NIG. LAB., S.A. - Pass Laws - General

16-4-80 - 31-12-80
The Appeal Court has ruled that the regulation which forces people to have a lodger's permit to live in a room in a house in a black township is 'ultra vires'. This means that this regulation is not law because it makes demands which the Urban Areas Act does not allow.

Therefore, no one can any longer be forced to have a lodger's permit in order to be allowed to live in a black township.
Sash wary on pass judgment

PEOPLE who qualify to be in towns because of the Appeal Court judgment last week might still have a legal battle ahead of them.

The director of the Black Sash Advice Office, Mrs Sheena Duncan, yesterday said people might have to ask the Supreme Court to compel officials to give them Section 10 (1) (c) stamps in their reference books.

The Sash has advised people wanting its offices to wait for a few more days and then go to ask administration board offices for the stamp.

"We are waiting for the implications of the judgment last week to filter down to the junior officials before people start applying for the stamp," Mrs Duncan said.

"But from Dr Koornhof's remarks it seems as if people are going to have to fight every inch of the way. It is very important that people should start now to establish their rights."

In a statement to POST, Mrs Duncan said: "Families who are living together in black urban townships but who are at the moment "not permitted" to do so can now hope that their position will be regularised.

WORK

"The first thing which must be done is to check the husband's qualification. If he has lived in one town ever since he was born he should have a stamp in his pass which says "permitted to remain in the prescribed area of..."."

Section 10 (1) (b) of Act 25 of 1945:

"If this stamp is not in his pass he should go to the Labour Bureau and ask for it."

When this stamp is in his book, he can take his wife and children with his marriage certificate and his children's birth certificates to the Influx Control officer of the administration board and ask for the stamp "permitted to remain in the prescribed area of... in terms of Section 10 (1) (c) of Act 25 of 1945" to be put in his wife's pass and on the back of his children's birth certificates. If the children are over 16 years the stamp can be put in their reference books if his daughters are unmarried and only if his sons are still under 18 years of age," Mrs Duncan said.

WOMAN

"A woman who is widowed or divorced or unmarried can claim the same 10(1) (c) right for her unmarried daughters and her sons who are not yet 18 years old if she is 10(1) (a) or (b)."

"This is all very complicated and statements made by Dr Koornhof and spokesman for the administration boards seem to show that people may have difficulty in getting their passes stamped with 10(1) (c) rights."

"The Black Sash, whose offices in Johannesburg are at 42 De Villiers Street near Park Station, will try to help. There are Black Sash offices in Pretoria, Durban, Pietermaritzburg, Grahamstown, East London, Port Alfred and Cape Town."

"The Council of Churches offices at Holy Cross Anglican Church, Orlando West, Soweto, Natalbouw and Port Elizabeth will also help. The Legal Resources Centre which is the in Johannesburg and will always help people in trouble."

"If any woman who is married to a qualified man is arrested for a pass law offence she can get legal assistance through the Becker Street advice office of the Witwatersrand Council of Churches at 135 Buildings, corner of Becker and President Streets, Johannesburg. This office will try to obtain the assistance of a lawyer to defend any person arrested and charged with a pass law offence.

ORDERS

"If the authorities do not accept the Appeal Court ruling it may be necessary for people to go to the Supreme Court for orders compelling the administration boards to recognise the rights of wives and children of qualified people. It is very important that people should try to put their papers in order now in case the Government decides to change the law again when Parliament meets next year."

"The Appeal Court ruling applies to all qualified black people who live in any town outside the bantustans except for Alexandra township in Johannesburg which has a separate set of regulations. People who live in Alexandra should seek advice before they approach officials."

"The reprieve on wives and children who are in towns "illegally" stems from an Appeal Court decision last week that Mrs Veli Komani had a legal right to stay with her husband in Guguletu, Cape Town, as a 10(1)(c) qualified person."

Mrs Duncan said: "Many black women in the past 20 years have been refused permits to live with their husbands in towns and cities all over South Africa."
Waiting for Koornhof

It is 14 months since Dr. Piet Koornhof, the Minister of Cooperation and Development, made some memorable comments to the National Press Club in Washington.

He reiterated his view: "... I detest the oppressor. I declared war on the oppressor. That thing must be ousted, completely and totally out of my country and I have requested my officials to work on it. They have been doing it and the oppressor will be ousted in my country sooner than later and I am working as far as this is concerned or a month span and not a year time-span."

Those were brave words and they very understandably created high expectations of swift and basic change. Particularly because they came hard on the heels of the Government's White Paper on the Riekert Report, with its own promise of substantial amelioration of the oppressor control system, not least in regard to encouraging normal family existence for black people.

