying economics at university in London "I detested talk of

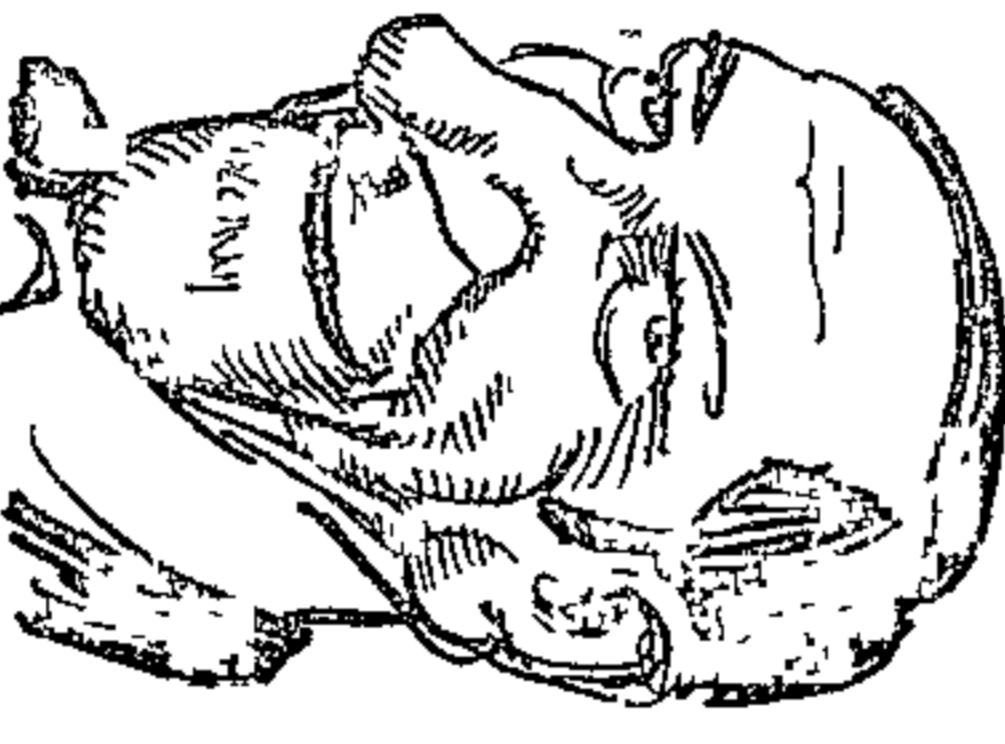
SUNDAY POST Correspondent

independence and actually helped draw up the motion asking for Transkei independence

because I wanted to test the sincerity of the Nationalists I later had to fight it through the Democratic Party of which I became national secretary. But I was forced to flee when the entire executive of the party was detained in 1976"

He then lived in Ciskei where he was given political asylum by the Sebe government and appointed editor of the government's newspaper, Umthombo

"But they also started talking of independence — something I always opposed — and later I suffered another miscarriage of justice," Mr Kobo said. "In 1979 there was a bus drivers strike and



to the government any longer because independence was a fait accompli.

"I was on my way to see Prime Minister George Matanzima after having made an appointment, when I was detained and kept in prison in Umtata for 387 days. I was released in August this year and ordered out"

A bitter and angry Mr Kobo said "These are the fruits of the dreadful system of apartheid and independence that makes brother rise against brother I still say I oppose independence and all I want now is a place in South Africa which is not balkanised and where I can

"By then I wanted to return to Transkei because I felt my objection to independence did not matter

live as a South African. At least one has hope, as there are some homeland leaders who have refused Pretoria-type independence

Mr Malotana, who has lived in Mdantsane and East London for 21 years, was a statistics clerk at the Ciskei Transport Company when the bus drivers strike erupted. He was also a member of the Mdantsane

His charges were also withdrawn in court and he was served with a deportation order and also lives with friends in Duncan Village

"I just hope the South African Government will let us live in peace because I have no intention of going to live in Transkei where I was born and I am not wanted in Ciskei.

"Thus to me is just a miscarriage of justice and all I want now is to be reunited with my family"

Sanitary Measures

Human excreta must be disposed of in a personal hygiene pit as a temporary measure as a temporary measure on any surface or within a dwelling.

Pit latrines must have a water table is level

An ordinary pit (1.5 m deep) per family

2 m deep and 6 m wide pit or trench must

The pit or trench must be lined with corrugated iron,

Pits with fittings must be constructed, but

sing lids to keep them covered. For privacy the

wood or hessian.

Lovers flee to Transkei to escape morals law

16/10/80 ARGUS

(238)

Argus Correspondent

KIMBERLEY — A couple's clandestine love affair across the colour line has led them to flee to Transkei to escape falling foul of the Immorality Act

Miss Noorie Cassim, an Indian woman, and her white boyfriend, Mr Stephen Hammond, left Kimberley and the country on Tuesday to settle in Transkei.

She was a perforator operator in the Diamond Fields Advertiser's type-setting department, Mr Hammond was a panelbeater

Miss Cassim's father, barber Mr Mohammed ('Koki') Cassim, said yesterday the couple had arrived safely in Transkei, so ending two years of constantly having to look over their shoulders to see who was following them.

OFTEN CHANGED CARS

'In those two years, they often changed cars when they thought they were being followed,' he said.

'We were always afraid of the law,' Mr Cassim said. 'But for the Immorality and Mixed Marriages Acts, the couple could have stayed in Kimberley.'

Mr Cassim, a staunch Muslim, strongly regretted that the move would result in his daughter having to leave her faith

He saw nothing wrong in his daughter's relationship across the colour line

'What's the difference?' he asked.

GAVE THEM BLESSING

Mr Cassim had only praise for his daughter — the baby of the family — who had been the main source of income to the family for a number of years

'Before they left on Tuesday afternoon I gave her my blessing,' he said

Mr Hammond, who boarded in Kimberley, is to take up temporary employment at his father's panel-beating business in Transkei

'They will get married as soon as possible and they plan eventually to settle in England,' he said.

● Churches want to repeal part of morals law — Page 21.

Standard of hygiene is advisable 1 metre away from any

or where the bottom of the pit.

e. 1 square meter es 1 m wide,

e edges of the avert stormwater.

concrete, wood or

ised seats can be ng and self-clo- s are available.) corrugated iron,

For further information the Regional Director of Health Services, Pietersburg, or the sub-office at Nelspruit can be contacted.

Issued by the Department of Foreign Affairs and Information at the request of the Department of Health, Welfare and Pensions.

hierdie stadium sekere faktore wat beperkend
andere wat bevorderlik inwerk op die benutting
van ons nywerheidspotensiaal en ek wil vanaaf
by enkele hiervan stilstaan.

Nywerheids groei toon natuurlik 'n baie noue korrelasie met die ekonomiese groei in die algemeen soos onder meer blyk uit die feit dat ekonomiese die fisiese volume van fabrieksproduksie as toonbeeld van die stand van die ekonomiese aktiwiteit in die algemeen gebruik. So word die huidige swaai in die ekonomiese aktiwiteit dan ook gekenmerk deur 'n sterk styging in die fabrieksproduksie wat vir die jaar geëindig Julie 1980 in reël met nie minder nie as 13,2 persent gestyg het nadat dié syfer gedurende die jare sewentig (wat gekenmerk is deur lae ekonomiese groei) teen 'n gemiddelde koers van slegs sowat 3% gestyg het, teenoor 'n gemiddelde jaarlikse koers van toename in die bruto binnelandse produk van 3,6 persent.

Die nywerheidspotensiaal/.....

Churches want
16/10/80 ARANS
repeal of Mixed
Marriages Act,
part of morals law

Religion Reporter

THE Methodist and Presbyterian Churches are expected to add their voices within the next week to those of other churches asking the Government to repeal, at the next session of Parliament, the Mixed Marriages Act

Churches which at their national synods or assemblies have asked for the repeal of the Mixed Marriages Act and Section 16 of the Immorality Act are growing in number

They include the Congregational Church, Anglican Church, Roman Catholic Church and the three younger churches of the Ned Geref Kerk family, the Ned Geref Sendingkerk Reformed Church in Africa and Ned Geref Kerk in Afrika

The annual conference of the Methodist Church of Southern Africa, now meeting in Welkom in the Free State, is expected to debate the issue

The Presbyterian Church of Southern Africa meets in East London next week. As with the other churches, it is expected to reject the idea of separating State from church marriage ceremonies, and instead to ask the Government to repeal the two measures

A report of the Presbyterian Church and Nation Committee states that the Mixed Marriages Act has been 'a major moral issue' confronting ministers of religion as marriage officers

It states that marriage officers are limited by racial legislation in whom they may marry, while the church, on the other hand, regards marriage as a God-given institution

'We should persuade the State to repeal this legislation as offensive to the Christian conscience,' adds the Presbyterian report

The white Ned Geref Kerk is the only major denomination which has stated its support for the legislation

... (soos gemeet aan die Verbruikersprysindeks) in die jare sestig, wat gekenmerk is deur snelle ekonomiese groei, slegs 2,4 persent beloop het. Daarenteen was die gemiddelde jaarlikse inflasiekoers gedurende die jare sewentig 9,8% en ek hoop u seker

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Bar on Chinese at Mayfair pool

Staff Reporter

TWO Chinese children from Mayfair were yesterday barred from swimming in the suburb's municipal pool

Avil, 11, and Kinfung, 6, of Tenth Avenue, had twice been refused entry to the pool so their father, Mr Mawing Manning, went with them yesterday. The superintendent, a Mr Lambrecht, apparently told Mr Manning he was "not interested" in his identity document classifying him as Chinese.

Mr Manning said "I don't mind them not being able to swim there. I can take them to swim at my brother's place — it is the principle of it."

Approached by the "Mail", Mr Lambrecht ordered them off the pool premises.

"Get off these premises, and don't you dare take any shots," he said.

Mr Paul Laubscher, director

of the Parks and Recreation Department, said he would look into the matter. "We have not been specifically confronted with the problem of Chinese people before," he said.

Mr Alex Jaffe, a Progressive Federal Party councillor and a member of the culture and recreation committee of the City Council, said under the law governing separate amenities, Chinese may be prevented from swimming in "white" pools. But if they were allowed to live in "white areas", surely they would be allowed to swim in the municipal pools, he said.

Mr Sam Moss, leader of the PFP in the City Council, said "I am more horrified than usual with this case in the light of the Prime Minister having just returned from Taiwan."

Mr H J Schoeman, councillor for the ward, was not available for comment last night.

© Pictures Page 2

Woman
NM 14/11/80
changes

colour

238
...at 70

Political Reporter

A 70-YEAR-OLD Durban woman who owned a West Street business has had a second appeal against her reclassification as coloured turned down, Sen Warwick Webber, Natal leader of the NRP, said yesterday.

The woman, of Mauritian extraction, had lived as a white all her life. Her grandson had represented South Africa at soccer and had done his military training as a white.

Because the ownership of businesses in central Durban was restricted to whites, she would be forced out of her shop unless she obtained a permit. The classification affected her entire family, Sen Webber said.

Black women are in a time warp

STAR
1/12/80

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According to the first sentence of a new book, "The African Women's Handbook on the Law," "the worst thing that can happen to anyone in South Africa is to be black and to be a woman." The book is compiled by Carole Cooper and Linda Ensor for the South African Bureau of Standards and offers advice on how to overcome obstacles a black woman encounters in everyday life.



By Jaap Boekkool

The jokers who ask you to turn your watch back 20 years when approaching Jan Smuts from the north, or 200 years when slumming it at an HNP rally, would have less fun positioning South Africa's black women in history — smack in the Dark Ages.

Mrs Average Black South Africa goes through life with the odds piled against her. Throughout her life she is regarded a minor by her own society.

Carole Cooper and Linda Ensor for the South African Bureau of Race Relations. Much of it is based on research by Carmen Nathan, senior lecturer in law at the University of the Witwatersrand.

ADVICE

With 40 pages of candid advice on how to negotiate the obstacle course which every black woman experiences, it deals with the pass laws, housing, and leases; marriage, divorce, children and the death of a husband; how to make a will, avoid hire purchase traps, and exert workers' rights.

The book's theme is in its first sentence which recalls the saying that "the worst thing that can

See 1/12/80
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unable to make her own decisions or to control her destiny, and regarded as a child in need of care by a man.

She cannot buy a house when married in community of property, and often loses all possessions when her husband dies and his heirs take all.

Then she may be sent off into the sticks to live in a kraal with her late husband's relatives

If she falls pregnant while single she cannot usually prove fatherhood, which results in drawn-out haggling by two families who have to work out a compromise.

In the Transvaal and Natal — black women NEVER have the right to marry.

PERMISSION

The law states that in these provinces a black woman must obtain permission from her guardian to be married whatever age she may be

Even when she gets married hers can be a Jekyll-and-Hyde existence Her husband may already have another wife by customary law, and although a civil law marriage now is the "civilised" thing to do she is likely to lose inheritance rights to the other woman.

Survival becomes a mental Comrades Marathon, especially now that The System has added complications like homelands, citizenship, origins, endorsements out, guardianship and the famous Section 10, which totally govern the lives of our urban black women.

For years the pressing need has been for a simple book telling black women how to survive in this jungle of red tape, and now we have one.

It is called "The African Woman's Handbook on the Law," compiled by

happen to anyone in South Africa is to be black, and to be a woman. This applies particularly to African women. . "

And similarly the worst thing a black woman can lack is the so-called Section 10 rights which govern her domicile, and the various forms of marriage which can bar her from buying a house

In-laws and lovers come a close second. The booklet warns women against attempts by in-laws to take her property away after her husband dies, tells them where to go to discuss paternity, and claim maintenance for a child born outside marriage It explains why such a child should always be registered in the mother's, and never the boyfriend's, name — it will affect the child's succession, guardianship and residential rights.

BENEFITS

One section deals with how to draw up a will and avoid the lean times a widow can go through if her husband dies intestate. It explains how to find out whether the husband belonged to a pension scheme (by checking pay slips for deduction) and if he did not, how to get some benefits from his employers through a bonus scheme or lump sum payment.

The other plague of many black households — repossession of goods by hire-purchase sharks — is explained and solid advice given how to avoid it

The advice is sometimes whimsical, by virtue of the circumstances. The book advises about clerks at the Commissioner's Offices who are "often rude to women": "Keep on pushing your case and do not be frightened off"

On homelands: "Even if you have never been to a homeland and have always lived in urban areas, the law still says that you have a homeland . . . it is decided by the language you speak"

And plain speaking on deserted wives "If your husband owns the house, you can stay in it until he kicks you out . . ."

Webber appeals to PM over reclassification

Political Reporter

SENATOR Warwick Webber, Natal leader of the New Republic Party, has appealed to the Prime Minister against the reclassification from white to coloured of a 70-year-old Durban woman, her children and grandchildren.

He told the Mercury yesterday that the woman, who has asked that her identity be kept secret, had declined to appeal to the Department of Interior against the reclassification because of the embarrassment the ensuing investigation would bring.

In terms of the Registration Act, people reclassified may appeal to the Secretary for the Interior, who then sets in motion an investigation to establish if they are accepted in the community in which they live

Sen Webber said the woman's daughter had suddenly received a card notifying her that she had been reclassified coloured

'She panicked and burnt it. She didn't tell anyone because she was afraid of the stigma. Everything went fine until her children wanted to get married. They needed identity documents

'This woman's son went to a Catholic white school, did his national service as a white and represented South Africa before Springbok colours were awarded to non-whites

'He owns a house in a white suburb and, as the manager of a company, has white people working under him

'He cannot marry because his girlfriend is white, so he lives with her. They are married by religion but not by law. They are living in a white area and there have been no complaints

'This young man is three generations removed from his forefathers, who came from Mauritius. To be told to throw up his way of life now and go and live in a coloured area is diabolical

Sen Webber said the son's friends were all white

I just can't accept all the hurt this Act brings. This reclassification smacks of Hitler and the Aryan race

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Woman, 70, classed coloured, was white

DURBAN — Senator Warwick Webber, Natal leader of the New Republic Party, has appealed to the Prime Minister against the reclassification from white to coloured of a 70-year-old Durban woman, her children and grandchildren

He said the woman, who has asked that her identity be kept secret, had declined to appeal to the Department of Interior against the reclassification because of the embarrassment the ensuing investigation would bring

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Sen Webber said the woman's daughter had received a card notifying her that she had been reclassified coloured

"She panicked and burnt it, she didn't tell anyone because she was afraid of the stigma. Everything went fine until her children wanted to get married. They needed identity documents," he said.

"This woman's son went to a Catholic white school, did his national service as a white and represented South Africa before Springbok colours were awarded to non-whites

He is now a company manager with whites working under him. He is married — "by religion, but not by law" — and all his son's friends are whites — Sapa

11/12/80

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The trauma of reclassification

Political Reporter

THE Government was digging back as far as it could go into records to reclassify the white people of South Africa after first ensuring that National Party supporters had been classified white, Senator Warwick Webber, Natal leader of the New Republic Party, said this week.

Senator Webber, who was employed as an enumerator in the 1951 census which forms part of the records on which the Government bases reclassification, has appealed to the Prime Minister on behalf of a 70 year old Durban woman of Mauritian descent, who has been reclassified coloured.

The reclassification affects her children and grandchildren, all of whom have been accepted as whites by the communities in which they live and have lived as whites all their lives.

The Mercury interviewed Senator Webber on his experiences with reclassification based on his work as an enumerator and as a public representative who has done battle with the authorities on behalf of reclassified people.

Senator Webber's philosophy

'My philosophy has been the acceptance of the principle which applied until 1950 before the Register Act was promulgated, and that was the question of acceptance by the community. You can't legislate for the acceptance or non-acceptance of a family.

'I believe sincerely that the National Party had this thing worked out from way back. They worked this out on the question of appearance and acceptance.

anywhere had a white father and a black mother.

She wanted to marry a white chap and I told her it was against the law. She told me to apply the law. 'Look at me and decide what I look like. Look at the company I keep and here's my fiancée'.

'I advised her to go elsewhere because as much as my conscience rebelled against the law, I was bound by the law.

'In 1951 there was a census. To the best of my knowledge, 15 in Parliament

Definitions

Political Reporter

Mr J Pretorius, director of civil affairs in the Department of the Interior, said the Population Registration Act was used to classify or reclassify people.

He said the department consulted records as far back as the birth certificate of a person's parents to establish race.

The Act — promulgated in 1950 — defined a 'white person' then as one who 'in appearance obviously is a white person and who is not generally accepted as a coloured person, or, is generally accepted as a white person and is not in appearance obviously not a white person'.

The definition 'does not include any person who for the purposes of his classification under this Act, freely and voluntarily admits that he is by descent a black or a coloured person unless it is proved that the admission is not based on fact'.

Further sections of the Act related to additional factors to be used to judge whether or not a person was white.

man asked to be left to die in peace with the only people who will look after me', although the enumerator warned he would have to record the old man was a coloured.

It was under those circumstances that some official started checking back on his children and grandchildren and found that the old man was classified as a coloured in 1951. The entire family was then reclassified.

Springbok

'There have been other cases. Just a few days ago, watching the screening of a golf tournament on television, I saw a well-known golfer whose family had been reclassified as coloured.

'He was a Springbok golfer and his family was well known throughout South Africa and the world. It would be shattering to many people to learn the identity of this particular man. They had to go through this traumatic experience.'

Senator Webber said he had taken photographs of the family and had shown them to the Minister of the Interior.

can't get her onto his schemes. If children are born, their births have got to be registered as illegitimate and mixed because unless you can produce two white identity numbers the child is registered as being mixed or coloured.

'Within the family itself, children turn on their parents and ask why they had ever been born. Terrible tensions are created.

Victims

'All these things affect the people who find themselves the victims of this diabolical bureaucracy.'

Senator Webber said Mauritians bought out by the South African Government in the early part of this century had been given the assurance they would have all the privileges enjoyed by whites.

At that time, there was no classification of people by the government, although different people had different rights.

'It's apparent there was already a feeling amongst people, otherwise that assurance would not have been given. A number of cases that have come up, have arisen from the rank of these'

Mauritian people

'A number of leading families on the North Coast today have a Latin look. For certain of those families now to be singled out on whatever basis, be it the 1951 census, heredity or declarations made by these people at certain times, I believe it is totally wrong and unfair to now start reclassifying families who go right back to that time.'

'There was a time in the 1920's and 1930's when marriage officers on their own specified on marriage records their idea of the classification. I believe it is wrong now to use even those records to reclassify people.'

'Here you have a young man — the grandson of the 70 year old Durban woman — who is three generations removed from those settlers,

who is at present the branch manager of a white concern, has only white friends and associates, to be suddenly told he must throw all that up and go and live in a coloured area.

'I can't accept this. He says to me he has no associations with the Coloured people. If he has been accepted by the white people, then how can some petty official in Pretoria come along and say he is not a white and must give up all the privileges that go with being a white.'

'If someone has been accepted by the community as white, coloured or Asian, he must be accepted as that by officialdom. I don't believe anyone should come along and say what race a person is, or should be.

It doesn't seem logical, says Mr. V A L Volker

Mr V A L Volker, MP and deputy chairman of the National Party in Natal, said he could not comment on the case of the 70-year-old Mauritian woman who had been reclassified coloured.

He dismissed as nonsense Senator Webber's allegation that the test for reclassification had been changed only after 18 years to give some Nat supporters time to be classified white.

'To imply political implications to reclassification is nothing but blatant nonsense. As far as the question of classification and reclassification goes, it has received sympathetic treatment from ministers, deputy ministers and senior officials. If Senator Webber's ex-

perience as an enumerator goes back to 1950 then it is highly unlikely the facts from 30 years ago would be used to reclassify people. It doesn't seem logical.

'I have serious doubts about his facts. I think they are most improbable. His comments on this delicate issue are not from someone trying to solve a problem but from someone who is trying to create a political sting from something which appears to be very far fetched.'

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The 1951 Census

They took from 1950 to about 1958 when they changed the test of acceptance and said the 1951 census would be the basis of classification. That and heredity.

In those 18 years, heredity was no issue at all. It was appearance and acceptance. Whether your mother was a black woman or your father was a black man, made no difference. It depended on how you looked, the way you lived and who your friend were. On that basis, these Nats got all their supporters into the white group. Having got all their people in, they then closed the door.

I say this because there are stories I can tell. There was a Nat MP who was known affectionately by those of us who were his colleagues as 'witbooi', for obvious reasons.

The story goes that a senior Nat Member of Parliament who, after the Group Areas Act was applied to hotels, was refused admission at a Cape Town hotel where he had stayed for many years during the session. The very next day he was issued an identity document to show he was white. I can't vouch for the truthfulness of that story, but many MPs have heard it.

Little boxes

Senator Webber said the issue arose in 1950 with the passing of the Population Register Act, when the Government decided to put each race into little boxes.

I was in the Department of Native Affairs, doing a certain amount of justice work, including performing marriages. The instructions given to us were quite clear. You looked at the person and decided whether or not he was a coloured, white, black or an Indian. If there was a doubt, you looked at his background, at the society that he lived in and the company that he kept. That was the test.

Bound by law

There is one case I remember quite clearly. A girl who could pass as a white

ment, without being refuted, the people of South Africa were never told that the population register was going to be based on the information given in the 1951 population census.

But I was an enumerator in that census. And I remember quite clearly the instructions we were given.

I had an area populated mainly by non-Whites. We were instructed in filling in the section on race that we weren't simply blindly to accept what the person said. You had to look at the circumstances in which the people lived, the community in which they lived, how they looked, and determine for yourself what their race was.

Several cases

I have been involved in several cases of reclassification and I have succeeded in having some people classified as white. In some cases I have failed, said Senator Webber.

There was the case of an old man in Harding, whom I knew personally because he worked for my brother-in-law. He suddenly found himself reclassified as coloured, as did his children. This was in the late 1960's.

When I investigated, I was told by the Government that his family had been reclassified on the basis of the 1951 census. And not what they had filled in on their own forms, but what had been filled in on their father's form. It appeared the enumerator had found the old man living in the coloured area of Harding and had marked him down as coloured.

He had come out from England and had lived in Harding for many years. His family drifted off and left him. As his money diminished, he became less able to look after himself.

The family of the coloured woman that looked after him took him in and he lived with them. He was at a ripe old age when the 1951 census took place. When the enumerator asked him what he was doing in a coloured area, the old

classified that family as coloured. He said no, and I told him that he was darker than any one member of the family. That is all that I did. The reclassification was withdrawn. I never got the details of why they were reclassified. It was one of the easiest cases I had.

Think carefully

You must think carefully about what happens with cases like this.

I must be careful I do not identify the Durban family I am trying to help. But this is an example of what happens to a family when something like this comes to light.

The grandmother — who was Mauritian — was married in the 1920's. Her children were married in the early 1950's. At that stage there was no question of producing an identity document or Book of Life when you got married. It was only with the insistence on ID cards in the late 1960's and 1970's that all of a sudden the mother got a card reflecting she was coloured.

She got into a tizz and burnt it. She didn't tell her husband or her son. She was too afraid of the stigma of everything that goes with this to register a protest, to appeal or ask. Everything went fine until her children wanted to get married, her sons had to go into the army, and they needed identity documents. This was in the early 1970's. And it all came out.

Her children have attended Catholic schools, there has been no question of their not being white. Her sons have completed their national service. This is not under the new dispensation of the so-called verligte Mr P W Botha, who is now training non-whites in the army. This is in the days when only pure whites were taken into the army.

All of a sudden

These boys have represented their country as Springboks and Junior Springboks, in other words, as whites. Because in those

NM
15/12/80

Minister to deal with Webber's accusations

Political Reporter

MR Chris Heunis, the Minister of Internal Affairs will raise in Parliament next year accusations by Senator Warwick Webber, Natal leader of the New Republic Party, that the Government was sifting through old records to reclassify whites.

The accusations were carried in the Mercury on Thursday, and included the view that the Government had given certain National Party supporters a period of grace of several years to enable them to be classified white.

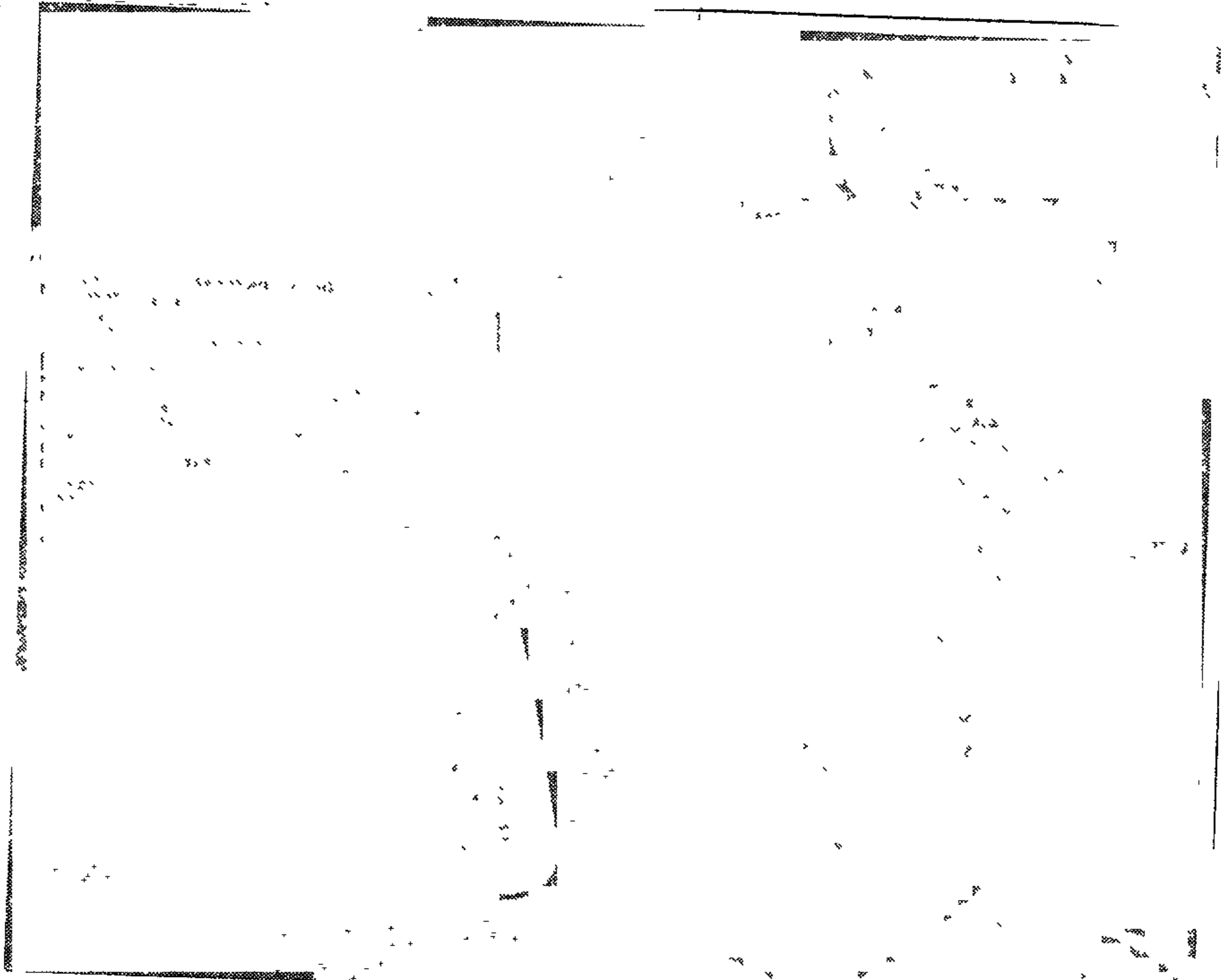
The Mercury telexed the Department of Internal Affairs a copy of the report before publication, for

comment

Mr Heunis said through a departmental official yesterday 'I shall deal with the Honourable Senator Webber's unfounded accusations in Parliament'

metropolitan
islands;
rural areas
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and 1970 are :
shift in
absorption
during the 1970's
on the labour
that there has been a relative shift away from women in
agricultural employment. Also since petty trading is predominant
ly a female activity (included in Table 5 but not in Table 4)
women have not made as much progress in commercial employment
as comparison of the two tables would seem to suggest. Yet
in every other sector (except electricity, where the discrepancy is within the bounds of sampling and reporting error)
and services, where predominantly female domestic service may
have either been overestimated in 1970, or have shrunk relatively to civil service employment - predominantly male -
since that date), the proportion of women in total employment
has risen slightly. But the absolute growth in male employment
must have been considerably greater than that in female
employment. The forces placing African women on the labour

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The forces placing African women on the labour
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But the absolute growth in male employment
must have been considerably greater than that in female
employment.
The forces placing African women on the labour



Richard Symes, with his Book of Life.

— Picture Flick Goedhart

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UK migrants' son classified coloured

DD 238

SATION, 1960, 1970 & 1978

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of the 1960's. Other parts in 1980, as the following
 This proportion de-

EAST LONDON — When an East London schoolboy, Richard Roy Symes, whose parents immigrated to South Africa from England, received his Book of Life recently, he was surprised to find he had been classified Cape Coloured.

Richard's parents, Mr and Mrs Vivian Roy Symes, of Vincent, East London, were both born in England

Mr Symes settled in South Africa in 1937.

Mrs Symes immigrated to South Africa in 1960, and the couple were married in Pinetown, Natal.

Mr Symes said he and his wife had each held a Book of Life since 1978, "wherein we are classified as white"

Richard was born in Durban 17 years ago. His sister, Margaret, 18, and his brother, Michael, 16, have also applied for Books of Life, but have not yet received them, their father said

When the Daily Dispatch phoned the Department of the Interior in Pretoria yesterday for comment, the reporter was told it was necessary to speak to the under-secretary of the department, Mr J. L. Pretorius, who would only be back in his office today

Richard said: "I just took a look at the book when it arrived and said to my mother, 'They have classified me as being in the Cape Coloured Group. Why do they make a mistake like that?' She was shocked"

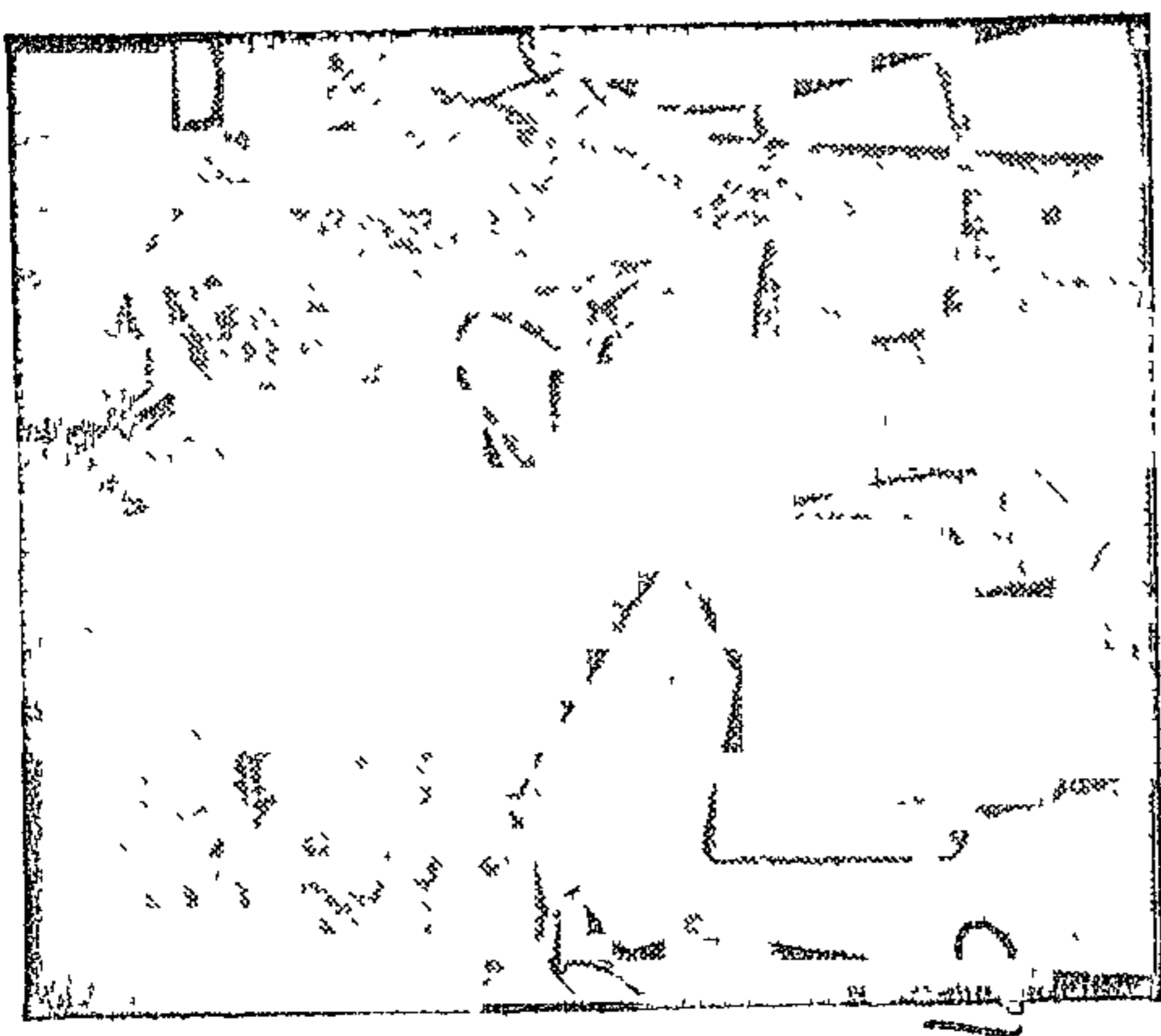
His father said, "When I saw the book, I phoned my attorney."

He said he had not yet approached Pretoria about Richard's classification — DDP

The B.Com. is intended for students who wish to study a three-year honours programme.

Immigrant blames apartheid for his son's race classification 'humiliation'

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28/12



Vivian Symes and his son, Richard, inspect the book of life classifying Richard coloured

THE father of an East London schoolboy at the centre of a race classification row intends suing the Government for defamation.

Vivian Symes said his lawyers had advised him not to return the book of life which he received from the Department of the Interior and which classifies his son coloured.

"The department telephoned me and asked me to send the book back, but I am keeping it and my lawyers will take the matter further," he said

Meanwhile his son, Richard, 17, used the 'coloured' book of life to travel through Transkei when the family drove to Durban on holiday this week.

Mr Symes a British immigrant and outspoken critic of the Nationalist Government since it came to power in 1948 blames the apartheid system for the "humiliation" his son has suffered

"I have been a staunch opponent of the Nats since they waylaid us (South African Air Volunteers Force) outside our barracks with bicycle chains and clubs during the war," Mr Symes said "Now they want our boys to fight on the border"

He tore up Richard's army registration forms "No son of mine will go to the army unless he wants to," he said "I don't agree with conscription unless there is a war on. The Government is just trying to indoctrinate the public to make them believe we are fighting a proper war."

He has not heard from the SADF since.

Mr Symes' present clash with the Government is not his first. He was visited by members of the Special Branch and his house was searched when he was active in the campaign against South Africa becoming a republic in 1960

He imported 50 000 Union Jack flags and he and members of the Torch Commando — as they called themselves — distributed the flags to the public of Durban and to schools. They also provided rubbish bins for the Republic Day medals handed out at schools.

"Now the Durban City Council is to spend R100 000 on hunting for the Republic Day celebrations.

They should rather spend it on Union Jacks as there is nothing to celebrate," he said. He believes the mistake which resulted in his son being incorrectly classified is only the latest in a history of Government bungling.

"Apartheid is the root cause of it all I told the official from the Department of the Interior who telephoned me and asked me to return the book of life that I would never have received it in the first place had it not been for apartheid

A spokesman for the department said Richard had been classified coloured due to a computer coding error which had since been rectified. A

new book of life would be issued, he said.

The error has created bad publicity for South Africa overseas 'I phoned the editor of my home town newspaper, the Bath Chronicle, and told him that after all these years my son, born of an English lady had been classified coloured," Mr Symes said

"I told him we were all South Africans, irrespective of colour," he said.

He had received numerous letters of sympathy, including one from his school old boys' association.

Many people had congratulated him on making the issue public, he said.

Both Mr Symes and his wife Margaret are immigrants and are classified white according to their books of life

They applied for books of life for their three children, Richard, Michael and Margaret a year ago and the book classifying Richard coloured is the only reply they have received

"I was emotionally upset about it," said Richard who has just left the Bayville special secondary school and hopes to become a truck driver.

Race Rows Ian Wynne Reports

POPULATION — REGISTRATION

12 JAN. 1981 — 18 Dec. 1981

Race Act 'more flexible' soon?

Political Staff

CAPE TOWN — The Government is planning changes to the notorious Population Registration Act, which classifies South Africans rigidly as black, white coloured or Asian.

The changes expected to be made known by the Minister of Internal Affairs, Mr Heunis, later this week may be considered by Parliament shortly after its 1981 session begins on January 23.

There was no indication today of what the amendments would be, but Opposition spokesmen do not expect any basic tampering with what they see as one of the pillars of the apartheid system.

They speculate that the changes might introduce a small degree of flexibility to the existing system along the lines of the Government's pragmatic approach last year to the marriage of Mrs Susan Green and Mr Aubrey Jooste.

Mrs Green although classified under the Act as coloured, was allowed to marry Mr Jooste who is classified white.

In effect, the Government introduced a "love by permit" principle in the Green-Jooste case circumventing by special dispensation the rigours of the law in much the same way as it has done in the case of theatres, hotels and restaurants.

Opposition spokesmen suggest that formal amendments to the Population Registration Act would be necessary to allow for Ministerial discretion in what they say are hundreds, possibly thousands, of cases similar to the Green-Jooste courtship and marriage.

As the law now stands, some argue, Government officials concerned may have been acting beyond their legal powers in allowing the Green Jooste marriage to take place though it seems unlikely that the legality of the marriage could ever be challenged.



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Vol. 187]

PRETORIA, 14 JANUARIE 1981
JANUARY 1981

[No. 7367

ALGEMENE KENNISGEWING

KENNISGEWING 33 VAN 1981

DEPARTEMENT VAN BINNELANDSE
AANGELEENTHEDDE

KONSEPWETSONTWERP OP BEVOLKINGS-
REGISTRASIE

Die volgende Konsepwetsontwerp word hierby ter algemene inligting en vir kommentaar gepubliseer.

Kommentaar op die Konsepwetsontwerp moet binne 21 dae na publikasie hiervan aan die Direkteur-generaal Binnelandse Aangeleenthede, Kamer 403, Private Bag X114, Pretoria, 0001, gestuur word.

Algemene verduidelikende nota

[] Woorde in vet druk tussen vierkantige hake dui aan skrappings deur die Minister by indiening voorgestel.

— Woorde met volstreep daaronder, dui aan invoegings deur die Minister by indiening voorgestel.

KONSEPWETSONTWERP

Tot wysiging van die Bevolkingsregistrasiewet, 1950 (Wet 39 van 1950), ten einde voorsiening te maak dat Suid-Afrikaanse burgers wat nie blywend in die Republiek woonagtig is nie, nie in die register van die bevolking van die Republiek opgeneem word nie; die opname van persone se opvoedkundige kwalifikasies in die voornoemde register gestank word; vingerafdrukke in die Bevolkingsregister opgeneem word; kennisgewing van adresverandering van verblyfplek en posadres aan daardie instansies gestuur wat deur die Direkteur-generaal of 'n streekvertegenwoordiger aangewys word; 'n netwerk daargestel word vir die kontrolering van die houers van identiteitsdokumente se identiteit en geregistreerde verblyf- en posadresse; 'n eenvormige identiese identiteitsdokument aan alle bevolkingsgroepe uitgereik word; en vir aangeleenthede wat daarmee in verband staan.

479—A

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GENERAL NOTICE

NOTICE 33 OF 1981

DEPARTMENT OF INTERNAL AFFAIRS

POPULATION REGISTRATION DRAFT BILL

The following Draft Bill is hereby published for general information and comment.

Any comment on the Bill should be forwarded to the Director-General of Internal Affairs, Room 403, Private Bag X114, Pretoria, 0001, within 21 days of publication thereof.

General explanatory note

[] Words in bold type in square brackets indicate omissions proposed by the Minister on introduction.

— Words underlined with solid line indicate insertions proposed by the Minister on introduction.

DRAFT BILL

To amend the Population Registration Act, 1950 (Act No. 39 of 1950), to make provision that South African citizens who are not permanently resident in the Republic, shall not be included in the Population Register of the Republic; that the inclusion of the educational qualifications be suspended in the aforementioned register; fingerprints be included in the Population Register; for notice of the change of residential address and postal address to be given to those quarters which have been appointed by the Director-General or a Regional Representative; to set up a network controlling the identity of the holders of identity documents and registered residential and postal addresses; to provide for issue of an uniformed identity document to all population groups; and for matters connected therewith.

7367—A

For full text see pg 7367

Storm breaks over 'passes for all' plan

15/1/81
STAMP
238

Staff Reporters

A Government plan to introduce uniform identity documents for all races — which will include the fingerprinting of new applicants — has caused a storm of protest.

gery of documents will not decrease

"Only new people registering will be fingerprinted. Old documents, without fingerprints, can still be forged."

SUBVERSION

Mr John Rees, director of the Institute of Race Relations, said "We see no problem with this if it is applicable to all races."

"However, if this is seen as a means of combating the total onslaught against South Africa, the Institute wishes to point out that it would be far better to work for a happy and contented population than implement this scheme."

Inkatha public relations officer Mr Peter Davidson said "I see no point in the change unless the Minister knows something we don't."

"It is a bitter disappointment that Pass Laws are not being scrapped."

A spokesman for the Defence Force said the inclusion of fingerprints in the Population Register would act as a deterrent against subversion.

He said it had become necessary to upgrade the "sophistication of identity documents" and fingerprints were an unalterable identification of a person.

Details of the plan were published in a draft Bill yesterday.

The Minister of the Interior, Mr Heunis, said the Bill made provision for the fingerprinting of new applicants and those applying for endorsements.

It would be a uniform document for all races.

Many blacks see the plan as possible "double harassment" and whites feel it is an infringement of the public's rights.

Mrs Sheena Duncan, head of the Black Sash in Johannesburg, said "This is an absolute invasion of privacy."

"The Government cannot hope to bluff the world into believing that it is not oppressive by extending oppressive measures such as this to all races."

Mr Nigel Wood, an NRP MP, described the taking of fingerprints as "an infringement of the public's rights."

"HARRASSMENT"

Black community leaders were dismayed that the new ID document would not affect the influx control laws.

Bishop Desmond Tutu, general secretary of the South African Council of Churches, said "These documents will mean we blacks will now have a double dose of harassment."

The fact that the ID documents would be uniform did not mean that blacks would be treated in the same way as whites, he said.

The publicity secretary of the Azanian Peoples Organisation (Azapo), Mr George Wauchope, said "As long as influx control laws remain, this is a non-issue."

"We are not interested in superficial changes but in the complete overhaul of the entire political system in the country."

Mr Andrew Pyper, NRP spokesman on Interior matters, said "The for-

Blacks: now whites will know what it's like to carry a pass

STAR 16/18

"Let them also feel what it is like to carry a pass, and later be jailed for 'failing to produce,'" chortled Mr Duke Moroka when he heard of the new fingerprint ID book, just announced by the Government

and ask for the document — as has always been the case with blacks. The Bill also provides for fingerprints to be included in the document, a measure ostensibly aimed at insurgents entering the country.

The prints would also be used to identify people who left the country illegally or who were wanted by the police.

The Bill will consolidate the old Abolition of Passes and Co-ordination

of Documents Act which replaced the old Pass Laws and the Population Registration Act providing for the Book of Life.

For blacks this might mean they would have to carry two passes — one to show their influx rights (or lack of them), and the other with fingerprints, driver's licence and homeland's citizenship.

A legal expert said the Book of Life was as compulsory as the reference book.

But a black lawyer disagreed.

He asked, "How many whites have had to appear before the Fordsburg Bantu Affairs Commissioner or any other court for that matter for failing to produce a pass?"

The draft law lays down that anyone who cannot produce "on demand" must show the document within seven days if it is more than 5 km away.

This is technically the law, noted another legal man, but he emphasised

that with blacks this was not always strictly observed.

"No so long ago the Legal Resources Bureau had to help a woman who had been locked up for the weekend because her pass was at her place of work," he said.

Street comments by Johannesburg blacks ranged from "It is not the same with safeguards which police are expected to observe,

The Star's London Bureau reports that South Africa will stand virtually alone among countries associating themselves with "European principles" in making fingerprinting compulsory as part of registration.

No major West European country employs fingerprinting except for police work — and even then it is usually hedged with safeguards which police are expected to observe,

In Britain, only aliens have to carry any form of identification and fingerprints may be requested by police only when making inquiries into a particular case.

Holland, West Germany, Italy and the Scandinavian countries have a similar system in operation no official ID documents are required and fingerprinting is carried out only in connection with police work.

Mrs. Thornton White Prize
For the best work in first year.

Miss M F J Sandilands

S A Brick Association Prize
For the student who has made best use of bricks in his design work.

J G Kirkman

R Stubbs Award
For the best project in structure and design.

M R I Ness

National Development Fund for the Building Industry Book Prizes

For the best student in each year of study of the degree course.

First Year

J A L Chapman

Second Year

C S Jones

Third Year

B de Jong

Fourth Year

R W Kohne

George Strachan Prize

For the best final year student of the degree course.

R W Kohne

LTA Prize

For the best student obtaining a first class pass for a dissertation in Building Management.

S F Richardson

PASS LAWS

12/1/51

(1) 250

Total discrimination

South Africa moved a giant step nearer to becoming a totalitarian society on Wednesday with the (unusual) mid-week gazetting of Internal Affairs Minister Chris Heunis' new bill providing for eventual fingerprinting of the entire population and the compulsory carrying of passes by all.

The new measure, which the *FM* hopes will be subject to strong public criticism and, at least, drastic parliamentary revision, extends to everyone the total population control only possible under totalitarian regimes.

Blacks of course, have laboured under this control for years and it will be interesting to see how whites react to a taste of the same treatment — although it seems the application of pass laws to whites will be less rigorous than blacks are accustomed to.

In terms of the bill the new measures will be phased in — starting with the compulsory fingerprinting of all applicants for identity documents or endorsements or renewal of existing documents.

At a date yet to be determined there will be a uniform identity document for all (including blacks) which must, subject to certain conditions, be produced on demand (This from a government that could not even get the Book of Life scheme off the ground.)

The draft bill provides that the document must be presented on demand to any peace officer or, should it be more than 5 km away, it must be produced within seven days.

White pass offenders

One politician who is betting the seven day concession will not apply to blacks is the PFP's Helen Suzman. 'They can only make influx control work if demand means just that,' she told the *FM*.

So if the draft bill is intended to undermine charges of racial discrimination by having the government discriminate against *everyone* it is unlikely to work — unless government drops the seven day clause and builds new jails for white pass offenders.

In Cape Town yesterday Heunis offered two reasons for the proposed legislation.

One was that it was intended to improve the effectiveness of the Population Registration Act. The other, ominously, was to limit the increasing attempts at infiltrating (presumably by saboteurs) strategic installations and key positions "at a time when SA faced total onslaught."

To use the measure for security purposes implies involvement of the security forces. Yet Heunis says the fin-

gerprint register will be kept by his department and the 'criminal bureau' will have no access to it.

Heunis had another New Year present for SA. Businesses, societies, associations and everyone else who needs to keep records and addresses is going to have to make the information available to the

government

He says departmental representatives will be in contact with other departments, banks, building societies, life assurance companies, estate agents, farmers' associations and boarding house keepers.

These bodies will all be used to assist in the 'immense task' of keeping an up to date register of population changes and the addresses of registered persons.

Once this was effective even the voters roll would be drawn from the population register and voter registration would fall away.

What the government seems to have in mind is a 1984 type of society where the authorities can lay their hands on anyone at any time and where the right to privacy is non-existent.

But 1984 is still three years off.

(238)

Legal men row over ID plan

STAR 17/1/81

By John Murray
 Government proposals to fingerprint all South Africans for new identification documents have aroused furious dissent among legal experts.

Natal law academic Professor Baend van Niekerk was "totally unmoved" by arguments that the idea is an invasion of privacy.

But at the University of the Witwatersrand Professor Johann van der Vyver of the law department said "Having a record of fingerprints could increase the powers of those who may wish to persecute people with political views regarded as offensive".

Criminal law expert Professor S A Strauss of the University of South Africa agreed. The new document is incompatible with basic notions of privacy and the personal integrity of people.

Professor van Niekerk said "I am not against it in principle but it will be impossible to administer and the Minister's reasons for instituting the legislation are stupid beyond redemption".

The Minister of Internal Affairs, M Heunis, said in Parliament this week that "because of the total onslaught" on South Africa means of identifying individuals had to be inflexible.

⊗ Page 3 — "Passes for all" plan provokes apathy

- 1. EXISTING
- 2. SULLIVAN C
- 3. BRITISH COI
- 4. E.E.C. CODE
- 5. SACCOLA CO
- 6. S.A. COUNCIL

6. URBAN FOUNDATION

MAIN PROVISIONS INCORPORATED IN CODES

- * IMPROVEMENT OF EMPLOYEES LIVING CONDITIONS AT HOME
- * EQUAL PAY FOR ALL DOING COMPARABLE WORK
- * EQUAL AND FAIR EMPLOYMENT PRACTICES
- * DEVELOPMENT OF TRAINING PROGRAMMES FOR ALL EMPLOYEES
- * INCREASE NUMBER OF BLACKS IN SUPERVISORY AND MANGERIAL POSITIONS
- * IMPROVEMENT OF EMPLOYEES LIVING CONDITIONS AT HOME
- * REMOVAL OF RACE DISCRIMINATION IN WORK PLACE AND COMFORT FACILITIES
- * ASSIST WITH PROBLEMS ARISING FROM MIGRATORY LABOUR SYSTEM

A man with 2 identities

S. Times 25/1/81 (238)

FORMER hospital porter Willie Page is locked in a race identity nightmare.

He doesn't know if he's white or coloured — and he's had the worst of both worlds

Mr Page has an official ID card that says he's white — and a birth certificate that states his race as "mixed"

- He did his military service because he was considered to be white

- He's been asked by Cape Town's Grootte Schuur Hospital to pay back more than R400 of his "white" salary because the hospital regards him as coloured

Now Mr Page, 36, wants to get the race muddle sorted out so that he can live in peace and marry his coloured mistress, by whom he has four children

Mr Page, who is now a barman, says he has no intention of repaying the money to the hospital, where he worked for four-and-a-half months until the mid-December

"I did a job I had applied for and was found suitable, and regard my salary as payment for a job well done

"I don't think colour should make any difference pay-wise, since both coloured and white hospital porters do exactly the same work," he said

Sympathetic

A hospital official said Mr Page was employed as white on the basis of his ID card and was paid R282, the start of the wage scale for white beginners

Coloureds start on R135 a month

Later, when the hospital received a copy of his birth certificate, they sent him a letter asking for some of his "white" pay to be returned

A hospital official said this week "We are very sympathetic towards his case and assured him that the moment his papers are in order, with proof that he is white, we would refund him"

Explaining his mixed background, Mr Page said he was born prior to the marriage of his parents — his mother was the daughter of a German man and a St Helena woman, and his father a South African

By **NORMAN WEST**

oured, but my requests have been turned down

"If I could get reclassified, I could marry the woman I love, who has coloured ID documents and by whom I have four children

"In Cape Town we are only one of many twilight families

split down the middle by the country's racial laws

"It is a fairly common and accepted practice in Cape Town that fairer members of a family work as whites where there are discriminatory pay scales in the private and public sectors tipped in the favour of whites

"But, in my case, I don't want to turn the fact that I am fair into a financial ad-

vantage I am burdened by this racial albatross around my neck and wish to be rid of it

"This double-identity nightmare makes it impossible to live a normal life. The only hope for families like mine is the scrapping of race classification laws, particularly the Group Areas Act, the Immorality Act and Mixed Marriages Act"

His parents married when he was two years old. Both his mother and father obtained white ID documents after they wed, and the family lived in a white area

"I applied for, and received, a white ID card, so I must be registered as white in Pretoria

"I was called up for my army training at Oudtshoorn, and was later posted to Bloemfontein

Relatives

"I also completed my three weekly camps training as a white, and did my normal weekend manoeuvres at Cape Town Castle. I am still a member of the white Cape Town Rifles, the Dukes

"I have a number of relatives by the surname of Diener and Page who are white," he said

Mr Page said he did not particularly want to be either "white" or "coloured"

"All I want is one identity — and I would be more than happy if I could be reclassified coloured and issued with a coloured Book of Life

"I have spent close on R500 in attorney's fees in attempting to get reclassified col-

S/Times

25/1/81

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Double-identity victim Mr Willie Page

Picture AMBROSE PETERS

Fingerprinting system Orwellian, say lawyers

RDM 26/1/81
238 SAT

By ARNOLD GEYER
A SYSTEM of compulsory fingerprinting would amount to massive State interference with — and serious encroachment on — the individual's political, economic and social rights, according to Lawyers for Human Rights.