As we say, that was 14 months ago.

Yet even if Dr. Koornhof, for whatever reason, it might have been unable thus far to deliver the goods, he has had, for the past 10 days, a golden opportunity to go at least part of the way.

The Appellate Division has given him the opportunity, through its judgment in the Komani case, in which it declared ultra vires the requirement for lodger's permits for the wives, sons and daughters under the age of 18, of blacks who qualify to be permanently in the cities. That should effectively enable some presently "illegal" wives and children to be with their menfolk.

His initial reaction to the judgment has been cool.

A week ago he was saying he had not yet obtained a copy of the judgment (even though it had already been available in Johannesburg).

We hope that, by now, the tortoise in Dr. Koornhof's life which attends to these things for him has borne a copy of the judgment from Bloemfontein to Pretoria.

Even more, we hope he is in the process of reconsidering that first statement of his in which he said it would be wrong to make general statements about influx control because the judgment related to an individual case.

For surely Dr. Koornhof will not wish to miss out on this court-sent chance to relieve the burden of influx control.

He does not have to go through any struggle to have new legislation enacted by Parliament. He does not have to fight to have new regulations drawn up. He does not have to persuade possible critics in the National Party caucus about the need to follow a new road.

All he has to do is to instruct his officials to observe the law: to register those wives and children who qualify to be in city areas.

Will Dr. Koornhof do it? And in so doing serve the cause of better family life and improved race relations? And in so doing put some of his promises into effect?

We hope so.
Unregistered unions get legal boost

By STEVEN FRIEDMAN
Labour Reporter

The Industrial Court yesterday ruled that all trade unions, whether or not they are registered, can bring matters before the court on behalf of their members.

The ruling, which came in response to legal argument in the court's first major test case, is seen as a significant breakthrough for the black trade union movement.

In another crucial ruling, the court agreed to hear evidence on allegations that an employer who had refused to renew the contract of a migrant worker had been guilty of an "unfair labour practice" even though he was within his legal rights not to renew the contract.

This too is seen as an important victory for black workers because it makes it possible for a contract worker whose employer refuses to renew the contract to seek relief from the Industrial Court even though the employer was legally entitled to refuse to renew the contract.

The judgment was handed down by the court's deputy president, Mr. Benjamin Parsons, assisted by two assessors, Professor P. A. K. le Roux and Mr. D. S. Harris.

It followed legal argument in a case brought by the unregistered Metal and Allied Workers' Union and a contract worker, Mr. Stephen Maponya against a Johannesburg company, Precision Tools.

The union and Mr. Maponya allege that the company refused to renew Mr. Maponya's migrant service contract as a reprisal for his union activities. The company denies this as its reason.

The immediate effect of the court's ruling is that counsel for Mr. Maponya and the MAWU can now lead evidence before the court in an attempt to establish their case. The court will sit next month in order to hear this evidence.

The Industrial Court, in its establishment, has followed the recommendations of the Wits University Commission and one of its chief functions is to hear cases in which workers allege they have been victims of "unfair labour practices".

In a statement issued last night the union described the court's ruling as "a great victory" and "a step in the right direction".

The union said the judgment could create problems for employers who refuse to renew labour contracts "without valid reason".

The union also welcomed the court's ruling that the union had locus standi to represent its members before the Industrial Court and described this as "a highly significant breakthrough".

Legal sources last night described the judgment as "heartening" and added that the court had "shown a flexibility and a willingness to cast aside formalism".

On the question of the union's standing in court, the judgment found there was no obligation under industrial law for a trade union to seek Government registration. It also found that a union can exist for the purposes of industrial legislation without being registered.

In addition, in a more significant finding, it also found that trade unions have the right to represent their members in the court.

An earlier Supreme Court judgment on the "Johannesburg case" had held that trade unions have no standing to bring legal actions on behalf of their members. Legal sources warned at the time that this meant black workers who wished to protect their rights in the court could only do so individually.
Unregistered union's legal breakthrough

By Sieg Hauff
Labour Editor

Trade unionists and labour lawyers today hailed the first decision made by South Africa's new Industrial Court on a case of an alleged unfair labour practice.

The presiding officer, deputy president Mr B J Parsons, assisted by two assessors, ruled that

An unregistered trade union concerned in the case was entitled to bring this case to court.

Evidence could be heard in connection with the allegation that an employer had committed an unfair labour practice by failing to renew a migrant worker's contract.