At its second public meeting, the association resolved that the Government's proposed legislation concerning the inclusion of fingerprints in identity documents constituted an "offensive infringement" on every South African's privacy and decency.

The chairman of the meeting, Mr Johan Kriegler, SC,

described the legislation as part and parcel of an "Orwellian system", warning the "gullible" not to be lulled by assurances that the fingerprints would only be used to catch subversives.

"I cannot condone that my fingerprints be kept in a nameless cell in a nameless Government department by faceless bureaucrats," he said.

He pointed out that as well as fingerprints, all citizens would be required to enter their electoral constituencies in their identity documents.

Failing to do so would lead to them either becoming "de-

humanised" or "denied the vote", Mr Kriegler said.

He warned the Government that the implicit intention of the legislation — "if one subversive could be caught then compulsory fingerprinting for all is justified" — went contrary to legal tradition.

"Our concept of law enforcement is that 10 guilty people should go free rather than one innocent person be punished."

In a resolution, Lawyers for Human Rights said the practice of fingerprinting had generally been tainted with a criminal stigma and it caused resentment and anguish among South Africa's blacks.

Osborn Prize
For the best work in fourth

S A Read

General J B M Hertzog Prize
For the best final year student.

D H Pryce Lewis

David Haddon Prize
For the best student of
Architecture (or Quantity
Surveying) in the subject
of Professional Practice.

Miss C Tredgold

Molly Gohl Memorial Prize
For the best woman student
in third year.

P A Rappoport

Helen Gardner Travel Prize
For a student who has
satisfactorily completed
1st, 2nd and 3rd major courses.

P F Dunkley

Sixth Year

Cape Provincial Institute
of Architects' Prize
For the best student in :-

ARCHITECTURE

Immorality Act
12/18 2 1/2 1/55 232
by Mrs H SUZMAN asked the Minister
of Police

6/2/81
(a) How many suspected contraventions
of the Immorality Act were investigated
during the period 1 July 1979 to 30 June
1980 and (b) how many persons were
charged as a result of these investigations?

The MINISTER OF POLICE

(a) 169

(b) 276

Sports facilities permits

98 Mr S S VANDER MERWE asked
the Minister of National Education

(1) Whether his Department received
any applications for permits for per-
sons other than Whites to make use
of sport facilities in White group
areas in 1980, if so, (a) who were the
applicants and (b) in respect of which
facilities was the application made in
each case.

(2) whether any of the applications were
refused, if so, which applications?

The MINISTER OF NATIONAL
EDUCATION

(1) None and

FEBRUARY 1981

(2) falls away

Population Registration Act

Hans 3 Aug 67 84
114. Mr D. J. DALLING asked the
Minister of Internal Affairs (238)

10/2/81
(1) How many appeals (a) were heard, (b) were rejected and (c) were upheld by a board constituted in terms of section 11 (4) of the Population Registration Act, 1950, in 1980,

(2) what were the reasons for the decision in each case?

The MINISTER OF INTERNAL AFFAIRS

- (1) (a) 3
(b) Nil
(c) 1

(2) The Board did not give any reasons for upholding the appeal at (1)(c) above

The other two appeals were postponed to enable the objectors to call witnesses to testify on their behalf

Immorality Act
 Mrs. H SUZMAN asked the Minister
 238
 11/2/81

each Attorney-General in the Republic during 1980,

- (2) how many of the persons concerned (a) were (i) prosecuted and (ii) convicted and (b) are still on trial or awaiting trial?

the MINISTER OF JUSTICE:

	Question 1	Question 2(a)(i)	Question 2(a)(ii)	Question 2(b)
Victoria	41	59	18	38
East Town	33	14	11	6
Stamswald	30	33	22	6
Kimberley	14	23	18	2
Worcester	16	13	7	5
Stellenbosch	29	45	22	8

238

'Kruger, Louis Botha, had black ancestors'

Science Reporter

RECENT historical research tracing the genealogy of famous Afrikaners to a 17th-century black woman has added to a growing body of evidence showing South Africa as a racially-mixed country in which both English and Afrikaans-speakers have a high admixture of "coloured" blood, coloured people have more than a third "white" blood, and Jews are the only "pure" race in the country.

The latest findings on South Africa's racial melting-pot come from Professor J L Hattingh, director of the Western Cape Institute for His-

torical Research

In an article in *Kronos*, one of the institute's publications, Dr Hattingh names president Paul Kruger, the Voortrekker leader, Andries Hendrick Potgieter, and the first prime minister of South Africa, General Louis Botha, as being among many famous Afrikaner descendants of a Malay-African pairing in the 17th century.

According to Professor Hattingh, there are few Afrikaners who did not receive an admixture of coloured blood at some time in their ancestral past. The only exceptions are people who came to South

Africa during this century and did not inter-marry with the older families.

His work follows the trend of such startling findings as those of Professor J A Heese and Dr M C Botha, who in 1972 independently came to the conclusion that Afrikaners had from six to seven percent coloured blood.

Dr Botha, the immunologist who played an important part in the first heart transplant, found that English families had a similar percentage, with some English-speaking groups showing very high levels of mixed-raced origins.

Dr Botha's findings were the result of a six-year genetic research programme, while Dr Heese, a former Dutch Reformed Church archivist, spent 15 years examining birth registers throughout the Republic.

The findings exploded two previously-held theories concerning the ancestry of South Africans. These were that the Cape coloured population was descended only from Hottentots and slaves, and that the Afrikaner had only a minimal admixture of coloured blood.

Dr Botha brought evidence to show that coloured people had a group pattern of about 34 percent

Western European (white), 36 percent South African (black), and 30 percent Asian genes.

Afrikaners and English-speakers had seven times more coloured blood than they were led to believe by the research work of Dr H T Colenbrander in 1902.

A point which attracted much interest was a statement by Dr Botha that South African Jews were probably the best example of a pure race among the settler population groups.

This was supported yesterday by Professor Peter Beighton, professor of human genetics at the University

of Cape Town.

Asked to comment on this, Professor Beighton said Jewish groups "most often" resembled the population of the host country in which they had spent the previous few centuries.

"The classic example is that of the Ashkenazi Jews from Germany who are closer to their host population than they are to other Jewish groups," Professor Beighton said. He warned that the term "mixed blood" was used in a loose sense, implying a mixture of genetically determined factors. There were some half-dozen common and about 50-rare blood groups.

18/2/81

238

Immorality Act

196 Mr H E J VAN RENSBURG
asked the Minister of Police

Hans-H. Gies (at 107 (238))
(1) How many suspected contraventions
of the Immorality Act were investi-
gated in 1980 in the area falling under
the Randburg police.

18/2/81

FEBRUARY 1981

(2) (a) how many persons were
and (b) what was the charge in the
case?

The MINISTER OF POLICE

(1) One

(2) (a) One

(b) Contravention of
14(1)(a) of Act No. 23 of 1977

Immorality Act

Hans Le Grues 1974
195 Mr H F J VAN RENSBURG
asked the Minister of Justice

238

19/2/81

- (1) How many cases under section 16 of the Immorality Act were heard at the Randburg magistrate's court in 1980;
- (2) (a) how many persons (i) were acquitted, (ii) were convicted and (iii) are still on trial or awaiting trial and (b) what was the sentence in the case of each convicted person?

The MINISTER OF JUSTICE:

- (1) None
- (2) Falls away

Population Registration Act classification

238

142 Mr D J DALLING asked the Minister of Internal Affairs

Handwritten: Col 190 2/12/81

(1) Whether the Director-General Internal Affairs, in terms of section 5(4)(c) of the Population Registration Act 1950 altered the classification of any person in 1980, if so (a) in how many cases and (b) what alteration did he effect in each case,

(2) in the case of how many applications did the Director-General refuse to act in terms of the said section?

The MINISTER OF INTERNAL AFFAIRS

(1) Yes

191

FRIDAY 20 FI

(a) 152	
(b) Cape Coloured to White	133
White to Cape Coloured	1
Indian to Cape Coloured	4
Malay to Indian	3
Cape Coloured to Indian	6
White to Chinese	3
White to Malay	1
Indian to Malay	1

(2) 69

Abortion and Sterilization Act
Mrs H SUZMAN asked the Minister
of Health, Welfare and Pensions

- 20/2/81
- (1) Whether he intends to appoint a commission of inquiry into the application of the provisions of the Abortion and Sterilization Act if so, when, if not, why not.
 - (2) whether the membership of the commission will include (a) persons from all race groups and (b) women?

The MINISTER OF HEALTH, WELFARE AND PENSIONS

- (1) No, I received a number of requests for the appointment of such a com-

FEBRUARY 1981

mission of inquiry I am however not yet satisfied that the appointment of a commission is justified or warranted at this stage

- (2) Falls away

Mrs H SUZMAN Mr Speaker, arising out of the reply given by the hon the Minister is he aware of the increasing number of incomplete abortions which have been performed as a result of the present application of the Abortion and Sterilization Act, and the increasing numbers at hospitals like Baragwanath?

The MINISTER Mr Speaker, I do not quite understand the hon member's question She asks whether I am aware of the abortions being performed Of course I am aware of them I do not know why she asks me that

Mrs H SUZMAN All right I shall write you a letter telling you what I want to know [Interjections]

CT 26/2/81
238

Woman guilty of immorality charge

Staff Reporter

A GUGULETU woman was sentenced in the Magistrate's Court yesterday to four months' imprisonment, suspended for three years, for contravening the Immorality Act

Mrs Joyce Masangwana, 31, of NY 1, Guguletu, was found guilty of having sex with a white man, Mr Theodoris Munro, in a Sea Point parking lot on January 11 this year. Mr Munro was sentenced to four months, suspended for five years, earlier this month after being found guilty on the same charge.

The magistrate, Mr J Louw, changed Masangwana's plea to one of not guilty after she had claimed that Mr Munro had forced her to have sex with him.

In his judgment, Mr Louw rejected Masangwana's evidence, saying it was full of improbabilities. "She had sex of her own free will and tried to mislead the court that she had been raped."

At no stage had she told the police that she had been raped or tried to press charges against Mr Munro.

The magistrate said he took into account that she was paid a low wage and had to support her two small children and an ill mother.

Constable M S de Kock of the Sea Point police station told the court he had gone to the parking lot on the corner of Marais and Main roads after having received a complaint from people living in a nearby block of flats. He had found Masangwana and Mr Munro lying naked on the ground.

Munro admitted that he had had sex with Masangwana, and said he had paid her R5 for it.

Masangwana told the court that she had gone to the parking lot with two black women acquaintances and two white men because they had offered her a drink. She said Mr Munro had asked her to have sex with him. When she refused, he had offered her R25. She refused and he had then raped her, she said.

Mr M Ward appeared for the State. Masangwana was not represented.

JUST

'Sex laws will stay'

113181
Swe Lan

THE Mixed Marriages and Immorality Acts will not be removed from the statutes book, the Transvaal National Party leader, Dr Andries Treurnicht, told about three hundred people in one of his first big meetings in his Waterberg constituency.

Dr Treurnicht defended the Prime Minister's twelve point plan and said it fitted in perfectly with the principles of the party as laid down in 1948.

"We, the members of the cabinet, decided to reformulate these principles in a new way.

"For two days we sat around the table and discussed and argued before coming up with the twelve point plan. And I underwrite it."

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At the same time, Dr Treurnicht conceded that in the application of the twelve point plan it was possible to have different interpretations

In his defence of the Immorality and Mixed Marriages acts, Dr Treurnicht said that in a mixed country like South Africa there were occasions when a person's race classification could be changed. "But this does not mean the removal of race classification," he said

In answer to a question from the floor, Dr Treurnicht defended what he termed "necessary discrimination". He described this as the discrimination that was necessary to protect the rights of the white nation.

Duncan hits out at fingerprinting

WHITE consent to legislation demanding the fingerprinting and compulsory documentation of all races is subservient to an already too-powerful bureaucracy, and a spurious legitimising of discrimination.

This hard line was taken at the Black Sash conference yesterday in a paper on Fingerprinting — Total Strategy and Total Control, by national vice-president of the organisation Mrs Sheena Duncan.

Mrs Duncan said: "It is astonishing that this proposed legislation should have aroused so little public protest.

"Some people seem to think that it will serve white South Africans right to be subjected to pass laws and to the same indignities and controls which have been suffered by black people for so long.

"This argument fails to take into account that the extension of fingerprinting and control to all groups in a sense legitimises and entrenches the fingerprinting of Africans, because it can no longer be fought on the grounds that it is discriminatory."

She said, too, that the extension of the system will not mean any less harassment of blacks. They will be "increasingly victimised."

Solving the identity crisis

18/12/81 238

Your votes first, then your fingerprints, please! This will be the last election for many of you without your fingerprints adorning your identity booklet.

Fingerprinting, the entire nation is South Africa's answer to the identity crisis. If you have momentarily forgotten who you are, a quick glance at your thumbprint will remind you.

A photograph may be good enough for some, but the trouble with photographs is that they don't mature with the face they allegedly depict.

When I look at old photographs of myself, I first read the caption.

Going through passport control can be tricky. My passport picture shows me not only clean-shaven but with a lot more hair on my head than I now possess.

"Doesn't look much like you," they sometimes mutter. I am forced to

agree

"The name's the same," I say, trying to look on the bright side.

But today there can be no mistaking me. There is my thumbprint with its unique whorls. If you meet me in the street, grabbed my right hand and studied my thumb through your handy magnifying glass, you would recognise my whorls immediately.

You would probably say, "Oh, what beautiful whorls! It's you, all right."

That is the beauty of thumbprints. They don't lose their hair and they can't grow beards. If a passport officer wonders if you are who you say you are, you just shove your thumb under his kisser and cry, "Take a look at that, mate."

The Population Registration Draft Bill doesn't actually restrict itself to your thumb. It speaks about recording a citizen's "fingerprints

and, if the director-general so directs, his palm prints".

This will enable the government not only to identify you, but to read your future. It can see at a glance, by looking at your life-line, if you will still be alive to apply for old-age pension in 1998. It will also know how many children you will have, whether you will be banned for headstrong pursuit of your head-line, and what kind of behaviour to expect from your prominent Mount of Venus.

Personally, I do not believe the draft Bill goes far enough. Why stick to fingers and palms? There are many other parts of the human body equally distinctive, and infinitely more interesting.

All birthmarks should be recorded, and their exact location noted. Moles should be charted, disfigurements traced and physical abnormalities described. Inspectors

Scott-free

The JOHN SCOTT column

should make annual checks, to ensure that people's bodies are being maintained in the condition specified by their identity booklets.

If one leg is shorter than the other, or one protuberance smaller than its twin, that citizen should have no right to rectify the defect without permission from the Minister of Internal Affairs and the appropriate amending entry in his identity document.

Fingerprints and palm-prints are all very well, but armless people will be able to blow up power stations without fear of identification unless provision is made for them, too. I suggest they all have their toeprints

this survey. The tables below show length of time on

inst cash wage and number

for the workers as a
its have been calculated

dual farms were also

NMM

238

18/3/81

THIS will be the last election for many of you without your fingerprints adorning your identity booklet

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'Doesn't look much like you,' they sometimes mutter. I am forced to agree

'The name's the same,' I say, trying to look on the bright side

Even the pictures of me vary. Usually it is of the latest

Put your best print forward

(238)

NM 1813(S)

PS
by

model Scott, resembling a benevolent bald eagle. But on occasion the old model Scott gets pasted up accidentally, and well-wishers telephone to ask if I have had a hair transplant.

But today there can be no mistaking me. There is my thumbprint with its unique whorls. If you met me in the street, grabbed my right hand and studied my thumb through your handy magnifying glass, you would recognise my whorls immediately.

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nately more interesting. All birthmarks should be recorded, and their exact location noted. Inspectors should make annual checks.

The idea is that citizens with existing identity booklets need not have their fingerprints taken immediately.

But the moment they buy a firearm or take out a driver's licence or get married, they must submit their fingers and/or palms for printing.

I believe the eagerness of people to establish their own identity once and for all, to brandish their whorls at the slightest provocation, is going to empty city gunshops, cause unprecedented traffic congestion and end living in sin, as we know it.

TABLE 10

The table below lists the distribution of workers according to the value of the week's difference between the value of the week and the price demanded from the worker.

Distribution of workers according to (R per week)

Value of subsidy, weekly, R	Number
0 - 1,00	1
1,01 - 2,00	2
2,01 - 3,00	2
3,01 - 4,00	2
4,01 - 5,00	1
5,01 - 6,00	1
6,01 - 7,00	1
> 7,00	12
total	12

Mean: R3,24
Range: 0 to R8,95

Four workers paid more for the farmer, paying the farmer the quantity of meat provided each week.

On most farms the farmer would

week and hand out fixed quantities; workers had no access to cold storage and most of the meat at once if the dry and salt it to eat during the

Example 3.

PW speaks out on Immorality Act again

STMC
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10/18/81

By Peter Sullivan,
Political Correspondent
CAPE TOWN — The
Prime Minister, Mr P W
Botha, has repeated his
pledge to change the im-
morality and Mixed Mar-
riages acts, if they can
improve "on merit".

Mr Botha, leader of the
National Party in the
Cape was given a mixed
reception by the home
crowd of about 2 000. The
majority supported him,
but a loud minority heck-
led and challenged many
of his statements.

He used his speech to
attack several people, in-
cluding Professor Erika
Theron and her stand
against the Group Areas
Act, Dr Alex Boraine
who he labelled "that
wild priest from Pine-
lands." Mr Jaap Marais
and predictably Dr F van
Zyl Slabbert, leader of the
Opposition were different.

Mr Botha challenged by his audience over the
"insulting" Immorality and Group Areas Acts

schools of thought about
the Immorality Act and
its partner, the Mixed
Marriages Act, he said in
response to a question.
Some people wanted
them changed, some wan-
ted them done away with,
some wanted them re-
tained and some saw them
as an insult.

But they were never
meant to be an insult but
were enacted to counter
"social evils" after a peti-
tion of 250 000 signatures
had been collected.

"I am prepared to con-
sider on merit im-
provements to these acts,
but then it must be on
merit and not from people
who just want to destroy
the Acts," he said.

"There is a division in
the country on this
"But I don't think laws
like this determine the
future of the whites," he
added.

Questioned about his

war-time years, Mr Botha
admitted he had been
against the war but said it
was because he had
feared Stalin would be
put on a throne to domi-
nate the world and that
this was precisely what
had happened.

In the main body of his
speech, he took a firm
stand against overseas at-
tempts to dictate to South
Africa on what its inter-
nal policies should be.

This seemed to be an
oblique reference to recent
comments from United
States spokesmen, espe-
cially Dr Chester Crocker,
who was reported yester-
day as having said that
the US wanted to lead
South Africa away from
apartheid.

(Report by P Sullivan, 216,
Vermeulen Street, Pretoria and
A H G Wentzel, 122 St George's
Street, Cape Town)

changed by a SET command

Immorality ^{23/4/81} Act debate ^{3/10/81} raised in ³³⁸ rape case ²³⁸

By John Murray, Chief
Court Reporter

Political debate on the continued existence of the Immorality Act was used at the Rand Supreme Court today as a mitigating circumstance before a convicted rapist was jailed for four years for having sex with two black women.

Ockert Johannes Jacobus Barnard (24) of Sasolburg, already serving a 12-year sentence for rape, had pleaded not guilty on two further charges of rape. A third charge was dropped.

Mr Justice Philips found there was insufficient evidence on the rape charges and convicted Barnard under Section 16 of the Immorality Act.

Two years of the four-year sentence are to run concurrently with Barnard's 12-year sentence.

Mr Ralph Meyer, appearing pro Deo for Barnard, told the judge there was considerable political discussion on the Immorality Act. A large section of the population considered sex across the colour line as less serious than had been the case previously.

CONVICTIONS

He asked for a copy of the Immorality Act to establish the maximum sentence prescribed for the conviction. Quoting from the Act, he said the sentence should not exceed seven years' imprisonment.

Mr Roy Charsley, for the State, said Barnard had several previous convictions for car theft, the first in 1971, one for escaping from custody and one for impersonating a police officer, besides the rape conviction, for which he is serving twelve years in jail.

In passing sentence, Mr Justice Philips said there was political debate over the Immorality Act, but at the time of the crime and at present it remained the law.

"NO RESPECT"

He said Barnard's list of previous convictions were shocking and Barnard obviously had no respect for the law or society.

"I have no doubt

to spend as long as possible in jail," said the judge.

The court heard that on February 19, 1979 Barnard had taken the women to a deserted spot in Olifantsfontein near Kempton Park. He had ordered his first victim at gunpoint to undress and had had sex with her.

He had then taken the second woman to a different place where he had sex with her.

EAST LONDON — Two Transkei-born former Mdantsane men — Mr Joseph Kobo and Mr Livingstone Malotana — deported by the Ciskei Government in terms of Proclamation R252 in 1979, are still battling to get permission to live in Duncan Village legally

The latest move in the battle, which started in April, 1979 after they were served with deportation orders following detention for 90 days for alleged involvement in a bus drivers' strike, is a second letter to the Prime Minister, Mr P. W. Botha, asking for a personal interview with him on their plight

This move follows an unsuccessful bid earlier to get Mr Botha to use his influence on the Minister of Co-operation and Development, Dr P. Koornhof, to authorise them to live in Duncan Village

When the two men were deported from Mdantsane they approached officials of the East Cape Administration Board in Duncan Village, the Commissioner for Co-operation in East London and the chief commissioner in Port Elizabeth for permission to live in Duncan Village

Deported men ask to see P. W. Botha

SAILY DISP
12/5/81
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They also appealed to the Ciskei Government through members of the Ciskei Legislative Assembly in Mdantsane to have the orders withdrawn

Both appeals were unsuccessful. Officials of the ECAB and the commissioners said the matter was above their jurisdiction as it cut across government policy which was that all people living in Duncan Village would be moved to Mdantsane ultimately

Since the two men had been settled in Mdantsane already it would go against policy and create a precedent if they were resettled in Duncan Village

When the two men were deported they did not return to Transkei because they said they were Ciskei citizens

The then Transkei Secretary for the Interior, Mr B. G. Madabane, said

since the two men had taken out Ciskeian citizenship they were no longer Transkeians

He said he could not understand how a government could banish its people

He added that if the men were Transkeians the normal procedure on deportations would have been followed. Transkei had had no information from the Ciskei Government about the two men

Mr Kobo came to Mdantsane in 1976 from Transkei while Mr Malotana lived in Duncan Village and Mdantsane for more than 20 years

Both were staunch members of the Ciskei National Independence Party and Mr Malotana was also a member of the Mdantsane Township Council elected on a CNIP ticket

After living in Duncan Village for a few weeks after officials of the

ECAB had said they could not help, the men wrote to Dr Koornhof and got a reply only after the matter had been taken up by their lawyers

A letter from the Deputy Minister of Co-operation, Dr George Morrison, informed them the deputy minister could not see his way clear to granting them permission to live in Duncan Village

The men then appealed to the Prime Minister who replied he had referred the matter to the Department of Co-operation and Development. Again the men were informed permission could not be granted. No reasons were given

"We have now, by letter dated May 6, again written to the Prime Minister asking to see him and put our case to him on our own," Mr Kobo said

"We have nowhere to stay and we are only living in Duncan Village while the matter is still pending. We do not know where we will end when it is finalised"

While the negotiations with officials were going on, Mr Kobo was detained in Transkei for more than a year when he went there to see Transkei Prime Minister, Chief George Matanzima in 1979 — DDR

Evelyn can only visit her home

By Annamia van den Heever

FORMER Miss Africa South, Evelyn Williams, is back in Cape Town, the home town she would love to live in but can only visit — because she is black and her husband is white.

Evelyn was one of the 15 finalists in the 1974 Miss World contest — the one Miss South Africa Anneline Kriel eventually won.

She fled South Africa's race laws two years ago to marry her British-born boyfriend Tony Brice — the owner of a successful television business in Cape Town at the time — after harrowing months of secret romancing.

REUNION
Last week Evelyn arrived in Cape Town on a five-month visit. She did not even tell her mother she was coming before arriving at her Valhalla Park home, suitcases in hand, for a tearful but joyous reunion.

'I was really missing home — I just had to come,' Evelyn said in an interview this week. She is even lovelier than she was when she was crowned Miss Africa South. London modelling experience has given her surprisingly small frame a graceful elegance. Her voice has a British lilt.

Evelyn could not stop talking of how wonderful it was to come back to

good weather. good food — one of the first things I did was go out to have a huge steak — and her old friends.

But behind the thrill of being here lies a great deal of sadness. The stay can only be temporary.

'Tony and I would love to come back to live here. But we just can't risk it,' she said.

NOT BITTER

Evelyn and Tony live in Manchester where she is a consultant for an international cosmetic company and he works for a video firm.

She enjoys the 'totally free society' in Britain and the complete acceptance she has encountered, but when the biting cold sets in and the skies are bleak and grey she longs for Cape Town's sunshine.

Although Evelyn is sad about not being able to live here she is never bitter. She says she lives in hope that one day things may change so that she and her husband will be able to return.

'South Africa's got everything going for it. When friends ask us about emigrating from Britain to South Africa we never discourage them. There is a lot of good here.'

In the short time she has been back she has noticed several changes. 'Cape Town's always been more liberal than the rest of the country, but

people seem to be much friendlier and more relaxed than two years ago.

There are many more places blacks can go to. One can really gauge the difference only when one has been away for some time, I think.'

But in spite of these changes, Evelyn says she has been distressed by happenings such as the boycotts in coloured schools.

'Only with education can one get anywhere in the world. It is a pity that pupils are depriving themselves of chances to get ahead.'

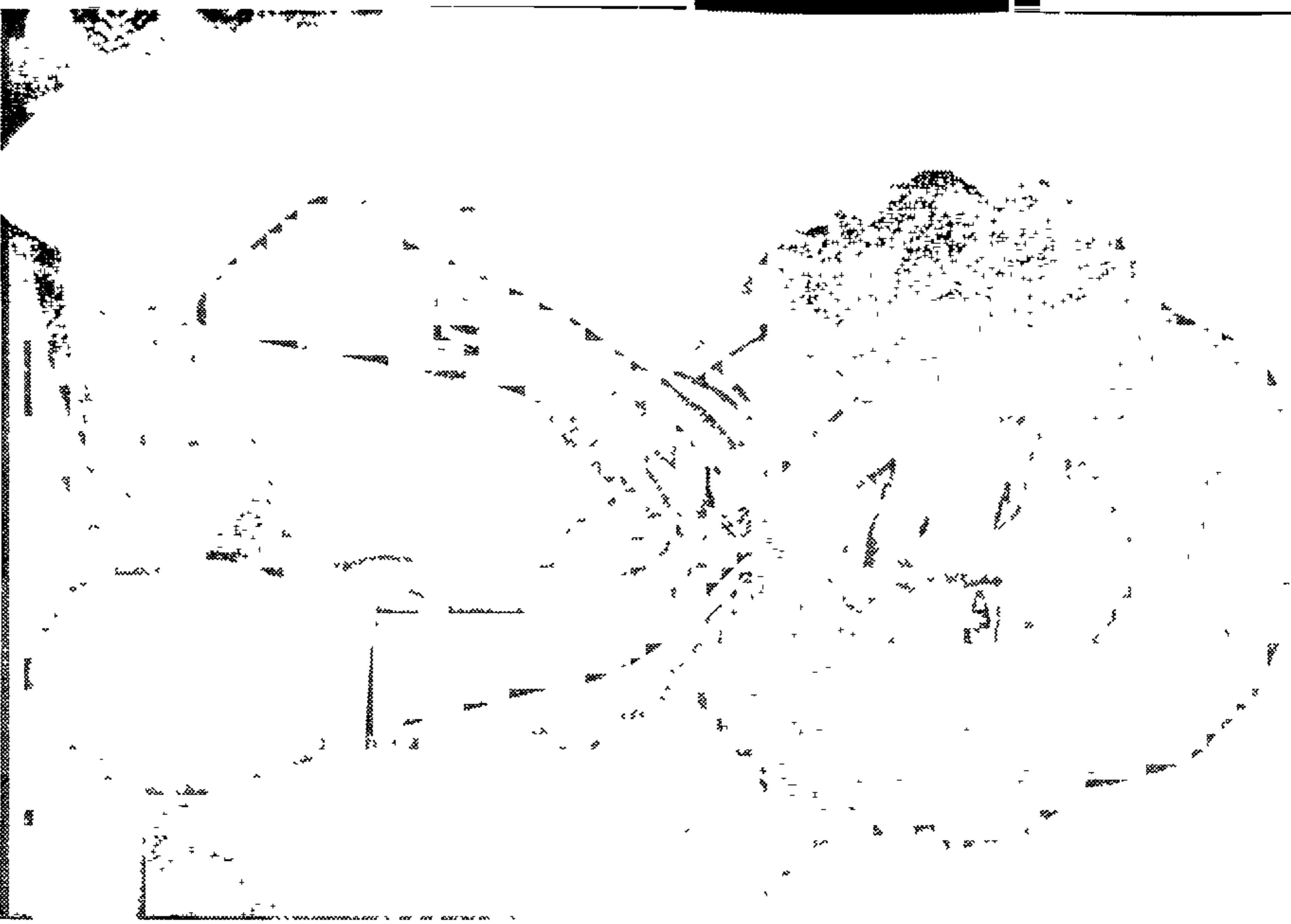
'They have made their point already. I think they should go back to work otherwise they will just harden the Government's attitude towards them.'

VERY BUSY

Evelyn will be modelling in South Africa. She has been invited to numerous functions and has also been called upon to judge countless beauty competitions.

'I should be very busy, which will make it easier to be away from Tony for so long,' she said.

Tony will be joining her in September for a while before they go on a tour of other African countries. He will not be living with her at her mother's home. 'Tony will be staying with friends,' said Evelyn.



EVELYN WILLIAMS this week — back in the city she loves but can't live in.

(1) Picture by LES HAMMOND.

**SOFT PREVIEW
RACE SCHEDULE**

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2/16/81

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2/16/81
S. L. ...

By TICKS CHETTY

CHEMICAL

THE Government is softening its application of the Immorality and Mixed Marriages Acts by allowing some "mixed" couples to live without fear of prosecution.

The change in stance towards these Acts, which have caused untold misery and even suicides has been kept quiet.

But South African Indian Council and other sources learned this week that the Government in the past year or so has granted permission to some Indians, who married white women overseas, to live with their wives and children.

Mr Jimmy van der Merwe, Director-General of the Department of Internal Affairs, refused to confirm or deny that the Government had approved some mixed marriages, but said: "I am not saying it's not happening."

Boetie Abramjee, Transvaal chairman of the Indian Council, told the Sunday Tribune that he had helped three Indians, who had married white women overseas, to get permission from the Government to live in South Africa with their families.

"I am told there are several other such cases which were also approved. But I must stress that the whole issue is still very sensitive and the least said about it the better," he said.

Other Indian Council sources, while confirming that the Government had relaxed its application of these two Acts, declined to name the couples involved for fear that the temporary residence permits granted to the white wives might be revoked.

Mr Ismail Mayet, a member of the Indian Council executive, said: "The Government is now willing to allow some couples of mixed marriages to live here with their children without fear of being prosecuted under these Acts."

"But the women or men concerned will, of course, have to accept the

Mixed couples being left alone

immediate citizenship but are granted temporary residence permits.

"Each case, of course, is treated on its merits. This whole matter was taken up by individual members of the Indian council executive with the Government departments concerned. It has understandably been kept quiet because of fear of reactions from groups like the HNP," Mr Mayet said.

A Transvaal businessman also confirmed this week that his doctor son, who has been married to a white woman from Europe for some years, had been granted permission to live here with his family.

He urged the Sunday Tribune not to name him or his son, who is still overseas, for fear that the concession might be withdrawn.

But Mr Abramjee warned couples not to believe that the Government had completely changed its policy towards mixed marriages.

"As far as I know, only some of those Indians who married white women while studying overseas have been granted permission to live here with their families. In most of the cases, the man is a doctor.

"I see this only as a small breakthrough on the

For the first time
A E & C I Prize

L Menegaldo

Drawing.

best classwork

Awarded to the

Sammy Sacks Me

J H Rens

Civil Engineer

student in Lan

examinations &

Awarded on res

Group Areas Act. Where

Indians are married to

white women of European

descent from overseas,

the children born of such

marriages are registered

as Indians."

According to Mr Ismail,

the white women who are

given permission to live

in South Africa do not get

as the Mixed Marriages

and Immorality Acts are

cornered. What we would

like to have is a complete

scrapping of both these

Acts." Mr Abramjee said.

Asked how many mixed

marriage couples had been

allowed to live here Mr

van der Merwe said: "I

don't have such figures"

"When we receive appli-

cations from people out-

side to come and live in

South Africa, we treat

each case on its merits. We

apply the regulations that

apply to all aliens. Race

doesn't play a part.

"We don't keep separate

records for people com-

ing from India and separ-

ate ones for those com-

ing from Britain. We

don't keep a fine record

of all this." Mr van der

Merwe said.

FACULTY OF ENGINEERING

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18/12

Race-law anguish of the Indian granny and the Zulu waif

238
S. Turner
2/16/51

THIRTEEN years ago, an African waif strayed into the life of a 65-year-old Indian grandmother.

She brought up the boy as her own son, lavishing love and care on the child, and giving him the Indian name of Ramu.

Now Mrs Kailas Jagesur's world has been shattered — all because Ramu was arrested for not carrying a reference book.

And the Durban grandmother is locked in battle with the authorities to have her "son" reclassified Indian.

The story began in the Clairwood business centre when Mrs Jagesur found a four-year-old black child wandering all alone

Her heart went out to the little waif. He had apparently been wandering around for days with no one to care for him. She took him home and found he spoke Hindi and English. He did not know a word of Zulu.

Mrs Jagesur's grandsons, who were the same age as the waif, treated Ramu as a brother. Each day when they returned from school, they would teach him what they had learnt at school.

Mrs Jagesur could not send her black "son" to an Indian school in case he was taken away from her.

No documents

When the now 17-year-old boy was stopped and asked for his reference book, he protest-

By GEORGE MAHABE.

them to accept the boy. The Zanzibaris are allowed to live in the Indian area of Chatsworth.

"But they refused to have him. So the commissioner approached the Department of Indian Affairs to classify him as Indian," said a member of Mrs Jagesur's family.

A spokesman for the Department of Internal Affairs (which now deals with Indian and coloured affairs) said an application to have Ramu reclassified Indian was turned down.

"The file has been referred back to the commissioner and we have not heard from him again. The family should approach us so that we can pursue the matter," said the spokesman.

While Ramu was in detention, the family took him vegetarian meals every day as he was so religious that he would not eat meat.

"The boy has been sent to me by God. I will give my life for him as I love him like

Janny quits after row with Princess Anne

...and I are the same age
...selling very well
...Usually I make them with
...don't see why not. Although
...Lady Di must have received
...hundreds of presents, I
...and it took me a whole night to
...and I are the same age
...both went for a ride in a
...Phillip
...doctor in Sussex and she to
...Lady Diana's was very special
...ribbon, lace and roses, but
...day Me to a South Afri-
...Me to a South Afri-
...day Me to a South Afri-
...day Me to a South Afri-



Mrs. Kallias Jagesur with her "son", Ramu. "The boy has been sent to me by God. I will give my life for him as I love him like my own child"

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S/1ms 2/6/81.

Nightmare courtship will be lived again

BY RENE DU PREEZ

A BLACK ex-beauty queen is bracing herself to relive her nightmare courtship under apartheid laws.

When her white husband joins her in South Africa on holiday next month, Evelyn Williams will have to resort once more to the "cloak-and-dagger" love tactics she used to dodge the law during her dating days in Cape Town

Evelyn, 23, a former Miss Africa South and a 1974 Miss World entrant who has now settled in Britain, is staying for several months with her mother in Cape Town's crime-ridden coloured township of Valhalla Park

Her husband, English businessman Anthony Brice, will stay in a white area "with friends" when he arrives here at the end of July

"It will bring back memories of our courting days when we had to beat the law on many occasions to keep our love affair a secret — and us out of jail," said Evelyn this week

"Those were nerve-racking days a real nightmare

Hurts

"I can see the two of us experiencing similar problems this time, but at least we will have the peace of mind that we are married and only regarded as 'illegal' lovers under South African law

"Our Anglican wedding, in Richmond, England, two years ago, was everything that a girl would want

"And it hurts me so much to know that our treasured church wedding is not recognised in the country where I was born and raised a Catholic. It makes these laws all the more crim-

Even though the black beauty and the white businessman are married

nal and un-Christian

"How can any law prove justified when married people are kept apart through the pigmentation of their skin

"I love this country and will always come back for holidays But how can I ever think of settling permanently when race laws will not allow us to live a normal married life

Evelyn and Tony defied apartheid for two years during their romantic courting days in Cape Town, where Tony ran his own flourishing television business

Exciting

Evelyn, who works as a beauty consultant and does part-time modelling, said "It was the most exciting day in my life when we left this country to get married

"But it also had a touch of sadness



Former Miss Africa South Evelyn Williams. her wedding day was everything a girl could want

"I had no mother to fuss around me on my wedding day, or brothers and sisters pulling my leg about the honeymoon

"I was alone — all because of the colour of my skin

What are Evelyn's plans when her husband arrives in South Africa to join her for four months?

"Tony is fully aware of the situation," she said

"But we have lived through it before — he knows how far we can go

"He will stay with his friends, while I will continue to stay with my mother and brother

Shudders

"This means Tony and I will have to meet in places where our presence will not be an embarrassment to anyone

"The only way we could live as man and wife would be in an international hotel, but the cost of that would be exorbitant

"One thing is for sure, I will not be wearing flimsy or revealing clothes while I am with Tony

People who do not know we are married would construe our association as another 'friction' between a black and a white

Evelyn who says she will feel more at ease in Cape Town with her husband, shudders to think what is going to happen in places like Johannesburg and

Wrong House

"I travelled to these towns during my modelling days and they were heavy — and that was without Tony

Evelyn, who did not notify her mother about her intended return to South Africa for a holiday, went to the wrong

Picture AMBROSE PETERS

house when she arrived

"The place has changed and there seem to be so many more children around," she said

Asked whether the changes were for better or for worse she said "I know the school children are unsettled at the moment, which is the reason for all the activity in the streets

But as for other changes, I will only comment once Tony and I can return to this country and settle down like a happily married couple — to either



24/6/81

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ROM

Mr Ian Whiteley, his Indian wife Sherin, and their children Mr Whiteley has appealed to the Prime Minister to be reclassified as a coloured so he and his family can return to South Africa

The reason N.M. gives is that they were not obviously true, they paid R14 a month where R30. They say, however, that had she paid and she admits that she never did ask

The timing of the July 1977 break seems significant that production was increasing at that contract at the hospital was static at 12 gallons mentioned that it was difficult to fill the however, she mentioned that since they had turnips from their fodder plot, the milk s. I have estimated that in summer the amount whose milk is now transported by N.M. is 12 gallons a day which fits the quota well. other members would be in excess of the quota 12 gallons a day whereas the other eight c produced 7 gallons altogether).

Milk production drops in winter. For the and/or a larger number, it drops by about two cows, it may stop altogether or provide Thus, all of the eight peoples' combined m added 14 gallons in winter.

It seems that in the summer of '16/'77, t production to 12 gallons and then beyond i and there is no way that people with so few of dairy members will be able to substantiate production .

From N.M.'s point of view, the very small towards reaching the quota in winter is can to sell the extra milk in summer. (At i also a director of the Umhlaba Trading Com

Before the co-operative was established, N to secure a stable market. It seems that to N.M. in slowly building up production so be established, then a town market and now a definite marketing contract.

the problems of establishing an efficient project regions and writes ". there is a danger that these elements in the less-

Mixed pair 'should be allowed to return'

By JOUBERT MALHERBE
Pretoria Bureau

A WHITE South African living in England with his Asian wife and family should be allowed to return to South Africa without having to be reclassified as a coloured, black and white opposition spokesmen commented yesterday.

They were referring to the plight of Mr Ian Whiteley, who is living in Liverpool with his wife Sherin and their two children.

The Whiteley couple left South Africa in 1969 after they were acquitted on a charge under the Immorality Act and have since lived in Botswana, Norway and England.

Mr Whiteley appealed to the Prime Minister, Mr P W Botha, this week to allow him to be reclassified coloured so he and his family could return to South Africa.

The case of Mr Whiteley was an example of the human tragedy which is caused by the Mixed Marriages Act and the Immorality Act, said Mr Ray Swart, Progressive Federal Party leader in Natal.

The couple should be allowed to return and should be subjected to normal immigration laws. The fact that one was not white should play no part at all, he said.

The PFP was opposed to the Acts which made it impossible for people of different races to live together or get married in South Africa. It should not even be necessary for Mr Whiteley to apply for reclassification, he said.

The PFP would be prepared to make representations to the authorities on behalf of the couple to help them return, Mr Swart said.

The fact that Mr Whiteley had repeatedly sought permission to return to South Africa showed that South Africans of all races who were compelled to live abroad had found it difficult to settle down.

Describing the possible reclassification of Mr Whiteley as "an artificial racial restriction", Mr Swart said he had in the past assisted mixed couples who had wanted to return to South Africa.

Mr Jac Rabie, Transvaal leader of the Labour Party, described it as a disgrace that Mr Whiteley had had to resort to an appeal to change his identity in the hope that he would be accepted in South Africa.

He should be allowed to return without having to be reclassified, Mr Rabie said, and warned that Mr Whiteley would be subjected to racial discrimination if he was reclassified as a coloured.

The Immorality Act, the Mixed Marriages Act and the Race Classification Act could no longer be allowed to exist — they only led to the worsening of race relations, he said.

The Department of Interior yesterday refused to comment on the matter, and the director-general, Mr J van der Merwe, said he would only deal with it if Mr Whiteley got in touch with the department.

Race Classification nightmare

Agno 2/7/81 (R38)

LIFE turned into a nightmare for 22-year-old Sylvia Hermannus, head waitress at a St George's Street restaurant, yesterday

Sylvia, whose father was coloured but whose mother is a Xhosa, says she is classified as coloured but lives with her mother's relatives in Langa

working in Cape Town without a permit if she were black or by living in Langa if she were coloured

Sylvia says her Book of Life shows she is classified coloured, but that it was missing from her handbag when she tried to show it to the officials

'My father, whose name was Douglas Hermannus, has been dead for years and he has no relatives here,'

'I think all this is absolutely sick-making,' Sylvia said she was bailed out late last night by a friend who paid R60

'They took my fingerprints, she said, but I was not charged with anything or told that I must appear in court

Yesterday she was arrested at work by officials of the Peninsula Administration Board, who told her that she was breaking the law either by

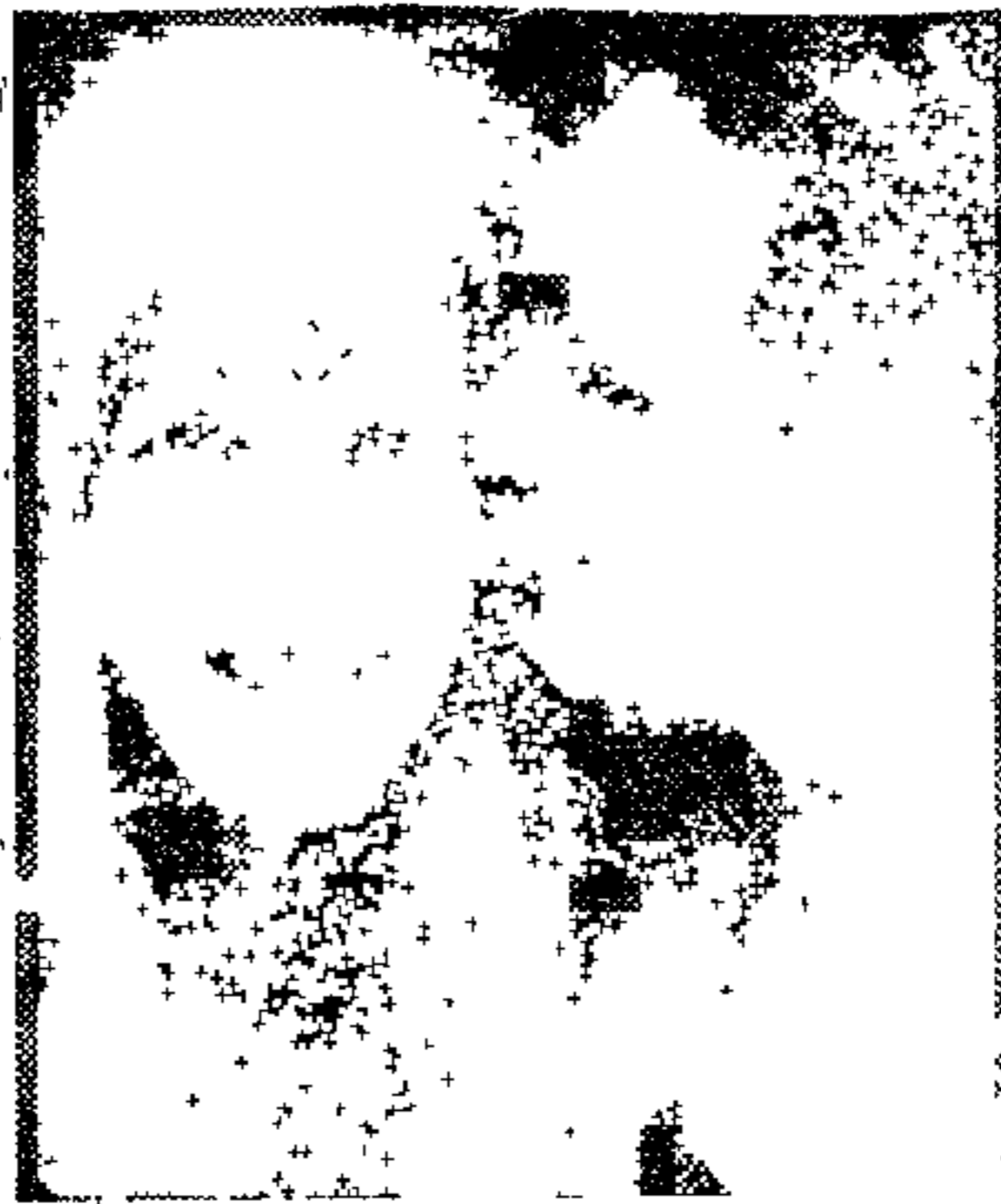
but I left it at my mother's home in East London,' she said, fighting back tears

'I have sent for it now, but it will take about three weeks for it to arrive

'I know that I am coloured, I have always been coloured. But I live with my mother's family because otherwise I would be alone in Cape Town.

'They left and soon afterwards the Administration Board officials

'I have sent for my birth certificate now and I will apply for another Book of Life'



Steve and Marianne . . . they have vowed not to be parted by police action.

WE LOVE EACH OTHER!

*S. Tribune
5/7/81*

238

...and cops won't split

us, say race row couple

By Marlan Padayachee and Maureen Griffin

MIXED couple Steve Fataar and girlfriend Marianne have vowed not to be parted by the attentions of the police and possible charges under the Immorality Act.

In their rented wood-and-iron house in the white suburb of Sherwood in Durban, the former rock musician and his blonde, 21-year-old artist sweetheart told the Sunday Tribune: "Living together isn't just being in bed together . . . we love each other."

Durban Vice Squad police burst in on the couple this week while they were in bed and took them to the police station where they were warned they would have to part.

"We will not leave South Africa to stay together. We have been together for two years and have set up a home with a fridge, a stove and a beautiful garden," said Steve.

"The police say we must know we are breaking the law. We say according to them we are breaking the law but frankly we have gone beyond thinking of our relationship as being illegal.

WHAT'S SO WEIRD?

"We are just two people. What's weird about it?"

The couple, who met through mutual friends at the Durban campus of Natal University, said police had searched their home several times, ostensibly for drugs.

Steve said he regarded this as intimidating.

About this week's police raid, he said: "The first thing they said when they walked in was: 'What is this white female doing in bed with you?'" "I said I have got a name," interjected Marianne, a South African from Cape Town who has lived in Durban for the past six years.

She did not want her surname used because she does not want to involve her parents.

The couple's lawyer criticised Captain John Wright, head of the Narcotics Bureau, who said on Friday that complaints had been received about dagga and these had been investigated.

No dagga had been found, he said.

Captain Wright emphasised that the police had not gone to the home in response to a complaint that the Immorality Act was being broken.

"When I visited the police station the investigating officer stated the complaint had related to an alleged contravention of the Immorality Act.

"There was no mention of a complaint concerning drugs," the lawyer said.

Mixed marriage exiles say No to book

238 By DAVID JACKSON
London

SOUTH African colour-bar exile Ian Whiteley has turned down a British offer to tell the story of his "love on the run".

Whiteley, 43, and his Indian wife, Sherin, made headlines in Britain last week with their homesick plea "We want to return to South Africa."

Now the couple — married in Botswana after Ian was charged under the Immorality Act in South Africa 12 years ago — are being urged to put the tale of their astonishing love odyssey into print.

Ian said this week "A man who said he was a reporter from a Liverpool newspaper pitched up at my house armed with a tape recorder and said he wanted to write a book about me.

Immorality Act

"It appears they are particularly interested in my courtship with Sherin and what it was like to be in love in South Africa with the Immorality Act in force.

"I told the man that if anyone was going to tell my story, it would most likely be a South African.

"In any case, my story is still being made."

The Whiteleys, who yearn to return to Pietersburg in the Northern Transvaal, made front page news in the newspapers in Liverpool — their adopted home for the past four years.

But they were subjected to aggressive questioning in a couple of radio interviews when suggestions were made that Ian may have been paid by the South African Government to take a pro-South Africa stance.

"There is so much negative publicity in this country against South Africa. These people cannot believe that a man with a non-white wife would actually want to go back to South Africa," Ian said.

"That's why I am very wary about signing any contract for a book. I don't want to do anything that could jeopardise my chances of going home."

The Whiteleys are still waiting for an answer to the letter they addressed to South African Prime Minister P. W. Botha, asking to be allowed to go back to South Africa.

Their South African passports have already been renewed by the South African embassy.

Radio Merseyside reporter Ray Alexander, who grilled Ian on local radio, told me "We were suspicious when Mr Whiteley started putting out a propagandist line for South Africa. I now believe he is genuine."

Ian said "I have waited patiently for 12 years in exile for the opportunity to go back. Now I must take it."

whom. To whom will they be accountable? To answer that most redistribution occurs not from the rich to the poor, but from the politically weak to the politically strong.

Democratic governments must be assumed to reflect the interests of

their electorates, at least over some range, but there is no reason

to suppose that people are more altruistic when they vote than at

other times. It is not obvious that they will elect a government

to coerce them into doing what they are not prepared to do voluntarily -

though the possibility does exist¹⁶. It may be that the poor would

be better off under a system of voluntary charitable contributions

than they are under a system of State controlled provisions¹⁷.

Any policy based on equity necessarily involves use of the

coercive power of the State to achieve some degree of redistribution.

Exactly who benefits from this redistribution is, unfortunately, rather

problematic.

The model which depicts man as fundamentally self-seeking generally

yields satisfactory predictions, but by ignoring the possibility of

altruism the field has been left to the State bureaucrat. If people

are hungry there is a career to be made in feeding them¹⁸. Characteristi-

cally those who accept this solution seem "to believe that ordinary

people ought to be happy to have many decisions made for them by

professional experts who will, fortunately, often turn out to be moderately

well-born Englishmen"¹⁹.

It is a characteristic of those who take a high profile on the social

obligation questions to overestimate the purity of their own motives

and to underestimate the altruism of others, to be less concerned with

poverty than with its manifestations. Economists generally seem to

place little reliance on altruism. Thus is understandable but perhaps

unfortunate. People desire to live in a certain kind of society and

are prepared to pay something to achieve it. Frequently they "desire

to act in a good fashion" although it is, of course, primarily the

feelings of the donor which are the motivating force²⁰.

11/... ..
own family are on board, who can blame him if he chooses to save them first? One must concede, it seems, that having ridden out to the wreck Volraad himself must have the right to decide who is to be saved. If, however, Volraad is allowed to choose his own criteria, what happens if he rides out to the boat and offers to provide transport to the beach to the highest bidder? Is this rule any less arbitrary than any others we choose to consider?
Our view of rights and obligations is curiously one-sided. We

inion on whether their application would be successful or not.
"I can't judge this matter until it has been properly processed," he said.
Ian and Sherin's heart-rending story of love across the racial line made headlines in newspapers in South Africa and Britain three weeks ago after the couple spoke openly about their 12-year romance
Sherin, 30, an Indian, and Ian, 43, a white - both from Pietersburg in the Transvaal - are now pinning their hopes on Mr van der Merwe's department for the go-ahead to return and settle in South Africa.
Ian is even willing to be reclassified as a coloured if that's the only way they can live together here.