Lawyers are still studying the ruling but they see it as throwing open the Industrial Court to unregistered unions acting on behalf of their members, at least in cases of unfair labour practice.

They also believe that while the employer is entitled to allow a migrant worker's contract to lapse, it may now become illegal to do this where the motive can be shown to be victimisation and where the worker had reason to expect the renewal of his contract.

The court's ruling was commended as a "welcome decision" by a spokesman for the Federation of South African Trade Unions.
BYLAGE—SCHEDULTE 1

REFERENCE BOOK—DEVYSBOEK

WARNING: It is an offence for any person who is not authorized or required thereto by law to make any entry in this book.

WAARSkuwing: Dit is 'n ontsorgende zaak dat enige persoon wat nie deur wetlike emissies geëngageer is, op dié wêreld skryf kan.

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SECTION A—AFDELING A

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SECTION B—AFDELING B
SECTION 10 RIGHTS

Come home, Mrs Komani

By a ruling of the Appeal Court (Current Affairs, August 22) Nonceba Komani may now legally live with her husband Veli in Guguletu in the Cape. However, the crucial issue for thousands of other black women and children is whether they, too, have the right to live and work in prescribed areas because they qualify to do so in terms of Section 10 (1) (c) of the Black (Urban Areas) Consolidation Act of 1945.

The judgment is now law and confers this right without the need for lodgers’ permits. The challenge to Co-operation and Development Minister Piet Koornhof— who was not available for comment this week, but who is on record as saying how much he hates the pass laws—is whether he intends to pass legislation to restore the position, pre-Komani, and whether government intends to maintain stringent influx control.

Litigation

The Act, in sub-sections 10 (1) (a) and (b), states that blacks may remain for more than 72 hours in a prescribed (generally urban) area if they were born and have “resided continuously” there since birth; or worked there continuously for one employer for 10 years, or “lawfully resided continuously” in the area for not less than 15 years.

Section 10 (1) (c) has been a cause of controversy and litigation for many years—as in Komani’s case. It grants permission to stay if “such black is the wife, the unmarried daughter or son under the age of 18 years of any black mentioned in paragraph (a) or (b) of this sub-section and after lawful entry into such prescribed area, ordinarily resides with that black in such area.”

Until last week, the phrase “ordinarily resides” was taken by the courts to mean “lawfully ordinarily resides.” This meant that when a wife, daughter or son under 18 lived with the man of the family without a lodger’s permit— as required by Regulation 20 (1) of 1988, qualifying the Act— they did so illegally, and were subject to arrest and endorsement out to a homeland.

However, last week, Chief Justice CJ Rumpff (with the concurrence of four other Supreme Court judges) found Regulation 20 (1) to be ultra vires.

In his judgment he stated: “I am of the opinion that a person residing in terms of Section 10 (1) (a) of the Act must be deemed to be lawfully residing in that area, subject of course, to such conditions as may validly be imposed. If this view is correct, then the literal words of Regulation 20 (1), namely that ‘no person other than any holder of a site or residential permit shall reside in the black residential area unless he has first obtained a permit, hereinafter referred to as a lodger’s permit,’ are inconsistent with the intention of the legislature.”

Any attempt to use Regulation 20 (1) to impose prohibitions on a person with Section 10 (1) (a) rights would therefore be “unauthorised,” and it followed that the Regulation as a whole was ultra vires. No-one may be required to hold a lodger’s permit.

The immediate response in legal and civil rights circles was that the system of lodgers’ permits for whites and children had fallen away. People who qualified for Section 10 (1) (c) rights were urged by the Black Sash to apply for the appropriate endorsement. Estimates were that many thousands would be affected, that the possibility of normal family life for men legally in the urban areas had been enhanced, and that the number of those who would now qualify for approved housing in Soweto alone could double.

However, at the weekend, Minister Koornhof stated that there would be no mass influx into the cities, since the Appeal Court judgment was based on the facts of a single case in the Cape.

Regulation invalid

But, according to Professor John Dugard, director of Wits University’s Centre for Applied Legal Studies, “it is impossible to confine the effects of removing the regulation to one person, because the court has ruled the whole regulation to be invalid... generally, when a regulation is declared ultra vires, it has implications going beyond one particular case.”

The administration boards, awaiting a departmental directive from Koornhof, are continuing to maintain the status quo applicable before the Rumpff judgment. It seems possible that only orders from the Supreme Court will compel them to put the judgment from the Komani case into effect.

Since 1964, it has been government policy, through the local authorities then the administration boards, to almost always refuse to allow a wife to enter a prescribed area to live with her husband. This has been part of the influx control structure. And, when challenged, government’s response was to cite the housing shortage. Yet between 1968-1978 a short-
age was deliberately created by govern-
ment policy that no black family housing
should be built in urban areas.