Let us come home, plead mixed couple

S. Tribune 12/7/81 (238)
Tribune Reporter

MIXED - MARRIAGE couple Ian and Sherin Whiteley have written to the Department of Internal Affairs in what is possibly their final attempt for Government permission to live in South Africa
The couple, who live in Liverpool with their two children, recently made a similar plea to Prime Minister P. W. Botha
A plea, two years ago to the Department of Interior, was turned down as was a previous request in 1971 sent to the then Prime Minister, John Vorster.
Jimmy van der Merwe, Director-General of the Department of Internal Affairs, told the Sunday Tribune this week he could not express an op-

without limit. This however would seem to be a consequence of accepting that people have an absolute right to health.
(11) If we understand equity to mean that people in equivalent positions should be treated equally, then we avoid the selection problem but must regard Volraad's action as bad since it was manifestly inequitable by this definition.

(11) We may choose to interpret equity as referring to some desired distribution of wealth. In this case the challenge is to decide what the ideal distribution is, how to get it, why it is good and, most important, how to preserve it. How much coercion will be used and by

Race-probe kids held three years

238
1/2/58

DOM 1/2/58
By JOUBERT MALHERBE

A TOP official disclosed yesterday that the Government had held three small children in a "place of safety" in Cape Town for three years before releasing them to foster parents because it was not known to which race they belonged.

The three children, aged nine, six and one year, "appeared" to be white but colour photographs of them had to be sent to the Department of Interior in Pretoria to help decide their race.

Efforts by officials in the Cape to overcome lengthy bureaucratic delays in the classification procedure proved vain.

The practice of holding children in places of safety until they were racially classified was disclosed to the Hoexter Commission in Pretoria yesterday by Mr C F W van Zyl, Cape Town's Chief Magistrate.

The commission is conducting an inquiry into the structure and functioning of South African courts.

In his evidence Mr Van Zyl described several cases where destitute children had been put into a "place of safety" while the Department of Interior decided whether they should be classified "white" or "coloured".

He said the race classification of destitute or abandoned children — who had "doubtful" backgrounds — had to be determined before they were placed with foster parents because

Culture

This was done because the law stipulated that cognisance had to be taken of the culture and religion of the children

238

RDM

11/8/81.

Mr Van Zyl told the Commission of the case involving the three small children who he said "appeared" to be white but who were kept in a place of safety after they had been referred to the Child Commissioner by a welfare organisation.

Only the birth certificate of the eldest of them could be found. According to the certificate he had been classified "coloured".

After clarity could not be reached over the race classification, the Clerk of the Children's Court in Cape Town intervened and wrote a letter to the Department of Interior's office urging them to expedite the matter.

A report was also sent to the department's office in Cape Town asking that the head office in Pretoria be told about the urgency of the case.

In October 1979, after the children had been in the place of safety for 16 months, the children's court wrote to the department saying keeping the children continuously was "worrying" because their stay had to be financed by the State.

After receiving no reply, Cape Town's Child Commissioner examined the children individually to determine their race.

Colour pictures were taken of the three children involved which were sent to the Department of Interior in Pretoria.

A statement by the ad hoc committee which stated that the children appeared to have a "white" way of life was sent with the photographs.

Again there was no reaction from Pretoria and Mr Van Zyl met a senior official from the department's Cape Town office and urged him to take steps to resolve the case.

Resolved

In March this year, six months after their last letter to the Department of Interior, the department contacted the children's court for the first time, informing them that the three children had been classified "white".

The case was finally resolved on June

Mr Van Zyl described similar cases. In one of them five children were placed with foster parents after they were in the place of safety for two years.

His evidence sparked immediate demands for the repeal of the Race Classification Act from Mr Allan Hendrickse, leader of the Labour Party, and Mrs Joyce Harris of the Black Sash.

Mr Hendrickse said Mr Van Zyl's evidence indicated the amount suffering caused by the Race Classification Act.

This was the result of a system which classified people into racial compartments, rather than viewing them as human beings.

He hoped the Government would take cognisance of the case on the eve of the Parliamentary session.

It was inhuman to keep certain children in circumstances different to those of other children purely on the basis of the Race Classifications Act, Mrs Harris said.

She also urged the Government to repeal the Act and said the case which Mr Van Zyl had related reminded her of a "cattle market".

00 or 05 a world of difference

Race classification is under critical examination again after weekend disclosures that the Government had held three small children in a "place of safety" for three years before releasing them to foster-parents. The reason? It first had to be established to which race they belonged. BENJAMIN POGRUND looks at the Population Registration Act against the background of another recent case.

MR AND MRS Ian Whiteley's problem is that he is an 00 whereas his wife, Sherin, is an 05. Those are their race classifications under South Africa's Population Registration Act. He is white, she is Indian.

The digital difference puts them into different worlds. As matters stand at present, it is impossible for them to live together in South Africa. To do so would be to court prosecution under the Immorality Act — which in fact is what happened to them after they met in Pietersburg, causing them to leave the country 12 years ago.

That the Whiteleys now want to return home must be gratifying to the Government, especially as they have been living in Liverpool, the scene of racial rioting.

The Government must also be pleased that Mr Whiteley has spoken out so strongly to express his belief about racial change in South Africa.

Unfortunately for the Whiteleys, however, it is unlikely that enough change has occurred. Their desire to return must be embarrassing to the Government — which indeed has twice previously rejected the same plea from them.

The root of their problem is the Population Registration Act. Although it has been in force since 1950 little is usually heard of it these days. It has become part of everyday bureaucracy, accepted as part of normal existence.

It takes a case like that of the Whiteleys, or the three children kept in a "place of safety" for three years, to remind people that the Act exists.

Yet the Population Registration Act, shadowy as it is, is still the cornerstone of apartheid. It was no accident that it was one of the early racial laws legislated by the Nationalists; it underpinned and made possible everything that came after.

Without it, apartheid simply could not work. What the Act set out to do was to put everyone into a racial pigeonhole. Whatever gloss is placed on it, the purpose all along has been to seek to maintain white "purity", such as it is.

Once a person's classification is known, it determines where he can live and work, and in some instances even what sort of work can be done. It determines which school and university he can attend, which cinema he can go to, which hospital he can use, which trains and buses he can board, and eventually, in which cemetery he will be buried.

Obviously, in many ordinary situations, such as going to a cinema, proof of race classification is not going to be demanded; appearance will usually suffice. But in property transactions, for example, affidavits must be sworn about racial identity to ensure that the "wrong" person does not buy a house in a specified Group Area.

Those with long memories will recall the years after racial classification was first introduced, and the drive to unscramble people who, for centuries, had been living and sleeping together and having children. The witch-hunts that ensued as vindictive neighbours tipped off the authorities about someone nearby having the wrong colour.

There were also the early, crude official investigations to weed out the "borderline" cases. The racial tests applied included pushing a pencil through a person's hair to check crinkliness, and examining fingernails.

As the years have passed, it has become more sophisticated. Not that the Nationalists have found it all that easy to separate people neatly.

includes 00 for white, 01 for "Cape Coloured", 04 for Chinese, 05 for Indian.

For the racial remnants, there is even 06 for "Other Asian" and 07 for "Other Coloured".

The race classification coding is built into everyone's identity number. It appears in the third and second last digits.

Until 1962, acceptability by the community was the chief test applied. But then the definition of a "white" person was made tighter to make it compulsory for appearance and acceptance to be considered together — and the new definition was later made retrospective to 1950, giving the authorities the right to reclassify people already classified.

In 1967, the tests were once more tightened, especially for whites and coloureds. "Descent" became the determining factor in proving a person's race.

But in the absence of proof that both parents have been classified "white", a person has to undergo a number of tests in connection with "appearance" and "general acceptance". His habits, education, speech and deportment are to be considered. He has to be generally accepted as white where he usually lives, works, mixes socially and in his association with his family.

There was a further regulation to provide, for blacks, that where there had been marriage across a line, the father's classification determines what the children are.

The changing laws testify to the extent to which people are racially mixed in South Africa. And the way they defy being kept in orderly compartments is further attested to by the yearly crop of "reclassifications" by official government boards. Last year 152 people were reclassified.

By a stroke of the official pen, 133 "Cape coloureds" were overnight made into whites. One white was transformed into a coloured, and four Indians became coloureds. Three Malays became Indians, six coloureds became Indians, three whites became Chinese, one white was changed into a Malay, and one Indian became a Malay.

What then of the Whiteleys? If they are somehow to be allowed to return home, what will they be?

Clearly, Mrs Whiteley cannot be an 00. White purity could not tolerate it. Can her husband be turned into an 05, an Indian, in defiance of his appearance and descent?

What of their children, Raymond, 9, and Deryck, 4? In terms of the classifications, it seems they rate as 06, Other Asian. Or are they, because of their racially-mixed heritage, 07, Other Coloured? Or rather, because they were born in Norway and therefore are non-South African citizens subject to a different coding, are they 16 or 17?

In any event, the Whiteleys face an even more basic obstacle because the racial laws insist that if a South African man enters into a marriage across colour lines outside the country, it is not recognised at home.

The bureaucrats must be going mad trying to find a pigeonhole into which the entire family can fit. If, that is, they are even bothering.

In my own family's case, when my young son was born he was sent a document "by order of the Secretary for the Interior" advising that he had been classified "as a white person", an 00.

The document measures a mere 11cm by 14cm. But it's a precious piece of paper because it ensures that he is made heir to the best that South Africa has to offer.

The hope must be that, one day, he and other

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ay Paul is a contradiction in hundreds of doctors and left the traditions, try the following words thought from an American journalist. "Go to your local building at a celebration banquet and sure The same man turned up wings is at the expense of the PER foundations. If the Minister

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For written reply

How: 2 Immorality Act
12/8/81 11 65 64

238

10 Mrs H SUZMAN asked the Minister of Justice

- (1) How many cases under section 16 of the Immorality Act were referred to each Attorney-General in the Republic during the first six months of 1981,
- (2) how many of the persons concerned (a) were (i) prosecuted and (ii) convicted and (b) are still on trial or awaiting trial?

AUGUST 1981

64

The MINISTER OF JUSTICE

	(1)	2(a) (i)	2(a) (ii)	2(b)
Transvaal	30	55	25	24
Cape	12	6	0	6
Eastern Cape	14	22	20	1
Northern Cape	4	6	6	0
Orange Free State	5	4	1	2
Natal	10	9	3	5

75 Immorality Act cases

15/8/81

238

A TOTAL OF 75 cases under Section 16 of the Immorality Act were referred to the Attorney-General in the six judicial regions of the country during the first six months of 1981. During the same period 102 people were prosecuted, 55 were convicted and 38 others were either still on trial or awaiting trial. The figures were released by the Minister of Justice, Mr Coetsee, in reply to questions by Mrs Helen Suzman, (PFP, Houghton). The highest number of Section 16 cases were in the Transvaal, where 30 were referred to the Attorney-General during the six months to July, this year and 55 people appeared in courts. The Eastern Cape had the second highest number of cases, with 14 referred to the Attorney-General, 22 people appearing in court and 20 convicted.

- HP <ncopies> -
- HP -
- HPRINT <ncps> - print and hold (see above).
- HPRINT -
- F <ncopies> -
- F -
- PRINT <ncps> - cause the file to be printed. @RESUME
- PRINT -
- H -
- HOLD - hold the file (see above)
- D -
- DROP - drop the file (see above)
- E, <opts> -
- E -
- EXAMINE, <opts> - which calls in the text editor to examine the file. The above notes on options apply.

At this point the user may reply :

EXAMINE, PRINT, DROP, OR HOLD ?

The period after the file name is mandatory. If no options are used, the presence of <SITEID> causes F to be assumed. If <SITEID> is also absent, @RESUME will ask the question:

F - print the file on the printer <SITEID>. If siteid is not given, the default printer for the terminal is assumed. If <RUNID> is given, it will be used to overlay the runid in the file's label image, causing the output to be filled under that runid. If <NCOPIES> is given with n less than 10, that many copies will be produced. The H and F options together cause the file to be queued for printing and also left assigned (in a 'HOLD' state) for further examination.

H - hold the file for further use. This may cause exit from a 'STACKED-FILE' condition (see below).

D - drop the file. If created by @SUSPND, it is deleted. If not, only the username is dropped, leaving the file.

Lesotho Govt suspends doctor after Express abortion expose

Express 16/8/81 238

RECEIVED
16 AUG 1981
10 40 AM
SUNDAY EXPRESS
A BONGWAKI REPORTER'S 'FLASHBACK' WHERE
BONGWAKI REPORTERS OF SOUTH AFRICAN NEWSPAPERS
WROTE AT 10 40 AM

The Secretary for Health in Lesotho, Mr Thomas Thavane, said Dr K Choi, who was the superintendent of the government hospital at Teyateyaneng, had been suspended after an investigation was launched at ministerial and police levels

He said action was immediately taken after the Sunday Express expose of abortions being performed by Dr Choi

"He was issued an interdict by the police this week and is not allowed to practise medicine until the matter is brought before and assessed by the Lesotho Medical Council," Mr Thavane said

Meanwhile considerable reaction followed the Sunday Express findings that Dr Choi, was running what local residents called "an abortion factory", catering mainly for South African women and girls — some still at school

The mother of a young girl who went to Dr Choi for an abortion told the Sunday Express this week that he claimed to them he had recently performed an abortion on a 12-year-old girl who was six months pregnant

But he did not tell her what method he had used
"He apparently has no

qualms about how far gone the women are — it all sounds a bit too dicy," she said

A Bophuthatswana doctor, who cannot be named for ethical reasons, contacted the Sunday Express and appealed to South African doctors not to refer their patients to the Lesotho doctor for abortions.

"About a month ago I saved a young Zambabwean woman from dying after one of his atrocious abortions

"She had been referred to him by a Johannesburg gynaecologist and nearly paid for it with her life"

The doctor said that after the R400 abortion the woman was taken by friends to a Bophuthatswana hotel to recover but a few days later he was called to the hotel because she had started haemorrhaging badly

"I got there in the nick of time — she could have died within a couple of hours. I rushed her to our local hospital to perform an emergency opera-

tion and, by the looks of things, it was quite clear he must have panicked

"Everything was in a real mess, there were still bits of the foetus and flesh in her uterus that had to be cleaned out and she had to be given five units of blood"

He said it was evident Dr Choi had made no attempt to assess how advanced her pregnancy was and had been totally incapable of handling it

"Why do South African doctors send them to someone like that to a doctor with questionable qualifications and who uses a method — apparently the American suction method — which is life-threatening when used on a woman more than 12 weeks pregnant?"

The doctor said R400 was an outrageous amount to pay for what Dr Choi did

"He must be making a fortune out of a great deal of misery many of his patients go through. But then you find hundreds of South African women desperate to pay that money, no matter what the risks"

LIZ VAN DEN NIEUWENHOF'S REPORT PUTS END TO DANGEROUS OPERATIONS ACROSS THE BORDER

Dr Marjorie Dyer, chairman of the Abortion Reform Action Group, told me she was pleased Dr Choi's abortion operations had been exposed because it would make the South African Minister of Health, Dr Lapa Munnik, realise to what desperate measures young, pregnant women would resort to terminate their unwanted pregnancies

"Because of our archaic Abortion and Sterilisation Act of 1975 — which does not provide for legal and clinical abortions — young women are being forced to go to people like Dr Choi

"And to think that he operates, using the suction method, on women more than 12 weeks pregnant, makes me shudder"

Dr Dyer said a woman more than 12 weeks pregnant would normally be given prostaglandin (hormonal) drips for mid-trimester abortions

"We feel very strongly that by 12 weeks a woman should have made up her mind as to whether she wants an abortion and that her decision should be

made in consultation with her doctor"

The Abortion Reform Action Group, she said, had on several occasions campaigned for a repeal of the Act on the grounds of safety

It had made several representations to the Minister of Health calling for provisions to be made in the Act which would allow women to have abortions for psychological and socio-economic reasons

"The only special indications for abortions, where the woman is quite advanced in pregnancy, should be severe psychological depression and congenital abnormalities

"Also special provision should be made for girls under 16 years"

But repeated requests for a commission of inquiry into the workings of the Abortion and Sterilisation Act have been turned down by the Minister of Health even after surveys made by the Human Sciences Research Council for the Government showed that a majority of people in all race groups were in favour of "what at abortion c

● Dr Choi suspended

they approve of abortions when a woman had been sterilised
"If they are opposed to abortions in principle then why do they allow this?"

"One in a thousand sterilised women fall pregnant their say it's

S. Express

16/8/81

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when contraceptive measures have failed"

Referring to the Government's approval this week of an amendment to the Abortion and Sterilisation Act which makes provision for the procurement of an abortion after an unsuccessful surgical sterilisation, Dr-Dyer said the Government handled abortions in a very "hypocritical and useless manner"

"There was at first a hue and cry about abortions being murder because it involved killing the foetus but at the same time

case for an abortion. Then, is not the woman who has had an intra-uterine device fitted and falls pregnant not also a special case because she did not want to have children ... or a woman who has just missed taking her Pill one day?"

"There are so many special cases where the women deserve proper, sympathetic medical care instead of being forced to make frantic dashes across our borders," Dr Dyer said

House 3 Citizens of Republic of China
19/8/57 CD 104-105 238
Mr. P. R. C. ROGERS asked the
Minister of Internal Affairs

- (1) Whether citizens of the Republic of China seeking temporary residence in the Republic of South Africa for the purpose of industrial or commercial investment require entry permits, if so, what form of entry permit,
- (2) whether such persons will be subject to race classification laws, if so, to what extent?

†The MINISTER OF FINANCE (for the Minister of Internal Affairs)

- (1) Citizens of the Republic of China seeking temporary residence in the Republic of South Africa for the purpose of industrial or commercial investment require visas. If visas are granted they are admitted to the country on temporary residence per-

WEDNESDAY,

mits which are issued to all aliens who visit South Africa

- (2) I assume the hon member has the Population Registration Act, 1950 in mind. Persons entering the country on a temporary permit are not entered into the Population Register and are therefore not classified in terms of the Population Registration Act.

Inter-race
 Argus 21/8/81
 marriage -

churches

see P.M.

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Argus Correspondent

JOHANNESBURG

Leaders of four South African churches have met the Prime Minister Mr P W Botha, to call for the abolition of laws prohibiting inter-racial sex and marriage.

Mr Botha saw the leaders last week. A memorandum prepared by the Synod of Bishops of the Anglican Church formed the basis of the talks, but details of Mr Botha's response have not been disclosed.

The delegation was led by Bishop Philip Russell, who fills office next month as the Anglican Archbishop of Cape Town.

It also included the Rev Howard Irby, president of the Methodist Church, Dr John de Gruchy, former chairman of the United Congregational Church, and the Rev Brian Woods, Moderator of the Presbyterian Church of Southern Africa.

The Anglican memorandum urged the Government to repeal the Prohibition of Mixed Marriages Act and Section 16 of the Immorality Act according to a report before the Congregational Church's Annual Assembly.

84. MOH 46 f668. Prof. Simpson's report, 22.5.1901.
 85. G42-1897, Public Health Report for 1897, p.159; G.66-1902, Public Health Report for 1901, pp.139-140.
 86. The position of Dr Abdurahman, whose daughter married an Indian, is an example. For a history of the Indians at the Cape, and an account of their position by 1901 see E. Bradlow: 'The Cape Community during the Period of Responsible Government', B. Pachai (ed): South Africa's Indians: the Evolution of a Minority (Washington D.C., 1979). pp.123-178.
 87. G.61-1901, pp.64, 232; MOH 24 f131. District Surgeon's report, 17.5.1901; E. B. van Heyning: Refugees and Relief, p.81.
 88. The 1904 census recorded 177 Chinese in Cape Town, and another 137 in the suburbs; Cape Times, 24.2.1900.
 89. Cape Times, 4.4.1901, 29.3.1901.
 90. MOH 32 f282, Report of the Chief of Police, 11.2.1901; G.61-1901, pp.49, 51.
 91. Cape Times, 13.2.1901, 15.2.1901, 19.2.1901, 20.2.1901; South African News, 16.2.1901
 92. Cape Times, 15.
 93. Cape Times, 13.
 94. Cape Times, 24.
 95. Foster to Withal
 Cape Times, 29.
 Quawatu Islam
 A. Davids: The M
 Cape Times, 27.
 96. Cape Times, 27.
 97. MOH 64 f668. p
 98. E. B. van Heyning
 Plague in Cape
 Library, 34, 2,

of the Scarlet Phial: Spies and
 22.5.1901.
 the needs of the Indian Muslims.
 Tatiep was the first Imam at the
 (Thione, 1980), pp.185-188.

Report of Remover Greyson, 28.5.1901;
 3.1901.

of the Scarlet Phial: Spies and
 22.5.1901.

**YOUNG
GIRLS
THEIR
OF
HBR
VISIT**

REPORT!
ABORTION
FACTORY

• Sunday Express August 9

**Lesotho Govt
suspends doctor
after Express
abortion expose**

THE MINISTER
1951

• Sunday Express August 16

Dr Choi gave me an abortion, — and I'm grateful to him,

DOCTOR TO FACE CHARGES

Sunday Express Reporter

LESOTHO police are still investigating the number of abortions performed by South Korean Dr K Choi and will send a docket to the Director of Public Prosecutions "in the next few days."

A Lesotho Government source said the case would be heard within the next two weeks and, if Dr Choi was convicted, the Lesotho Medical Council would not "hesitate to take disciplinary action."

The Sunday Express expose of Dr Choi's operations at a small government hospital at Teyateyaneng, have triggered off mixed reactions although many doctors expressed their gratitude that a doctor, who was performing dangerous operations on women more than 12 weeks pregnant, had been stopped. Several young women said they felt it was unfair to have exposed a doctor willing to help women

THE Sunday Express expose two weeks ago of an illegal abortion clinic in Lesotho has drawn both favourable and unfavourable comment from around the country — but perhaps the most poignant letter was this one.

It came from a 19-year-old Gernistson girl who had an unwanted pregnancy terminated by Dr Choi. She wrote:

I have absolutely no bad words whatsoever to say about Dr Choi. In all respect, I must state that I disagreed with a few of your points — one being that I honestly could never imagine that Dr Choi was wearing blood-stained gloves.

I found him to be very clean and neat, as well as the clinic itself. Although he was very cold and reserved toward me I can't honestly say I blame him. He obviously had a lot on his mind and doing what he did is certainly nothing for him to take light-heartedly.

After the operation he sat over me and watched me closely. I was with a cup of tea and was altogether very hospitable and friendly towards all four of us. Obviously he was rather annoyed with you for wasting his time and I am quite sure I certainly would have been as well.

After all, if in fact, you had been pregnant, you would certainly have given a termination much thought before going to him, not whilst sitting in his consulting room. I can certainly

S. Express 23/8/51

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• Part of the letter from a 19-year-old girl praising Dr Choi for terminating her 14-week pregnancy

I am writing to you, although I wish to remain anonymous to give you my case history of an afternoon spent at the little clinic in Lesotho, where Dr Choi terminated my pregnancy. I am 19 years of age and I have had no bad words whatsoever to say about Dr Choi in all respect. I must state that I disagreed with a few of your points. One being that I honestly could never imagine that Dr Choi was wearing blood-stained gloves. I found him to be very clean and neat, as well as the clinic itself. Although he was very cold and reserved toward me I can't honestly say I blame him. He obviously had a lot on his mind and doing what he did is certainly nothing for him to take light-heartedly.

I understand his reaction there.

I noticed you only gave two case histories, both of them being unsuccessful accounts. Did you ever, for one minute, think of the successful terminations — and I am sure there were hundreds of them — he carried out?

Let me give you my whole account. I arrived at 3.30pm on a Friday after telephoning Dr Choi a few days previously. I had three friends accompanying me. He showed me into his consulting room, examined me, and explained exactly what it was all about. I was 14 weeks into my pregnancy. While Dr Choi and a Black

female nurse scrubbed up, he sent me to the bathroom where I changed into a clean, ironed gown. I then went back into the consulting room, had just enough time to remove all my jewellery before the Black nurse (complete with mask and clean gown) fetched me and showed me into the theatre where Dr Choi was waiting. Also complete with a mask, clean gown and clean surgical gloves.

I was told to lie on the bed, count to 10 while being given the anaesthetic and the next thing I remember is waking up, with Dr Choi and all my friends around my bed. I had the operation at 3.55pm and walked out

of the clinic at 4.20pm of my own accord.

I had very little bleeding afterwards. I bled for about three hours after the abortion. We stayed at a hotel for the remainder of the weekend, and I don't mind saying I had a wonderful weekend in Lesotho. I was on my feet all weekend and came home feeling better than ever.

As far as I am concerned, Dr Choi's help was well worth the money he asked. I personally would recommend him to anybody at any time. In my mind, Dr Choi might actually have saved a rather large number of girls from possible death, or anything else as a result of resorting to a back-street abortionist.

All these girls he has helped were obviously desperate, just as I was, and would possibly have gone to any lengths to terminate their pregnancies. As you stated, there have been no deaths as a result of his abortions. Whether a girl resorts to a back-street abortionist or has a legal clinical abortion, the risks are almost all the same.

As far as the depression the girl in one of your case histories is concerned, I think it all depends on the person herself. I will admit, I get depressed at times, but I have learnt to control it. After all, the decision to have my pregnancy terminated was my choice, and nobody else's.

Several people have phoned and said that finding someone, preferably a doctor, to help relatives or girlfriends who were pregnant was a Herculean task. A Johannesburg man telephoned me and asked for advice on how to help a 16-year-old girl terminate her 14-week pregnancy.

"We have tried countless doctors all over the country hoping that just one may be sympathetic enough to give her an abortion. But to no avail, no one is prepared to stick his neck out in a country where out-dated and restrictive measures leave no room for proper clinical abortions.

"Instead we have to accept the fact that a young woman would resort to any drastic measure — be it done by herself, by a back-street abortionist or by panic-stricken friends — to end her pregnancy."

Professor S A S Strauss, Head of the Department of Criminal and Procedural Law at the University of South Africa, said there was no legal provision against South African doctors and gynaecologists referring their patients to neighbouring countries where abortions were legal.

"But if abortions are illegal in Lesotho, for example, it would be unethical for a South African doctor to refer his patient to someone there for an abortion," he said.

S. Express

23/8/81

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"We all know abortion is certainly far from nice, but the after effects could not possibly be worse as far as the psychological side of it is concerned. I have so much more I would like to say, but what is the point? After all the only interest you probably have at the moment is to see Dr Choi suffer for the help he gave. Since the Sunday Express re-

cause South African society was so conservative it was a miracle the Abortion and Sterilisation Act of 1975 came on to the Statute Book.

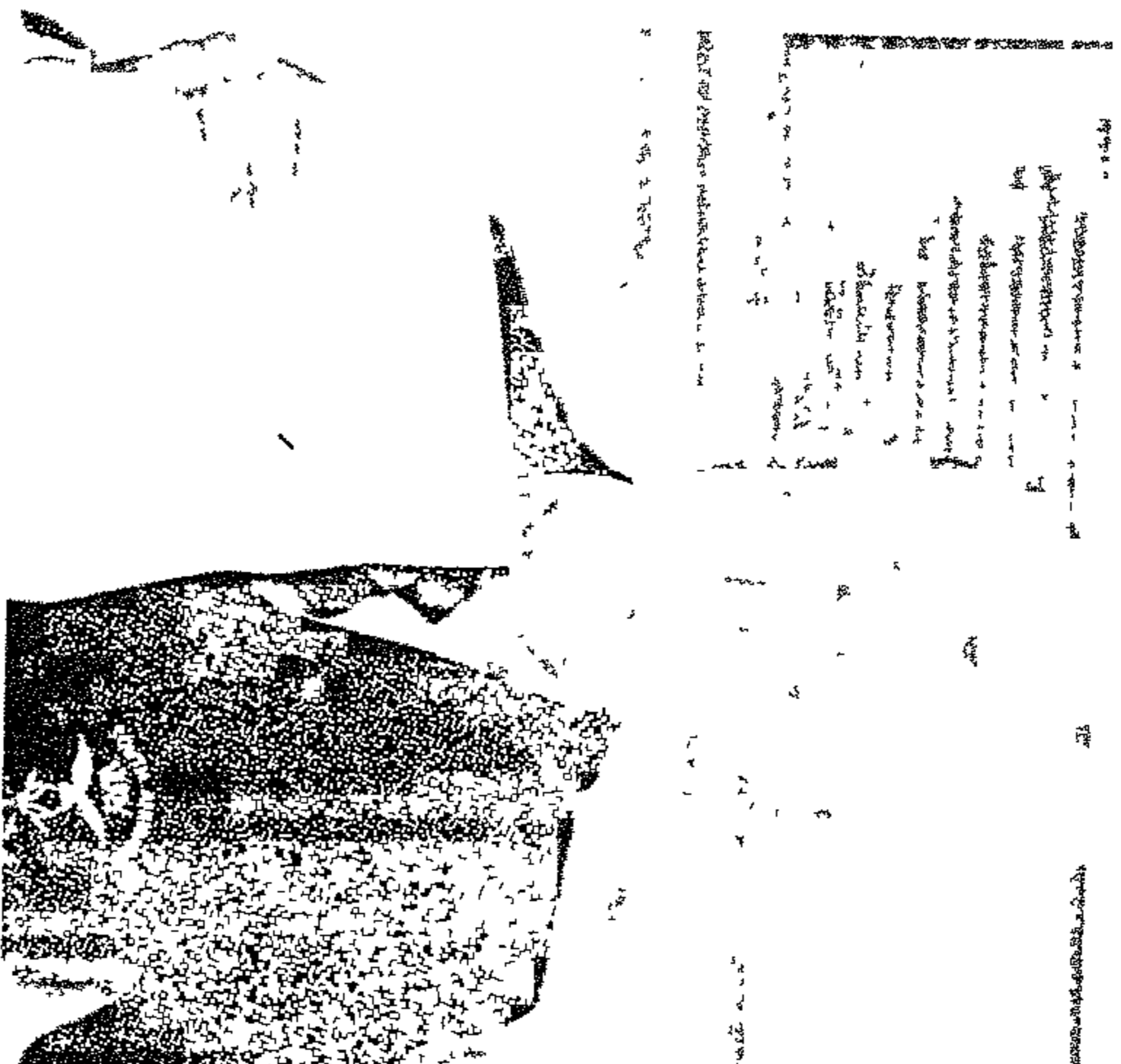
"In South Africa the Act amounted to a liberalisation of the law as it existed but there is very little hope for further modification of the Act," he said.

● Express It! —
Page 21

PW clears the way for white married to Indian to live in SA

COLOUR-BAR COOPERATE CAN RETURN

Mr Ian Whiteley gives the thumbs-up sign after reading the letter from the Prime Minister, Mr P W Botha



THE Prime Minister, Mr P W Botha, has cleared the way for a white South African and his Indian wife to return to the Republic as permanent residents, ending a 12-year banishment from the land of their birth.

Colour-bar exiles Ian and Sherin Whiteley, this week received the news they have been hoping and praying for daily since they sent a dramatic "let-us-come-home plea" to Mr Botha nearly four months ago

An official letter from the Prime Minister's office in Cape Town dropped through the letter box of the Whiteleys tiny terraced home in Liverpool last Monday

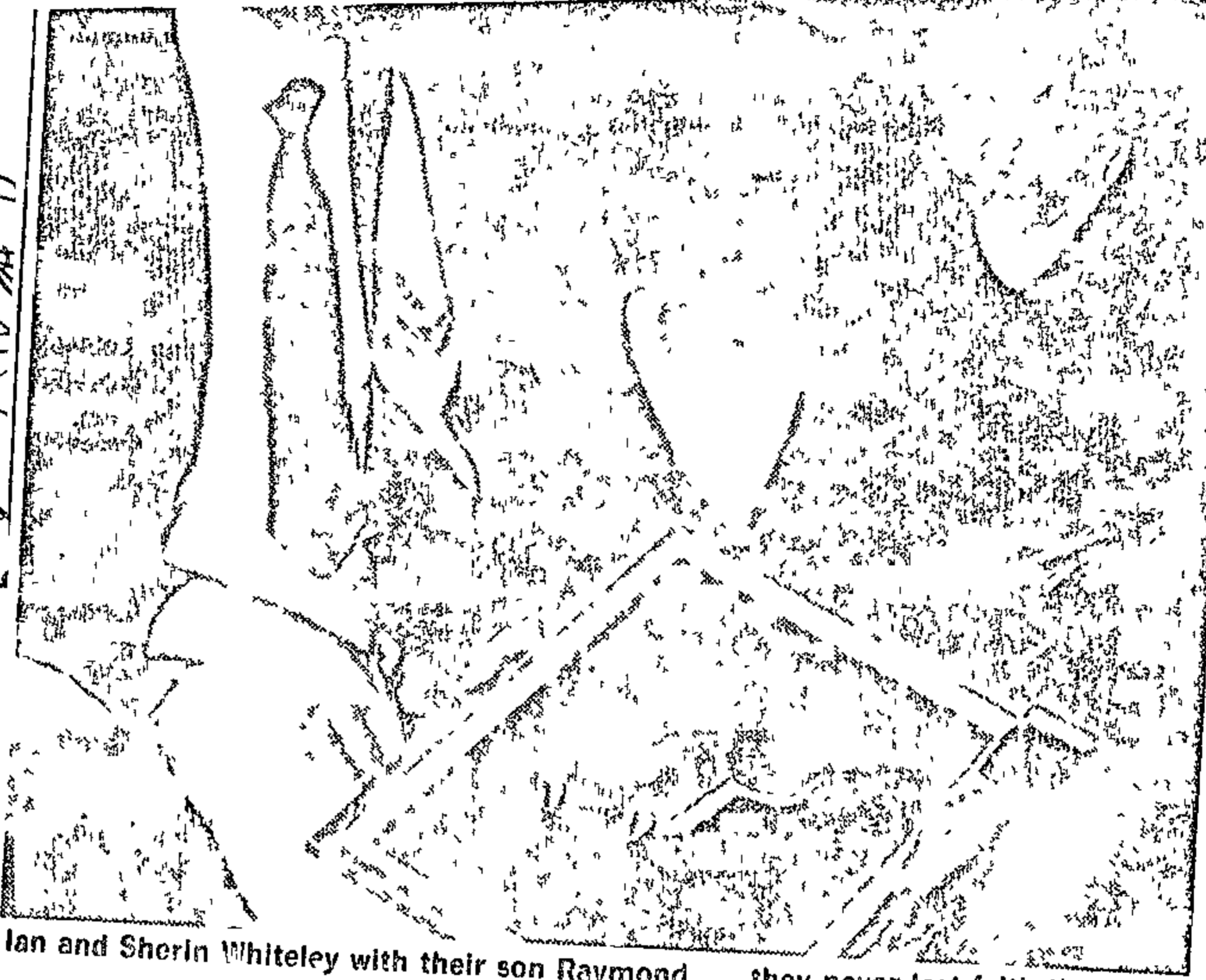
By DAVID JACKSON. LO...

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Ian and Sherin Whiteley with their son Raymond they never lost faith that their request to return would be rejected

S. Times 27/4/81 (235)
Exiled couple to return

back must in no way be interpreted as a challenge by us to the system

"All I am asking is to be allowed to bring up my family in the country of my birth and I am grateful to have been given that chance

"The first thing I want to do on my return is to have a talk with the authorities to sort out what Sherin and I can legally do or not do

"Under no circumstances do I want my wife to suffer any embarrassment -- she has suffered enough in Britain

"We are prepared to live in the nonwhite area of Pietersburg if that is possible. I am prepared to use nonwhite facilities and I will not push the colour of my skin

"We would be quite happy for our children to be admitted to the local Indian and coloured school in Pietersburg

"Whatever happens, if we are stopped in the street I can always produce my official letter saying we are in South Africa with official blessing"

A speechless Sherin could only say 'We are going home what more is there to say'

From page 1,

The Whiteleys have received more than 70 letters from South Africa since their story of love across the colour line was revealed in the Sunday Times three months ago

Said Ian "There has not been a single poison pen letter among them. Many of the letters have been from simple Afrikaner families and I want to say a special thank you to "Ouma" of Mooi-Nooi in the Transvaal who has become a regular correspondent

"The response from ordinary people in South Africa has rekindled our faith in the country

"If the average South African can respond to our plight in such a warm and loving manner, surely we must all have hope for the future in the land we love so much

"Liverpool has been good to us in many ways. But in Afrikaans we have a saying that "soort soek soort"

"We are South Africans 'finished and klaar' and that's why we are going home. It's as simple as that

The Whiteleys have already turned down a British request to sell their story of "love on the run"

During their years of exile in Norway they were spurned and harassed by anti-apartheid groups such as the PAC and the ANC because, they claim, they would not actively speak out against South Africa. They were later told to leave and settled in Britain

In a recent BBC radio interview, veiled suggestions were made that the Whiteleys were paid agents of the South African Government. But the interviewer later admitted he had no grounds for the charge

Says Ian "Sherin has sometimes been abused by vobvos in Britain who jeer 'go home Paki' to her

"She always replies indignantly, 'I am a South African - not Pakistani - and I am proud of it'

When the dust has settled, Ian wants nothing more than to renew his old rugby ties in South Africa. (He played for the same school team as Dr Frederik van Zyl Slabbert, Leader of the Opposition)

His personal library and collection of rugby books, Springbok mementoes and the little South African flag he and Sherin have carried with them for the past 12 years will be going back with them

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Signed by Commandant W.P.J. Ehlers, Mr Botha's private secretary, it told them

"You and your wife as South African citizens holding South African passports may return to South Africa without first having to obtain visas to do so

And a spokesman for the South African Embassy in London confirmed this week that the letter could be regarded as the "green light" for the couple to return

Ian, 43, and his wife Sherin left South Africa in 1969 after falling in love after a chance meeting in their home town in Pietersburg in the Northern Transvaal

Ian was arrested under the Immorality Act. But he was acquitted after spending three months in prison as an awaiting-trial prisoner

With official United Nations backing, Ian and Sherin married in Botswana and were then flown to Norway where their two children were born — to begin a new life as refugees from their fatherland

Now their odyssey of love which spanned four countries is almost over

The Whiteleys will still have to obtain visas for their two children, Raymond, 9, and Deryck, 4, who are not South Africans and are officially classed as "stateless" citizens

Documents

The South African Government this week told the Whiteleys that visas for the children would be issued by the South African Consulate-General in London provided they are in possession of valid travel documents

As he began the round of paperwork that would lead to one-way tickets to South Africa for himself and his family, a jubilant Mr Whiteley told me "We plan to be home by Christmas

"We never lost faith that Mr Botha would do the right thing

"I cannot thank the Prime Minister and the authorities enough for what they have done

"And I want the world to know that if it had not been for Sherin, my strength and my will would have vanished long ago. It was my wife that sustained me during the dark and difficult years

Such was his longing to return to South Africa that Mr Whiteley was even prepared to accept second-class citizenship

He offered to be reclassified coloured

He was told officially this week that because he was by descent and in appearance a white person, this was not possible

But the doors that were previously closed to them have been now opened

The decision to readmit the Whiteleys has apparently been taken at high level

A previous written request to return was turned down two years ago by the Department of the Interior — as was an earlier plea sent to the then Prime Minister, Mr John Vorster, in 1971

spoke in it and this week
"Mr Whiteley wrote to his Prime Minister personally as a South African citizen

"The fact that the reply has come from the Prime Minister's office direct is therefore a matter of common courtesy. Obviously the Prime Minister would have consulted other officials on this

"We cannot speculate on the possible implications as far as the letter goes"

Government sources in London cautioned however that specific apartheid laws (such as the Group Areas Act) were still on the statute book and that the Whiteleys' case had been treated strictly on merit

Government had made similar exceptions in the past — such as the decision to admit the Vietnamese wife and children of the poet Brayden Breytenbach

I was told "If the Whiteleys have received an official notification that they are welcome back as South African citizens, it is a fair deduction that they are not going to be bothered (harassed) when they get back"

Mr Whiteley said this week "We are under no illusions as to what there is in store

"We know there will still be some people who will be against us. We don't expect attitudes to change overnight and our going

To page 2

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S/Times

27/9/81

★ THE TWILIGHT CHILDREN THE SCHOOLS WON'T HAVE

The kids who don't

228

23/8/81

exist



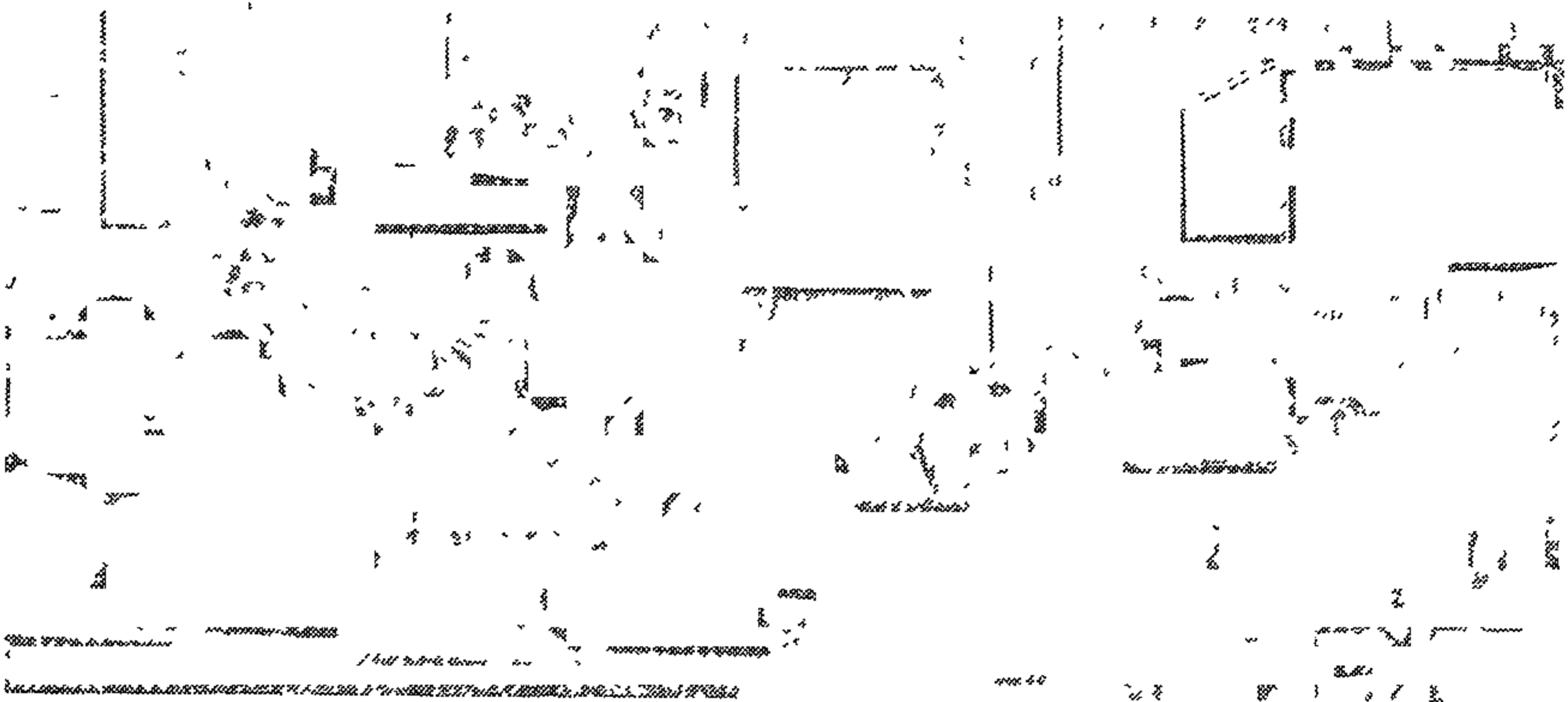
232

23/8/81

This lad is neither "coloured" nor "African" and cannot attend a government school

Pictures. GEORGE ELS

(OFFICIALLY SPEAKING, THAT IS)



A volunteer teacher, Mrs Joy Roux, teaches from the altar of the Free Gospel Church in Eersterus, Pretoria

HUNDREDS of South African children live in a twilight world because, as far as the authorities are concerned, they don't exist.

The reason this country's race classification laws

They are the often illegitimate children of mixed unions

Their parents fail to register their births, often out of fear that their children will be classified differently from them

But without birth certificates to prove their racial identity no school will admit them

Education in South Africa is divided according to race so like the schools which will not admit them no education department will accept responsibility for children who have been labelled neither white nor black neither coloured nor Indian

So they roam the streets uneducated and unwanted, the non-children of a world that won't admit they exist

Fed up

Identity and birth certificates fall under the Department of Internal Affairs but child welfare officials say they frequently struggle for years to obtain the documents from the department

In the meantime the children are dependent on voluntary organisations which try to give them a basic education so they will not be too far behind when their documents eventually arrive

The Director-General of the Department of Internal Affairs Mr J W A van der Merwe said this week that he was not prepared to accept the existence of these cases

Told about cases in Cape Town Johannesburg and Pretoria that were being dealt with by welfare organisations he replied

"I am fed up with people talking about cases. We are supposed to deal with these children but there is no information

"The department is blamed when parents do not do their duty and register births

Only people over the age of 16 required race classification he said

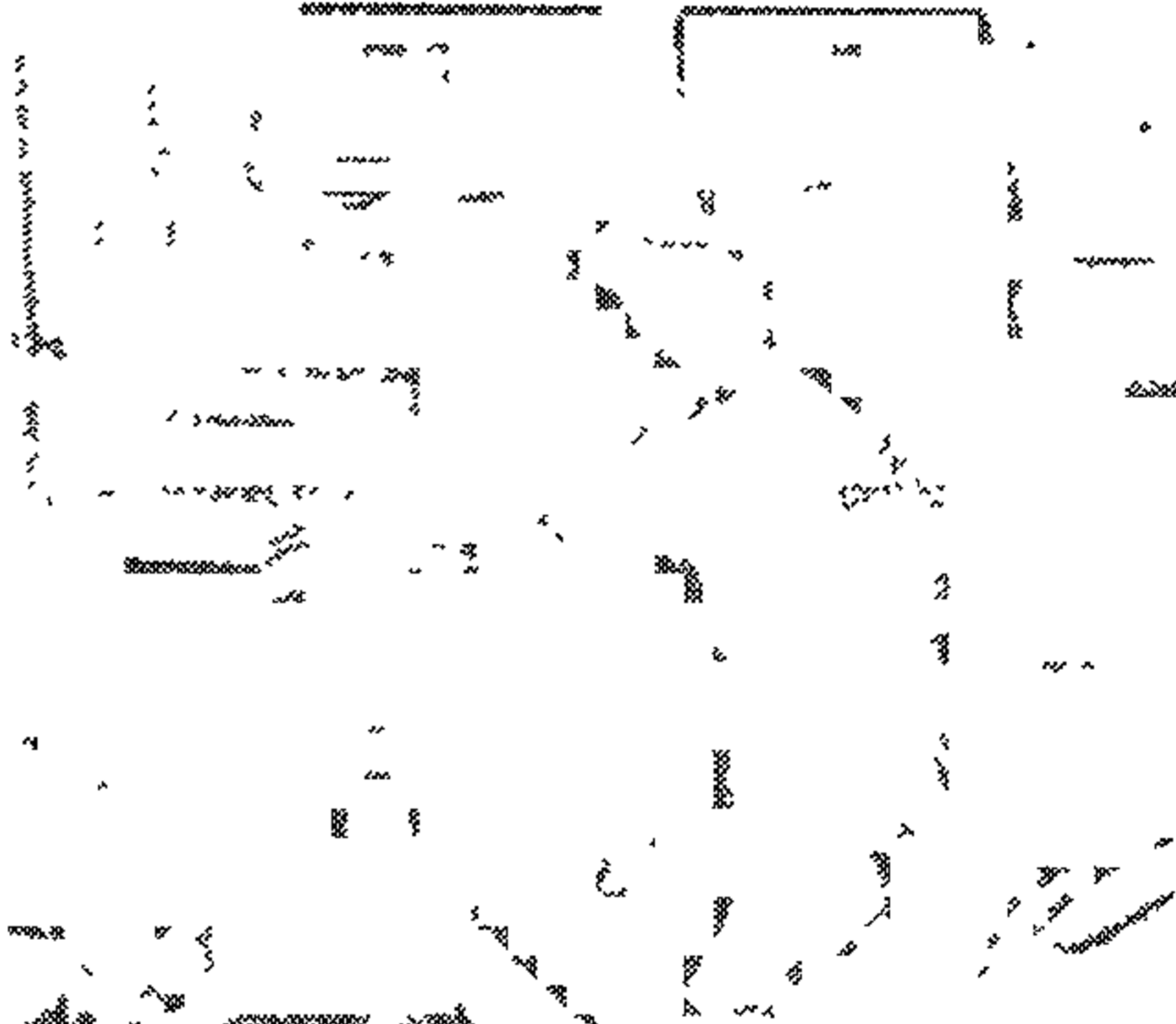
School principals could choose whether or not to admit a child without the necessary documentation

However a Pretoria headmaster said We have instructions from the circuit

Race law barriers

force youngsters

on to the streets



Children at the school run by the Good Shepherd Home

238
By HENRY HARRINGTON

inspector that we may not accept children without birth certificates

An acting chief inspector of education in Johannesburg said We cannot allow pupils to attend school without the necessary documentation

Miss Helen Starke director of the Child Welfare Society in Cape Town said one team of social workers was dealing with 39 cases of children who could not gain admission to schools because they had not been racially classified

And another 100 children in the Philippi farming area whose race was not in doubt were not being allowed to enter schools because their parents had not registered their children's births

Miss Starke said white private schools were accepting some of the children and the society was looking for private tutors to give lessons for others

He said his school could not provide an adequate education for the children

The system is criminal it gives the children a complex. Because they are not allowed in schools they have a hatred towards society

The director of Child Welfare in Johannesburg Mr Howard Ferreira, said Delays in race classification are a serious problem. Schools insist on identification before they admit children

This badly affects their education

The director of the Department of the Interior Mr Joe Pretorius denied there were long delays in processing applications

"They are dealt with immediately," he said

Last week the Sunday Times visited the Full Gospel Church in Eersterust near Pretoria where a voluntary group, the "Friends of Eersterust" run a school one morning a week for about 60 children aged between six and 17 who cannot get into government schools for lack of documentation

Wicked

Mrs Jill Hamilton an organiser at the school said "We try to keep the children off the streets where they would become criminals

We can only teach them one morning a week because we are dependent on volunteers

"We have to find out who the parents of the children are and their race"

She said influential women on the committee of the Friends of Eersterust had shortened the delays in registration of children to as little as four months

It is the fault of the parents of the children that they are not registered but indirectly it is the system of race classification which is absolutely wicked and inhuman Mrs Hamilton said

"Any child born illegitimately to a white woman has to be seen by departmental officials or else a statement must be made by a social worker that the child looks white before it can be classified

"If one of the parents is not white the child is automatically classified coloured

"This can be reversed on appeal but we have had little success with appeals," Miss Starke said

"These children are living in a twilight zone, you cannot live today without documents"

Hatred

The Good Shepherd community services organisation in Eldorado Park Johannesburg runs a school for 100 children who have been denied entry to school because they do not have documents

Mr Don Mateman who runs the school said it took up to two years to get a birth certificate and up to three years to have a child racially classified

Mr and Mrs. Ian Whiteley
24 Mr K M ANDREW asked the
Minister of Internal Affairs

Whether any representations have been received from Mr and Mrs Ian Whiteley relating to residence in the Republic, if so, (a) what were the terms of such representations, (b) when were they received and (c) what was his response thereto?

The MINISTER OF INTERNAL AFFAIRS

Yes

- (a) (i) Renewal of the validity of Mr and Mrs Whiteley's South African passports,
- (ii) amendment of Mr Whiteley's classification from White to Coloured and
- (iii) return to the Republic by Mr and Mrs Whiteley with their two children
- (b) 29 June and 14 August 1981, respectively
- (c) The representations are receiving attention

LECTURE 9 : THE IMPERFECT COMPETITION SAGA

P. Sraffa: The Laws of Returns under Competitive Conditions. Economic Journal (36), 1926 pp535-550.
(The Italian original 'Sulle relazioni fra costo e quantità prodotta', Annali di Economia 1925 is, as Schumpeter noted, distinctly superior as a piece of pure theory - and has a second critical section which has never been translated into English.)

Symposium: Robertson-Shove-Sraffa: Increasing Returns and the Representative Firm, Economic Journal, 1930.

J. Robinson: The Economics of Imperfect Competition.

E. Chamberlain: The Theory of Monopolistic Competition.

For Arrow's remarks on the adjustment process see essays in-

(N) K. Arrow & L. Hurwicz: Studies in Resource Allocation Processes.

For written reply

Immorality Act

13 Mrs H SUZMAN asked the Minister of Police

14/9/81
(a) How many suspected contraventions of the Immorality Act were investigated during the period 1 July 1980 to 30 June 1981 and (b) how many persons were charged as a result of these investigations

The MINISTER OF POLICE

- (a) 249
- (b) 199

C. J. G. / 14/9/81

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Children in places of safety
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 Mr C W EGLIN asked the Minister
 of Internal Affairs

- 1 < 19 81
- (1) Whether during the latest specified period of five years for which figures are available any children were kept in a place of safety while his Department determined their race classification, if so, (a) how many children were so kept, (b) at what age did each child enter such place of safety and (c) for how long was each child kept there,

- (2) whether any such children are still being kept in a place of safety at present, if so, for how long is it anticipated that each such child will still be kept there, if not, what was the outcome of the classification of each such child?

The MINISTER OF INTERNAL AFFAIRS

- (1) and (2) The information required is not available

A copy of a press statement I have issued regarding the matter, is attached herewith

PRESS STATEMENT BY THE HONOURABLE J C HEUNIS, MP, MINISTER OF INTERNAL AFFAIRS

Reports in the Press with reference to evidence submitted to the Hoexter Commission implying that the race classifica-

tion of children in need of care in terms of the Population Registration Act, 1950 cause the delay of the finalizing of Children's Court enquiries and that my Department being responsible for the administration of the aforementioned Act is instrumental in the unnecessary custody of children in need of care in "places of safety", do not reflect the true state of affairs

The classification of children in terms of the Population Registration Act, 1950, normally takes place when the births of children are registered and as soon as possible after the forms of notification of a birth are received by my Department's head office in Pretoria. The Births, Marriages and Deaths Registration Act, 1963 requires that the father of a child, or his mother or any person that was present at the birth, if the mother is for one or other reason not capable thereto, or the tenant of the home where the child is born, or the person who has the child in his care, must, within 14 days after the birth of the child, report the birth on the prescribed form to a registrar, assistant registrar or a police officer or a justice of the peace

The birth of a child therefore normally comes to the attention of my Department when his birth is registered whereby the classification mechanism in terms of the Population Registration Act automatically comes into operation.

Unfortunately it is so that the foregoing legal requirements are frequently not being adhered to, and it then happens that the children become the victims of the negligence of the parents, or mother in the case of an illegitimate child, or the other responsible persons

The Children's Act, 1960 determines the procedure to be followed in connection with children in need of care who are brought before a Commissioner of Child Welfare and section 35(2) of this Act reads as follows

- "(2) (a) In selecting any person in whose custody a child is to be placed or

any children's home, to which a child is to be sent, regard shall be had to the religious and cultural background and ethnological grouping of the child and, in selecting such a person, also to the nationality of the child and the relationship between him and such person

- (b) Any illegitimate child whose classification in terms of the Population Registration Act, 1950 (Act No 30 of 1950), is the same as that of his mother shall be deemed to have the same religious and cultural background and nationality as his mother and only relatives of the mother of any such child shall be regarded as being related to such child

- (c) A child shall not be placed in the custody of any person whose classification in terms of the Population Registration Act, 1950 is not the same as that of the child except where such person is the parent or guardian of the child

In view of the restriction in section 35(2)(c) concerning the custody of a child by the person whose classification is not the same as that of the child, the Commissioner of Child Welfare must inevitably have at his disposal the necessary evidence regarding the classification of both the child and the person in whose care he intends placing the child. Normally, a birth certificate or an identity document on which the classification of the child/person appears, will be submitted to the Commissioner of Child Welfare as evidence.

My Department normally only become involved when such documents cannot be submitted to the Commissioner of Child Welfare. In such a case my Department is

approached to indicate the classification in terms of the Population Registration Act, 1950 of the persons concerned, and it then appears that in most cases the births of the children are either not registered or that the particulars concerning the children or their parents which were submitted are not sufficient to obtain the required information from the population register. Quite often wrong or false information furnished to the Commissioner of Child Welfare is relayed to my Department which leads to never ending correspondence. Such a state of affairs cannot but cause delays. The Population Registration Act and therefore also my Department can, however, not be blamed for this. That children in the process, are being kept unnecessarily for long periods in custody because the Children's Court Inquiries cannot be finalized timeously is regretted

It is, however, a fact that legal provisions are means which have been placed on the Statute Book to reach certain aims—the Population Registration Act, 1950, for the inclusion of the population in the population register, and the classification of the persons who are included in the population register under certain population groups, and the Children's Act, 1960, which has as its aim the protection of children. The inclusion of persons in the population register can only take place if the public renders the necessary cooperation, and who sometimes fails badly in this regard. The authorities play an important role as far as the protection of children in terms of the Children's Act, 1960 is concerned. The unfortunate situation, however, is that the purpose of the Children's Act, 1960 is frustrated through the negligence of persons, who, in the first instance, are responsible for the children and who must see to it that their births are properly notified to my Department with all the correct and relevant particulars. In evidence submitted to the Hoexter Commission reference has been made of

18/9/81
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the long detainment of children in places of safety due to a delay in the finalising of the classification in terms of the Population Registration Act 1950 of the children concerned

The relevant cases were of a complexed nature and the surrounding circumstances so diversified and comprehensive that time consuming investigations had to be made. My Department was seriously frustrated in all its efforts to obtain the necessary information.

In accordance with section 17 of the Population Registration Act, 1950, no information may be furnished from the population register except in certain prescribed circumstances. Such information from the population register should especially not be furnished when it is not considered to be in the interest of the persons concerned.

It is not considered in the interest of the persons concerned who are involved in the cases to reveal the information, which is of a personal nature.

ISSUED BY THE DEPARTMENT OF
FOREIGN AFFAIRS AND INFORMATION AT THE REQUEST OF THE
DEPARTMENT OF INTERNAL
AFFAIRS

CAPE TOWN
Date 17 September 1981



Immorality 238
P.M. 22/9/81
Act hearing

Mail Reporter

A STUDENT at the University of the Witwatersrand and a musician appeared briefly in the Johannesburg Magistrate's Court yesterday on a charge under the Immorality Act

Appearing before Mr W J Wilken were Miss Vivienne Epstein, 23, and Mr Abey Mahlobo, 27, a guitarist from Diepkloof, Soweto

The State alleges they committed the offence at a Crown Mines, Johannesburg, house on September 17

The hearing was adjourned to October 21 for further investigations

By CIEL REYNIERSE

JAMIEL WALLACE is not a bitter man, although he has ample cause to be. Nearly 20 years ago he gave up his white identity and privileges to become a 'coloured' — and retain his family unity.

His father was white, his mother coloured. Jamiel was born in 1947, a year before the Nationalists came to power. In 1949, the Prohibition of Mixed Marriages Act was proclaimed, a year later the Group Areas Act — laws which were to turn a young boy's life upside down.

I was born in the northern suburbs of Parow. It was very nationalistic — those ideas were taken root then. Today, I can laugh at that stage of my life but it was horrible then, he said in an interview this week. I was a very sensitive child. My three brothers were a lot older, they were hardly at home so it didn't affect them so much. What affected him then were the insinuated slurs, the open stares wherever he went.

There was a cinema I used to go to when I was about eight — I was classified white. The kids would start passing remarks about how dark skinned I was while I was standing in the queue to buy tickets. We had coloured people living in the same street as us, the kids weren't allowed to play with us. If they passed us they'd turn their heads — they said we were play-whites.

I had some white friends I used to go and stay with them for weekends — I realise now that my mother wanted

AS children, Jamiel says, his mother would not let them play in the sun. If they did, they would have to wear hats. She didn't want them to tan any darker than they were.

me to get used to the white way of life. One weekend, the older brother came home from Kimberley. The next day, the mother told me to go home — the boy didn't like me mixing with his family.

'HOTNOT'

Mostly, Jamiel accepted what was happening without too much questioning. Sometimes he had his family to stand up for him.

I remember I had a fight with a white boy once but when his big brother came to the rescue I ran off home. Next thing, he burst into our house and called me "that hotnot". My father



FACHMA and Jamiel Wallace with their children Chalied, 4 and Zieyaad, 7, at their Belhar home this week.

ONCE, WE WERE WHITE

Article 26/19/81

(238)

According to evidence, the Group Areas Act, as well as its application, has brought frustration to and embittered the great majority of the coloured group — The Theron Commission. One man's experience mirrors this finding, and what must have been the experiences of many other people who suffered under various racial laws. Jamiel Wallace, a Cape Town man who 20 years ago was a victim of race classification, writes, "I have always wanted to put pen to paper about the way I was brought up. I know that there are a lot of people who must have gone through what I went through. I would never ever want my children, or any child for that matter, to go through such a horrible childhood. This all because of the Mixed Marriages Act, Group Areas Act, and all the other cruel acts of our present governing system."

I understand now it was the decisions he had to make about his family. He fought for his country and his country gave him a law deal.

SHOCK

Officialdom brought matters to a head when Jamiel was in his early teens. I still remember the man who told us we couldn't stay there any more. He'd done a sort of census, I think I remember him saying to my mom that hers was the nearest form when he came to collect it.

We were told the family had to split up or live in a coloured area. My father took it quite calmly, we went to live in Flies River where my mother's family had pio-

He laughs at that grand word, property. It was right out in the bush and we built a shack to live in. Being uprooted was the greatest shock of my life. There were no lights, no tap water, no sewerage — the latrine was a pail. In Parow, we lived close to the shops. We could window shop at night, go to the cinema.

POLICE

Jamiel left the Catholic school he attended, the same school his seven-year-old son now attends, the same school where he remembers registering surprised when his lighter-skinned class-

Some of my white friends still visited me but I couldn't explain why we had to live there though. I suppose they must have known. We lost touch with my father's family — I know there are still some living in Milnerton and Brooklyn. How could we invite people to our shack?

Even there they were not out of reach of officialdom. My mom told me the other night that the police once paid us a visit. They drove past and saw a white man reading outside the shack and a coloured woman doing the washing. They wanted to know whether my parents were married or just living together.

After the move, Jamiel had to make the decision of what race to belong to, he couldn't belong to two. Everything was a decision. Going to the post office — should I use the white entrance or the non-white. On trains my father would of course travel in the white compartments and my younger brother — who was light-complextioned — would too. I was the one people would stare at.

It got to the stage where I wouldn't go out with them, I'd make up all kinds of excuses. I could sense what the staring was all about.

So he had himself reclassified coloured. I don't regret it. My poor mother, all those privi-

leges I had to give up. But I didn't want to be shunned around anymore. I have no hesitation in condemning the Mixed Marriages and Group Areas Acts out of hand. They are two of the cruelest laws on the books at the moment. I experienced the worst of it with parents from two different race groups.

MUSLIM

"My kids are my life. I would hate them to go through what I had to." His conversion to the Muslim faith, he believes, has helped him see his experiences in perspective. There is no colour in my religion, I just see people. It would be pointless blaming one whole race for what happened.

He adds though, that his brothers are still resentful of whites and don't mix with them, while he and his wife — who work for the same furniture company — have friends of all races at work.

"I don't have a grudge or a chip on my shoulder. I don't hate whites, I can forgive. But they shouldn't expect me to forget."

What it's like to have your life turned upside down by the race laws

MR WILLIAM WALLACE (Jamiel's father) with one of his sons — a picture taken about 35 years ago

We never gave up hope, say exiles

The Star Bureau

LONDON — An excited white South African is preparing to return home after 12 years in self-imposed exile — with his Indian wife and family.

And Mr Ian Whiteley is doing it with the permission of the South African Prime Minister, Mr P W Botha

Mr Whiteley, who fled the country with his wife to escape prosecution under the Immorality Act, confirmed in Liverpool today that he had received a letter from Mr Botha saying he and his family could return home

This is the best news we could ever receive. We are as happy as hell. Over the moon with joy.

"Mr Botha has told us that once we get visas for our two sons we can come back to the land of our birth. He has said I cannot be reclassified as a Coloured person, but I made it clear in my letter to him that I was determined to live with my wife," said Mr Whiteley.

SAME SCHOOL

"I will not be parted from my wife, but I won't leave South Africa again either. If I am arrested on my return they will have to put me in jail. When I am released I will go back to my family," he said

Mr Whiteley said the whole family would go to Pietersburg first. He plans to live in the Indian area there with his wife and their two sons, aged nine and five.

"I want my boys to go to the same school as my wife did in Pietersburg"

The Whiteleys are waiting for necessary documents for their sons, who were both born in England, from the Home Office here before they apply for visas and travel documents.

He first applied to return to South Africa in 1971. He received no reply from the South African authorities then, "but we never gave up hope. We knew we would go back one day. Now we have it in black and white from the Prime Minister"

Whiteleys will live as blacks

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KPM
98/7/81

LONDON. — When they return to South Africa later this year with the approval of the Prime Minister, after 12 years as mixed-marriage fugitives from apartheid, the Whiteley family will set up home in a coloured area of Pietersburg, Northern Transvaal.

It will be their first return to their home town since they left South Africa in 1969, following the arrest of Mr Ian Whiteley, 43, under the Immorality Act for marrying his Indian wife, Sherin

Mr Whiteley told the Mail from the family's temporary home in Liverpool yesterday "We don't want to park ourselves where we are not wanted, so I want to live in

By SIMON WILLSON

Pietersburg's non-white area to be near my wife's family

"I lived among Pietersburg's coloured community with my wife for two years and was always made welcome there, so that's where I'd prefer to live when we come home"

A letter from Mr P W Botha's private secretary last week officially approved the Whiteleys' return to South Africa, following a direct appeal to the Prime Minister by the family four months ago

Above board

Mr Whiteley stressed he would consider himself part of a coloured family when he returned to South Africa

"My wife is Indian and my children are coloured, so we will

not be going to any places where non-whites are not allowed

"I want all of this to be above-board and I don't want to break the law in any way"

Mr Whiteley had offered to be reclassified as a coloured if it would help his re-admission to South Africa, but had been told his white "descent and appearance" made this impossible

He said his wife would be particularly glad to return to her home community in Pietersburg, because of embarrassing incidents involving her during the Whiteley exile in Liverpool — one of the English cities rocked by race riots two months ago

"Never in the 19 years she lived in South Africa was she once insulted or treated badly by whites, but here in Liverpool she has been spat on and called a 'Paki' and told to go home to where she came from

"There are no apartheid laws here, but you can immediately tell when you walk in somewhere whether you are wanted there or not

"At least in South Africa the laws let you know where you stand," Mr Whiteley said

He said he had been offered money to tell his story to a British publisher

"I was not interested and turned them down flat. It would only have been a story of how bad we are in South Africa from a political angle, and I did not want that

"There was money in it, but I said that money wasn't everything and my country came first"

Mr Whiteley said he expected no problems when he again met friends he had made in Pietersburg before he left

"During the time I lived with my wife in the coloured community, all my personal friends and the people I went to school with said it was my affair and I should get on with it

Easy life

"There was no rejection of friendship towards me then, and I am sure I won't have any trouble now either

"All we ask from the public in Pietersburg is to be left to live our lives. I will mind my own business and I hope they do too

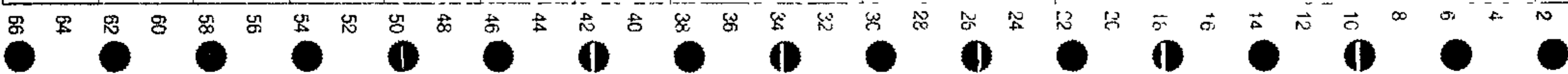
"We want to live a nice, easy, unconventional life, and I'll make it my business not to go anywhere we are not welcome"

'I'll cry'

The Whiteleys have not yet fixed a date of departure for South Africa, but they expect to be back in Pietersburg before the end of the year

"We don't want to see a white Christmas this year. The sight of Johannesburg's mine dumps after all this time is going to make me cry," Mr Whiteley said

POST



PE couple decide to part because of race laws

By GRANT AUBIN

Ev Post 2/10/81

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AFTER eight years of dodging South Africa's immorality laws under which they were once convicted, a Port Elizabeth couple have been forced to separate by the pressures of apartheid.

A man who is classified white today spoke of how he and the coloured woman he loves fought to stay together despite the strain of living in constant fear of arrest.

"I still love her and she still loves me, but the way we've had to live has forced us apart," the man, who asked not to be identified, said today.

"If we could have lived like any other couple, we would still be together. If this isn't love, nothing is," he said.

"Let me tell you, we would have been caught again and we

would have gone to jail. We were frightened."

It was revealed this week that an exiled mixed-race couple, Mr and Mrs Ian Whiteley, would soon return home after 12 years abroad after a letter from the Prime Minister's Office had cleared the way for a new life for them in South Africa.

Mr X said he would have married his lover had the law allowed it. They had to live as prisoners in their own home.

"She was locked up in the house. She couldn't even go into the garden. We couldn't go out together. Every day and night she was in the house. If we heard a knock on the door, she would hide."

A few years ago the couple were arrested and tried under the Immorality Act. They received a six-month sentence, suspended

for five years.

They then decided to emigrate to Rhodesia and start a new life.

"But I had just set up a business and was doing well when the Smith government deported us," he said.

Thereafter they went to Swaziland and Botswana, but found both "primitive", with few job opportunities. They then returned to Port Elizabeth.

Had attitudes changed in eight years? "Definitely not," he said.

"Man was put on earth by God and he shouldn't be told who to love. The colour of a person's skin doesn't matter if people love each other."

Love and the church

FM 6/11/81

Serious debate within SA's churches on the issue of mixed marriages continues to grow. Since the Presbyterian Church announced last month that it would encourage its ministers to perform marriage ceremonies across the colour line two other churches have adopted a similar line. They are the United Congregational Church and the Methodist Church of Southern Africa.

According to a Congregational Church spokesman, a resolution allowing mixed marriages in the church was passed in July, but up until now the church has kept a "low profile" on the issue. Head of the Methodist Church in Southern Africa, Reverend Dr Simon Gqubule, says although the church has no official ruling on mixed marriages, it totally rejects apartheid policy, and "that means we reject all things that flow from the apartheid policy, including the Mixed Marriages Act". Any minister who went ahead and performed a mixed marriage, he said, would have the backing of the church.

The mixed marriages issue was to have been discussed at the Catholic Church's South African Bishops' conference in Pretoria, but at the close of the meeting last week the highly contentious matter was still to be aired. Says Archbishop Denis Hurley of Natal, who added the item to the agenda as a late motion: "We just didn't have time to discuss it". Archbishop Hurley said although the church was still to make its official position known, "I don't think we would be far off the Presbyterian Church's stand".

Hurley believes that a meeting of SA

churchmen to formulate a joint policy on mixed marriages, so that they can send a collective signal to government, is a major priority. He says it should be fairly easy for a consensus to be reached among the English-language churches — "but the NGK's attitude is another matter".

The NGK recently moved away from its stand that mixed marriages are scripturally undesirable, but now opposes them on the grounds that they are "socially undesirable". Sources within the NGK also support the idea of a meeting of churchmen on the issue.

Churchmen who flout the law by performing mixed marriages in their churches could

face the wrath of the State. Minister of Internal Affairs Chris Heunis has repeatedly warned he will not hesitate to revoke the marriage powers of clergymen who step out of line. His strong stand on what he calls "malevolent incitement" of marriage officiators to defy the law has led to some dissension in church ranks. At least one clergyman, the Reverend Charles Gordon of the Durban North Presbyterian Church, has refused to conduct mixed marriages in his church. Says Gordon: "I'm not against mixed marriages, but I won't be a party to civil disobedience".

Marriages across the colour line present a host of complex legal problems for the

couples concerned. As mixed marriages are not recognised by the State, children born from such associations would be classified illegitimate. This implies they would not be under the custody of the father, would not be able to inherit from him, and would not be able to participate and derive benefits from medical aid, pension or housing schemes.

Up to now some churches have been avoiding the legal pitfalls to some extent by not completing marriage registers or sending them to the Secretary for Internal Affairs. In this way they claim that couples who marry across the colour line are "married before God" — if not in the eyes of the State.

Coloured regarded herself as white

RDM

8-10-87

By STAN HLOPHE

238
A COLOURED woman told a Johannesburg magistrate yesterday that she regarded herself as white, and lived in a white area because she had nowhere else to live and was afraid to sleep on the street.

Miss Cynthia Freeman, of 78 Wolmarans Street, Joubert Park, was charged with contravening the Group Areas Act by living illegally in a white area.

She was alleged to have wrongfully and unlawfully occupied a white flat between March 24, 1978, and October 7 this year.

Miss Freeman pleaded not guilty. She was represented by Mr G Marcus.

She said she regarded herself as white and had had no problems in finding accommodation in Joubert Park. She had been living in the flat since 1978 after being evicted from flats in Coronationville and Bosmont.

She said she patronised white cinemas, boarded white trains, and buses, and never encountered any problems.

Not suitable

When asked why she did not apply for accommodation at Bosmont Hostel, she said she could not stay with her child at the hostel because the place was not suitable.

She said she was frustrated after she had been evicted by her landlord at Coronationville and she was desperate. She said she then applied for accommodation in Johannesburg.

She said there were many coloureds, Indians and whites living in Johannesburg flats.

It was put to her that when she received a notice to vacate the flat, she defied it. She said she had no alternative but to stay "because I had no place to stay".

"I was worried about my child and furniture. It was frustrating to look for a place when there was none available." She said her feet at one stage were sore from looking for accommodation.

The hearing was postponed until today for more evidence.

Mr J L de Villiers was on the bench.

THE NEWS

SATURDAY, OCTOBER 10, 1981

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Married misery

THE euphoria which accompanied the recent news that the Prime Minister had granted permission to South Africa's colour-bar exiles to return to this country from Britain was short-lived. Last week a letter from Pretoria informed Mr Ian Whiteley and his Indian wife Sherin that as citizens holding South African passports they could return without first obtaining visas, and this was widely interpreted as an invitation for the couple to come back under normal circumstances as man and wife.

How wrong such speculations were became clear a few days ago when Internal Affairs Minister Chris Heunis told Parliament that no steps were contemplated to recognise the marriage, and Justice Minister Kobie Coetsee said he did not have the authority to safeguard the couple from prosecution under the Immorality Act.

We commented when the news about the couple first broke that their return would place a large question mark over what is to become of the Immorality and Mixed Marriages Acts — legislation that has broken up homes and families and caused untold misery and suffering among hundreds of law-abiding South Africans.

Now we know the Government has no intention of repealing those two hurtful laws, and does not contemplate any steps to legalise the Whiteleys' marriage — which means

that if they do return their children will still be regarded as illegitimate. Indeed, while this obnoxious legislation remains on the statute book it is difficult to see how anything can be done to help them.

There are further implications if the family are to live a normal life here they will have to be allowed to break laws such as the Group Areas Act and Separate Amenities Act, otherwise they will not even be allowed to go to the cinema together. This is a classic example of race laws ruining people's lives.

It was originally thought that the Government might have been considering a way to accommodate the Whiteleys by using a permit system. However, nobody may break the law without impunity. Meanwhile the Whiteleys have been shattered by the news, and after discussions at the South African Embassy in London yesterday Mr Whiteley said, 'We're going home regardless of the consequences'.

The whole sad course of events is yet another indictment of the Nationalists and the way they go about heaping coals on the fires they have proved so adept at kindling.

There is only one way to solve these recurring human problems, and that is to scrap the Mixed Marriages Act and similar offensive laws which make criminals out of decent people.

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Exiles renew appeal: Let us come back

Sunday
Times

By IAN HOBBS
London

11/10/81

238

IAN WHITELEY yesterday renewed his appeal to the South African Government to allow him to return home.

He was completely shattered by the statement in Parliament this week that he and his Indian wife, Sherin, would not be immune from prosecution under the Immorality Act if they returned home.

"Look, I don't want to antagonise anyone. I don't want to force the colour of my skin on anyone."

"If they will just let me live in peace in a coloured community with my family, that is all we want," he said.

"I am a good, honest worker and I am not a political person."

"But we cannot go on living in Liverpool."

"For a start, my wife is a victim of racialism here."

"Skinheads taunt her and call her a 'paki'. That never happened to her in South Africa."

"Our children, Raymond, 9, and Deryck, 5, think of nothing else but going home."

"If I have to, I will live in one of the homelands."

"I have resigned from my job now and I am afraid nothing is going to stop me going back to South Africa."

"I saw the South African vice-consul on Friday."

"He was very sympathetic and said he would be in regular touch with me."

'Going Home'

"Even if I end up in jail I am going home — with my family."

The Whiteleys live in the ground-floor flat of a tiny, terraced house amid the ruins of burnt-out houses in derelict Toxteth, Liverpool — a name now notorious throughout Britain as a focal point of this year's urban riots, writes Simon Wilson.

The family's steadfast insistence on returning to South Africa has created a giant headache for South African Ministers trying to apply the Immorality Act.

It has also generated emotionally volatile publicity for pressure groups bent on exposing the Act's more intractable anomalies.

As Sherin Whiteley repeats, almost mechanically now, to the reporters regularly arriving at her door: "Ian and I might not be allowed to live together in South Africa, but we have to take the chance."

"I'm not staying here any longer," she told me as heavy lorries thundered past the window of her gloomy sitting room.

"I've nothing against the majority of the Liverpool people, but there have been incidents which make you hurry to get packed up and go home."

"I can still foresee us both living normally in the South Africa of today. Everything will sort itself out."

"Our children have more freedom here but they will still not have the same opportunities in the UK that a white child will have, so they will take their chances in South Africa."

Especially dear to the Whiteleys is their now famous Morne du Plessis photograph with a backdrop of brilliant sunshine and green grass.

Couple's 8-year ^{DD 16/10/81} ²³⁸ classification battle

EAST LONDON — A young East London couple is fighting an eight-year battle over race classification and the Group Areas Act.

Coloured-born Mr Neville Matroos, 31, wants to be classified the same as his Indian-born wife, Doreen, 28, so they can live in Braelyn Heights with their two children, Michelle, 12, and Salvin, 9.

But while the Department of Internal Affairs is considering his reclassification, the Department of Community Development has served an order on him terminating the lease of his Mark Lane

home in North End.

In terms of the Group Areas Act he has to move to Buffalo Flats where he is being allocated a municipal house.

But Mr Matroos says he wants to live in Braelyn Heights and has applied for a house there.

"All I am asking the authorities is to allow me a little time to get my business sorted out," Mr Matroos said. "I have applied for a house in Braelyn as I really want to live there. My children are at the East London High School in Braelyn Heights and the

church we attend, the Silver Chapel, is also there.

"Also all my wife's family as well as all our friends live in Braelyn Heights

"But the Department of Community Development office in East London does not want to listen to my troubles. I have, until November I to move out of my house I have asked the Department of Internal Affairs to speed up my application to rescue me from this Group Areas hassle."

The regional representative of the Department of Community De-

velopment in East London, Mr J. le Grange, said: "This gentleman knows exactly what his position is with us and I do not wish to comment any further."

A letter from the Department of Internal Affairs, written by the administrative secretary, Mr R. G. Willemse, on behalf of the Minister, Mr Chris Heunis, told Mr Matroos that his application was still receiving attention.

Mr Matroos, a shipping clerk who has been living in his North End home for seven years, told yesterday of his long battle to be

reclassified, the heavy costs and how he ultimately turned to the then MP for East London North, Mr John Malcomess, in desperation.

"Eight years ago I made the normal application through my attorneys. My application was accompanied with affidavits by members of the Indian Management Committee and other prominent members of the community.

"It was, however, turned down. "In 1980 the housing issue came up and I went to Mr Malcomess, who

wrote to the authorities on my behalf.

"Now I have made another application and am waiting for the reply," Mr Matroos said.

Mr Malcomess confirmed from his office in Parliament that he had acted on Mr Matroos' behalf but said he had been disappointed by Mr Matroos who had not followed the matter through with the authorities.

"After intervening on Mr Matroos' behalf, I wrote to the Minister of Internal Affairs about the matter and he assured me the

matter was receiving attention but that Mr Matroos had not been responding to repeated calls for personal interviews with the regional representative of the department in East London.

But Mr Matroos said yesterday he would gladly have gone to the interview but the letters had been posted to an old address.

Mr Malcomess said: "This just shows the folly of the government's policies which are totally abhorrent. Mr Matroos should be allowed to live where he wants to live." —

MR MATROOS... awaiting reply

Princess and the artisan case ^{RDM} ₁₇₋₁₀₋₅₁ ₍₂₃₈₎ sentence

Mail Reporter

A MAN told a Johannesburg magistrate yesterday he did not believe it was a serious crime to have sex across the colour line — even if it was an offence to do so.

Appearing before Mr R D Curle on a charge of breaking the Immorality Act, were Daniel Antony Healy, 26, an artisan at Secunda, and Princess Molanga, 19, of White City, Soweto.

They pleaded not guilty.

They were found guilty and sentenced to four months' jail each, suspended for five years.

A Mr Gerald Botha told the court he used to live at the Federal Hotel in Johannesburg.

He said he was woken up by a night watchman at about 7am on June 14.

Mr Botha said he went to a room at the hotel where he found a black woman sleeping alone on a bed.

He said he ordered her to leave the premises because the hotel was for whites only.

He said he phoned the police after the woman had become cheeky.

Mr Botha said he took the police to another two rooms. They found another black woman sleeping alone in the second room and later found Healy and Molanga sleeping on a bed in the third room.

He said the couple appeared to be frightened.

Hotel

Sergeant John Henry King said he went to the hotel accompanied by a colleague.

He said Mr Botha took them to a room where they found Healy and Molanga sleeping.

Sgt Botha said he ordered the naked couple to dress.

He said Healy told him he had had sex with Molanga.

Healy told the court he immigrated to South Africa in January and did not understand the laws of this country.

He admitted he knew it was an offence to have sex across the colour line, but said he did not believe it was a serious crime.

Molanga told the court that she met Healy at a nightclub where they danced together.

She said she saw her friends dancing with other white men at the club and later noticed them leaving in pairs.

She said she went to the hotel with Healy in a taxi.

Molanga said she remembered undressing after arriving at the hotel, but did not know what happened later.

Couple guilty of indecent act in car

238 Mail Reporter 21/10/51

A MAN and a woman found performing an indecent act in a parked car were convicted under the Immorality Act in the Johannesburg Magistrate's Court yesterday

Mr Titus Ernest Patrick Milnes, 56, of Shiel Avenue, River Club Extension Six in Sandton,



TITUS MILNES
found guilty

and Miss Esther Raisibe Mokwena, 31, of Vincent Road, Meadowlands, pleaded not guilty before Mr L P Smit

Police evidence was that Mr Milnes was seen performing an indecent act with Miss Mokwena in a parked car in Ninth Street, Birdhaven, on the night of October 3 last year.

Mr Milnes told the court that he gave Miss Mokwena a lift after she had told him she was going to visit her lover at Dunkeld

Miss Mokwena admitted a previous conviction involving prostitution

They were sentenced to three months, suspended conditionally for three years

WORLD

TUESDAY, OCTOBER 27, 1981

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A RAW NERVE

IN THE ominously growing confrontation between Church and State the decision of the Presbyterian Church of Southern Africa to allow its clergymen to marry couples across the colour line in contravention of the Mixed Marriages Act touches a particularly raw nerve

In the whole wicked panoply of apartheid legislation there is nothing that affects the lives of people at a more intimate level than this purely racial prohibition. With its equally misbegotten twin, the Immorality Act, it has been responsible for broken homes and families, suicides, exile, and untold suffering and misery inflicted on innocent as well as convicted people. It has also done much to blacken South Africa's name abroad.

In calling on its ministers not to obey this law, and also to disregard in their preaching the prohibition on quoting certain banned people and literature, the Presbyterian General Assembly was no doubt aware of the serious implications of acts of civil disobedience and of the awesome power of the State to prosecute not only those who defy the law but also those who encourage others to commit an offence by way of protest.

It is not surprising that churchmen find the Mixed Marriages Act intolerably offensive to their consciences, but they have chosen a seemingly ineffectual field on which to do battle. Any form of marriage across the colour line in this country would be declared invalid in South African law, and any minis-

ter conducting the ceremony would, as the Minister of the Interior, Mr Heunis, was quick to point out, probably have his licence as a marriage officer withdrawn by the State

Many senior Nationalists are clearly unhappy about the Mixed Marriages and Immorality Acts and there have been vague rumblings of change. But the whole exploratory process, which also involves the Dutch Reformed Churches, has been so agonisingly slow that Mr Heunis can hardly accuse the Presbyterians of having violated a 'silent agreement' with the Prime Minister

Mr Heunis's statement, in a BBC interview, that he believed in a God of order and that there was 'nothing in Scripture telling people they must stop at a stop street', serves only to emphasise the gulf that exists between Church and State as a campaign of growing militancy and defiance gathers momentum in the non-Afrikaans Churches generally

For centuries there has been uncertainty about what should be rendered unto Caesar and what unto God, and the social morality of politics and economics is more complicated today than it has ever been. This is not a world of absolutes. Concepts of justice and humanity change with the times, as do the dogmas and heresies of the Church. But just as surely as Mr Heunis's stop streets belong to Caesar, these two iniquitous pieces of legislation are the legitimate concern of the Church in South Africa today

Couple lose battle for reclassification

EAST LONDON — A young East London couple have lost their battle for the husband's reclassification

The Minister of Internal Affairs, Mr Chris Heunis, has turned down an application from Mr Neville Matroos to be reclassified from coloured to Indian

And the Department of Community Development has informed him that it cannot grant any extension for him to live in his Mark Lane home in North End and that he will have to move to Buffalo Flats by the end of the month

The double blow has ended an eight year battle by

Mr Matroos, 31, to be reclassified so that he can live with his Indian-born wife, Doreen, 28, and his two children in an Indian area

Mr Heunis said in his letter the matter had been thoroughly investigated and after "careful and sympathetic" consideration, "I unfortunately do not see my way clear to recommend that your classification be amended"

Mr Matroos had affidavits from prominent members of the Indian Community and had sought the help of the Progressive Federal Party MP for Port Elizabeth Central, Mr John Malcomess

Mr Matroos had urged Mr Heunis to reclassify him as he wanted to live in Braelynn Heights where his two children, Michelle, 12, and Salvin, 9, attended school and where his family attended church. He also submitted that all his wife's family and his friends lived in Braelynn Heights

This is the second time Mr Matroos, a shipping clerk living in North End for seven years, has had his application turned down

A dejected Mr Matroos said last night he did not know what his next move would be — DDR

Tough Catholic stand on mixed marriage

RDM
7/11/81
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By MAURITZ MOOLMAN

THE Roman Catholic Church in South Africa has clearly spelled out that its priests would be obliged to marry couples across the colour line regardless of the Mixed Marriages Act.

The church's position is stated in an editorial in the latest issue of the Catholic newspaper Southern Cross by the editor, Father Donald de Beer.

It follows the recent Presbyterian Church decision to request its marriage officers to conduct nuptials across the colour line in defiance of the Mixed Marriages Act.

Whereas Presbyterian Ministers have been requested to do so if necessary, Fr De Beer says "If the couple insist, and there is no churchly impediment, the (Catholic) priest must and will marry them in the eyes of God and the Church, though not in the eyes of the South African State."

"The Church defends the right of any two Christians to marry who are not prevented by Divine or ecclesiastical law. It cannot, therefore, refuse to bless the marriage of two South African Christians on the grounds that their marriage is prohibited by the Mixed Marriages Act."

Sacrament

Fr De Beer says the Roman Catholic Church's view of interracial marriages has always been that marriage is a sacrament and therefore falls under the exclusive jurisdiction of the Church - apart from the competence of the civil authority regarding 'merely civil effects'.

He says any priest asked to perform a mixed marriage will make sure the couple understand the consequences - that according to civil law, the marriage will be regarded as null and void, their children as illegitimate and that they may not be able to live together without being guilty of an offence.

Musician and woman manager on

RDM 15/12/81 238

Mail Reporter

A MEMBER of the Malopoets music group hid in a wardrobe when police arrived at the home of the white woman who managed the group, because he was afraid his presence would arouse police suspicions, an Immorality Act trial heard yesterday.

Miss Vivian Silvia Epstein, 23, of Crown Mines, and the guitarist, Mr Abey Abraham Lluze Mahlobo, 27, of Soweto, appeared in the Johannesburg Magistrate's Court yesterday on two charges of conspiring to contravene the Immorality Act.

They pleaded not guilty to both charges before Mr P J van der Walt.

Mr D Kuny, defending, told the court members of the group frequently visited Miss Epstein's home

Miss Epstein had offered to put Mr Mahlobo up at her home for the night when he was unable to get a lift back to Soweto after the group played in Johannesburg on September 16

It was arranged that Mr Mahlobo would sleep in an outside room normally occupied by Miss Epstein and she would sleep in the main house, Mr Kuny said

Mr Mahlobo got into bed Miss Epstein made coffee and went to speak to Mr Mahlobo

When police arrived, she was fully dressed, but was not wearing shoes

Hid

"Mr Mahlobo went to hide in a wardrobe in an adjoining room when the police knocked

"He did this because he was afraid that he was not entitled to sleep in a white area, particularly that it would be regarded with suspicion if he was found in a room of a white woman late at night," Mr Kuny said

"Miss Epstein and Mr Mahlobo did not have sex nor attempt or conspire to do so"

A neighbour, Mrs Sarah Susana van Vuuren, said she saw Miss Epstein and Mr Mahlobo and another white woman and a black man embracing in the backyard

NEIGHBOUR ... Mrs Sarah van Vuuren, who called police, said she had been "shocked".

ACCUSED ... Malopoets guitarist Mr "Abey" Mahlobo and the group's manager, Miss Vivienne Epstein, with attorney Mr David Dison at court yesterday.

Police

Mrs Van Vuuren said Miss Epstein and Mr Mahlobo held each other

She phoned the police Constable Peter Johnstone said when he went to the house Miss Epstein was wearing a dress She was barefoot and her hair was ruffled.

He searched the house and found Mr Mahlobo hiding in a wardrobe

Const Johnstone said Mr Mahlobo was wearing only his underpants

He said Mr Mahlobo told him several items of clothing found in a wardrobe in the house belonged to him

SEX CHARGE

She had never seen this before and had been shocked.

The four then went into Miss Epstein's home, she said

She later saw Miss Epstein and Mr Mahlobo through a window, on the first floor of the double-storey house

Mrs Van Vuuren said Mr Mahlobo was stripped to the waist and Miss Epstein was wearing a bra

She said she did not see anything more, because the couple ducked out of sight

She said she saw Mr Mahlobo leaving at about 7am the next morning Miss Epstein called him back, saying "Come back, my darling"

Marriages Act

CAPE TIMES 17/12/81

'safeguards' (238)

Own Correspondent

JOHANNESBURG — The Christian League of Southern Africa, which is run by the Rev Fred Shaw, has come out in favour of retaining the Mixed Marriages Act

A league official said yesterday the Mixed Marriages Act safeguarded black women against "sexual exploitation" by white men

A statement asking the government not to scrap the act was drafted by a five-man committee after the issue was discussed briefly at the Christian League's AGM last month and released to the press this week.

In opposition

The recommendation by CLSA to retain present legislation is directly in opposition to calls by most other churches, excepting the Afrikaans churches, to have the act scrapped

Earlier this year the Presbyterian Church requested its ministers to defy the act and marry couples across the colour bar after the couples had been informed of the consequences if they still wanted to be married

In the statement, put forward as a resolution approved "unanimously by the AGM of CLSA" the Christian League claims the support of the Reformed Independent Churches Association (Rica)

and the Southern Africa Theological College for Independent Churches Rica has more than 800 member churches claiming more than four million black members

A CLSA committee was formed to supply the government with the churches' views on the Mixed Marriages Act

Mr Shaw last year resigned from the Methodist Church after the church put an ultimatum to him to withdraw from the league after it became known that the league has received secret government funds

'Vulnerable'

Mr E P Cain, secretary of the CLSA, said yesterday the Christian League was of the opinion that the Mixed Marriages Act safeguards "vulnerable" black women against "sexual exploitation" by white men

The CLSA said the issue had to be viewed in the broader field of Christian responsibility. The exploitation of black women and their vulnerability still remained a pertinent consideration in respect of the Immorality Act

The CLSA said it therefore "most seriously" requested the government to "withstand all attempts to weaken or alter present legislation and the act to be retained as it is"

ALMA

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(238) Sewell 18/12/81

MUSICIAN ON immo charges

A member of the Malopoets music group hid in a wardrobe when police arrived at the home of the white woman who managed the group, because he was afraid his presence would arouse police suspicions, an Immorality Act trial heard in Johannesburg this week.

Miss Vivian Silvia Epstein (23) of Crown Mines and the guitarist, Mr Abey Abraham Eluze Mahlobo (27) of Soweto, appeared in the Johannesburg Magistrate's Court on two charges of conspiring to contravene the Immorality Act.

They both pleaded not guilty before Mr P Ivan der Walt.

Mr D Kony defending told the court members of the group frequently visited Miss Epstein's home. Miss Epstein had offered to put Mr Mahlobo up at her home for the night when he was unable to get a lift back to Soweto after the group played in Johannesburg on September 10.

SUSPICIOUS

When a neighbour called police after becoming suspicious, Mr Mahlobo hid in a wardrobe because 'he was afraid he was not entitled to sleep in a white area,' Mr Kony said particularly in the room of a white woman late at night.

"Miss Epstein and Mahlobo did not have sex nor attempt or conspire to do so."

A neighbour, Mrs Sarah Susana van Vuuren, said she saw Miss Epstein and Mr Mahlobo and another white woman and a black man embracing in the backyard. She had never seen this before and had been shocked.

The next morning, she told the court, she had heard Miss Epstein calling to Mr Mahlobo "Come back my darling." She had then called the police.

The trial was adjourned to January 27 — Sapa

We recall from Section 2.6 that the bar may be statically determinate, statically indeterminate, or a mechanism. It is much easier to see into which of these categories the bar falls by considering the subsystems of free bodies I, II and III shown in Fig 2.40 (c). The criteria discussed in Section 2.6 may then be applied separately to each of the cases. For sub-problem (I), three equilibrium equations are available, for (II), two are available (since the loads act only in the z-direction), and, for (III), one equation is available. Therefore, each of the subsystems may be classified as statically determinate, indeterminate or a mechanism, according as the number of independent reactions is equal to, greater than, or less than the number of equations available for the case considered. The bar is statically determinate if and only if each of the subsystems is determinate. If any one of the subsystems is statically indeterminate, the methods of Section 2.13 may be applied to the subsystem in question.

Examples 2.14 (a) illustrate the applications of these ideas to bars which are loaded arbitrarily.

In order to examine the internal forces in a bar with arbitrary loading, consider the bar shown in Fig 2.41, which is subjected to a distributed load $\underline{p}(x)$ per unit length, as well as concentrated loads and/or reactions at its ends A and B. Referred to the local axes of the bar, the load is given by

$$\underline{p}(x) = p_x \underline{i} + p_y \underline{j} + p_z \underline{k} \quad (2.92)$$

The forces and moments at the ends are

$$\underline{P}_A = H_A \underline{i} + V_A \underline{j} + R_A \underline{k} \quad (2.93)$$

$$\underline{C}_A = T_A \underline{i} + L_A \underline{j} + M_A \underline{k} \quad (2.94)$$

with similar expressions for the forces and moments at end B. We assume that $\underline{p}(x)$, \underline{P}_A , \underline{P}_B , \underline{C}_A and \underline{C}_B form an equilibrium set, that is, that the reactions have been found by the method discussed earlier in this Section.

Hansard 26/3/80 (238)
8(503)

5. The fixed costs of a firm

- (a) are fixed only in the short period
- (b) when expressed as an average, do not change with output
- (c) increase with the level of output

- (1) (a) and (b) are both correct
- (2) (a) and (c) are both correct

(3) on

(4) onl

(5) onl

6. An indif same,

(1) comk to a

(2) a co

(3) the price ratio between one good and another which rate differently in the consumers schedule of preferences

(4) combinations of goods which yield a consumer equal amounts of satisfaction

(5) the amounts of commodities that a consumer will buy at given prices

7. Assuming a two-commodity world, and assuming the household seeks to maximise its total utility, it will allocate its budget so that

(1) $\frac{\text{marginal utility of A}}{\text{marginal utility of B}} = \frac{\text{price of B}}{\text{price of A}}$

(2) marginal utility of A = marginal utility of B

(3) $\frac{\text{marginal utility of A}}{\text{total utility of A}} = \frac{\text{marginal utility of B}}{\text{total utility of B}}$

(4) $\frac{\text{marginal utility of A}}{\text{marginal utility of B}} = \frac{\text{price of A}}{\text{price of B}}$

(5) either A or B is purchased, but not both

8(503) Abortion and Sterilization Act
296 Mr N B WOOD asked the Minister of Health

(a) How many women have had more than one abortion in accordance with the provisions of the Abortion and Sterilization Act, 1975, since the Act came into operation and (b) how many of these women had their second abortion on the same grounds as they had their first one?

The MINISTER OF HEALTH.

(a) and (b) No statistics are available.

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Hansard 8 of 3598

26 MARCH 1980

3598

**POPULATION REGISTRATION
AMENDMENT BILL**

(Second Reading)

The DEPUTY MINISTER OF THE INTERIOR Mr Speaker, I move—

That the Bill be now read a Second Time.

It is common knowledge that the identity document issued to persons 16 years and older is not popular owing to its size as it is too big and inconvenient to carry on one's person. Experience has also shown that the identity document issued to persons under the age of 16 years at great cost, has not achieved as much as in practice very little use is made of the document. In the light of foregoing, a departmental committee of inquiry was appointed to inquire into and to make recommendations on how, *inter alia*, the following decisions of the Cabinet could be implemented—

(a) that the size, number of pages and division of the identity document be reduced as deemed fit, after consultation with the departments and instances concerned, and

(b) that the identity document for children be substituted

The committee completed its investigation during October 1979. After a thorough investigation it was decided—

(a) that the existing identity document be reduced in size and that the contents thereof be limited to essential information, and

(b) that the existing identity document for children be replaced with a certificate printed by computer to be known as a "certificate of particulars of birth"

Those recommendations that require amendment of the Population Registration Act are contained in this Bill

*To make it practicable and convenient to carry the identity document on one's person, it has been found that the size of the existing document should be reduced from 130 mm x 100 mm to 110 mm x 80 mm, which would still make it possible for the information it contains to be printed by means of a computer. With regard to the essential information that has to be contained in this document, it has also been decided that the present number of inner pages should be reduced from 48 to 16. Particulars appearing in the identity document at present and which have to be omitted as proposed in the Bill, are for example miscellaneous immunizations, blood group, illnesses or complaints, allergies, and the removal of the name of the holder from the population register after death.

The proposed smaller identity document would offer sufficient space to contain particulars of identity, photograph, six fire-arm licences, marriage certificate and change in marital state, explanation of identity number and particulars with regard to the reporting of any changes of address, driver's licence and restrictions, as well as endorsements to licences, codes and classes of vehicles in drivers' licences, birth certificate as well as a blank page which would be reserved for official use.

Since the existing document will continue to remain in use after the introduction of the smaller identity document, the latter would only be issued to persons under the following circumstances—

(a) to all new applicants,

(b) only when an important fact in the identity document changes—for example, marital state, driver's licence, etc.—and

(c) whenever a person has lost his identity document

for full first see debate.

24/3/80

Hansard 8 Quest Col 435
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2(435) Immorality Act
24/3/80 (238)
427 Mr H E J VAN RENSBURG asked
the Minister of Police

- (1) How many suspected contraventions of the Immorality Act were investigated during 1979 in the area falling under the Randburg police,
- (2) (a) how many persons were charged and (b) what was the charge in each case?

The MINISTER OF POLICE

- (1) 2
- (2) (a) 4
- (b) Contravention of section 16 (2) (a) (i) and section 16 (1) (a) (i) of Act No 23 of 1957

Hansard

identity document.

The MINISTER OF THE INTERIOR replied to Question #2 by Mr D J Darling

5(312) 7 2 00 (238)
Question.

- (1) Whether the decision to issue a smaller, more condensed identity document is being implemented,
- (2) whether he will make a statement on the progress made to date?

Reply.

- (1) Yes
- (2) The report of the Departmental Committee of Inquiry into the issuing of a smaller identity document has already been considered by the Cabinet. A Bill to amend the Population Registration Act, 1950 will be introduced in this House as soon as possible. The new smaller identity document will be issued with effect from 1 April 1980 or as soon as possible thereafter, depending on when the Bill will become law and the availability of the necessary equipment.

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Immorality Act

425 Mr H. F. VAN RENSBURG asked the Minister of Justice

- (1) How many cases under section 16 of the Immorality Act were heard at the Pandoury Magistrate's court during 1979,
- (2) (a) how many persons were (i) acquitted, (ii) convicted and (iii) recalled on appeal or committal and (b) what the sentence of the case of each convicted person?

The MINISTER OF JUSTICE

- (1) 2
- (2) (a) (i) 1 (ii) 1 (iii) 0
- (2) (b) 5 months imprisonment suspended for five years

Flansard to Quest

Col 366

4/3/80

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MARCH 1980

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Population registers for voters' lists
decentralized compilation

Mr. D. J. ... asked the Minister of the Interior

(1) ... departmental committee ... decentralised compilation ... population register and ... report of ... anticipated that he ... submitted if ... recommendations of the committee.

(2) ... whether consideration has been given to ... of ...

The MINISTER OF THE INTERIOR

(1) ... the functions of the Department of the Interior be decentralized ... practicable

(2) ... recommendations are still under consideration ... however that I am on the point of taking the ... to the Cabinet for a final decision

24/3/80

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married and (b) unmarried women in each race group who were (i) under 14 years, (ii) 14 to 18 years, (iii) 18 to 25 years, (iv) 25 to 35 years and (v) over 35 years of age;

graphs (a), (b), (c) and (d) of section 3(1) of the Act?

how many of these abortions in each case were procured in terms of para-

The MINISTER OF HEALTH.

(1) and (2) Figures are only available for the period 1 January 1979 to 30 November 1979

	Section 3(1)(a)	Section 3(1)(b)	Section 3(1)(c)	Section 3(1)(d) (aa)	Section 3(1)(d) (bb)
0-14 years					
White					
Unmarried	—	7	—	—	—
Married	—	—	—	—	—
Black					
Unmarried	—	3	—	1	—
Married	—	—	—	—	—
Coloured					
Unmarried	1	5	—	2	—
Married	—	—	—	—	—
Asiatic					
Unmarried	—	—	—	—	—
Married	—	—	—	—	—
	1	15	—	3	—
15-19 years					
White					
Unmarried	4	44	11	2	—
Married	—	1	1	—	—
Black					
Unmarried	1	5	—	3	—
Married	—	—	—	—	—
Coloured					
Unmarried	3	1	—	1	1
Married	—	—	—	—	—
Asiatic					
Unmarried	—	1	—	—	—
Married	—	—	1	—	—
	8	52	13	6	1
20-24 years					
White					
Unmarried	10	25	5	—	—
Married	6	4	17	—	—

TUESDAY, 25 MARCH 1980

†Indicates translated version

For written reply: 24/3/80

3440 24/3/80 238
Abortion and Sterilization Act

50. Mr. H. E. J. VAN RENSBURG asked the Minister of Health:

(1) How many abortions in accordance with the provisions of section 3 of the Abortion and Sterilization Act were carried out during the period January to 31 December 1979 on (a)

20-24 years
White

	Section 3(1)(a)	Section 3(1)(b)	Section 3(1)(c)	Section 3(1)(d) (aa)	Section 3(1)(d) (bb)
Black					
Unmarried	—	4	—	—	—
Married	—	—	2	—	—
Coloured	—	—	—	—	—
Unmarried	—	1	2	1	—
Married	1	—	—	—	—
Asiatic	—	—	—	—	—
Unmarried	—	—	—	—	1
Married	—	—	—	—	—
Total	17	34	26	2	2

25-29 years

	Section 3(1)(a)	Section 3(1)(b)	Section 3(1)(c)	Section 3(1)(d) (aa)	Section 3(1)(d) (bb)
White					
Unmarried	—	—	—	—	—
Married	2	17	6	1	—
Black	6	13	14	—	—
Unmarried	1	2	—	—	—
Married	6	—	1	—	—
Coloured	—	—	—	—	—
Unmarried	—	2	—	2	—
Married	3	1	—	—	—
Asiatic	—	—	—	—	—
Unmarried	1	—	—	—	—
Married	3	—	—	—	—
Total	22	35	21	3	3

30-34 years

	Section 3(1)(a)	Section 3(1)(b)	Section 3(1)(c)	Section 3(1)(d) (aa)	Section 3(1)(d) (bb)
White					
Unmarried	—	—	—	—	—
Married	1	8	8	—	—
Black	12	15	7	—	—
Unmarried	—	—	—	—	—
Married	1	1	4	—	—
Coloured	—	—	—	—	—
Unmarried	1	—	—	—	—
Married	12	1	2	—	—
Asiatic	—	—	—	—	—
Unmarried	—	—	—	—	—
Married	1	—	—	—	—
Total	29	25	21	—	—

35-39 years

	Section 3(1)(a)	Section 3(1)(b)	Section 3(1)(c)	Section 3(1)(d) (aa)	Section 3(1)(d) (bb)
White					
Unmarried	—	7	—	—	—
Married	8	10	8	—	—
Total	8	17	8	—	—

20-24 years
White

	Section 3(1)(a)	Section 3(1)(b)	Section 3(1)(c)	Section 3(1)(d) (aa)	Section 3(1)(d) (bb)
Black					
Unmarried	—	—	—	—	—
Married	3	3	1	—	—
Coloured	4	1	—	—	—
Unmarried	—	—	—	—	—
Married	1	1	—	—	—
Asiatic	—	—	—	—	—
Unmarried	—	—	—	—	—
Married	8	—	—	—	—
Total	24	23	10	—	—

25-29 years

	Section 3(1)(a)	Section 3(1)(b)	Section 3(1)(c)	Section 3(1)(d) (aa)	Section 3(1)(d) (bb)
White					
Unmarried	—	—	—	—	—
Married	9	2	3	—	—
Black	—	9	—	—	—
Unmarried	—	—	—	—	—
Married	2	—	1	—	—
Coloured	—	—	—	—	—
Unmarried	—	—	—	—	—
Married	8	—	—	—	—
Asiatic	—	—	—	—	—
Unmarried	—	—	—	—	—
Married	—	—	—	—	—
Total	19	11	4	—	—

30-34 years

	Section 3(1)(a)	Section 3(1)(b)	Section 3(1)(c)	Section 3(1)(d) (aa)	Section 3(1)(d) (bb)
White					
Unmarried	—	—	—	—	—
Married	2	1	1	—	—
Black	—	—	—	—	—
Unmarried	—	—	—	—	—
Married	—	—	—	—	—
Coloured	—	—	—	—	—
Unmarried	—	—	—	—	—
Married	1	—	—	—	—
Asiatic	—	—	—	—	—
Unmarried	—	—	—	—	—
Married	—	—	—	—	—
Total	3	1	1	—	—

Grand Total

123	196	96	14	1
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