Even if they have possessed Section 10
(1) (a) or (b) rights, people have hitherto
been breaking the law if they have lived in
any township house without a lodger’s
permit. In terms of the Komann judgment,
that now falls away, as does the offence
for which many have been fined for allow-
ing people to live in their houses without a
permit. 'It was not intended that Regula-
tion 20 (1) might be considered valid in a
part and invalid in other parts,' said
Chief Justice Rumpiff.

The declaration that Regulation 20 (1) is
ultra vires does not sanction the large-
scale movement of wives and children
from the homelands to join their men who
are registered in work. Those who are
affected are the large numbers of wives
and children who have refused to be sepa-
rated from their Section 10-qualified men
and have continued to live with them,
although 'illegally.'

There are areas that might need further
clarification—for example, the length of
time a woman must have lived with her
husband in the prescribed area to be
considered 'legally resident.'

The Black Sash has said it will refer
cases of women and children who are
refused Section 10 (1) (c) rights to attor-
neys for possible action in the Supreme
Court. If the administration boards con-
tinue to deny such rights to those claiming
them, and the Supreme Court treats each
case on its merits, legal argument could
continue for years.

Will Minister Koornhof—wearing his
flakkop hat—use his powers to amend
the Urban Areas Act so that wives and
children may automatically be entitled to
live with their men as normal families?

This would be in keeping with the spirit
of the Riekerl Report, which recommend-
ed that 'Black persons who obtain Section
10 (1) (a) or (b) qualifications and who
marry or are already married should be
allowed to have their families join them,
provided approved housing is available,
irrespective of the area of origin of their
families, and in so far as the allocation of
housing is concerned, no distinction should
be made between Section 10 (1) (a) or (b)
persons on the ground of the area of origin
of their lawful wives and legitimate
dependants.'

In its white paper, government accepted
this recommendation. But, as has been
shown, government can control the avail-
ability of approved housing.

Section 10 (1) (c) rights now exist for a
large number of wives and children of
qualified men, which means that the pro-
vision of housing becomes a central issue.
To thousands of black men in the Western
Cape, the squatter conditions of Cross-
racks—where they live with their fami-
lies—are preferable to single quarter
barracks. Appalling shortages exist in
places like Kibitown, and in Soweto the
position is critical.

The shortages can best be dealt with by
the large-scale implementation of site-
and-service schemes for these families.
This means lowering the standards of
'approved housing'—but if health and
sewerage facilities are provided, this is
surely better than the disorganised growth
of squatter settlements. Informal sector
trading and services would, in turn, pro-
vide work for many.

Many hopes have been raised last
week's judgment. If they are not to be
dashed, with the concomitant heightening
of racial tensions, the bureaucratic 'tor-
ton' Koornhof has referred to needs
clear directives from Pretoria. To dismiss
the Komann case as applying to one family
only is to connive at the very discrimina-
tion government has professed it abhors.

We know that the generalised displacements must describe the displacement of
a generic point on the centre line of the bar and the rotation of the cross-
section on that point. In the general case we introduce a displacement
vector \( u(x) \) and a rotation vector \( \varphi(x) \) (note that the use of a rotation vector
is justified by the assumption that the rotations are small) where in the
local coordinate system,

\[
\begin{align*}
  u(x) &= u(x)j + v(x)\hat{z} + w(x)k \\
  \varphi(x) &= \phi(x)j + \psi(x)\hat{z} + \theta(x)k
\end{align*}
\] (5.58a)

The components are shown diagrammatically in Fig. 5.12.
No 1815  
VORM VAN HERKENNINGSBEWYS—WYSIGING VAN GOVERNMENT NOTICE 775 VAN 1980

Ek, Peter Gerhardus Jacobus Koornhof, Minister van Samewerking en Ontwikkeling, wyig hiermee, in opdrag van die bevoegdheid my verleend by artikel 2 (1) van die Swartes (Afskaffing van Passe en Koördinering van Dokumente) Wet, 1952 (Wet 67 van 1952), Gawermentskennisgewing 775 van 1980 noreenkomstig Bylae 1 en 2 hiervan

P G J KOORNHOF, Minister van Samewerking en Ontwikkeling.

SCHEDULE/BYLAE 1

Substitute the following section for Section H of Schedule 1
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Photograph  Foto

SCHEDULE/BYLAF 2

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Photograph  Foto
Silence on test case:

Dr PIET Koornhof, Minister of Co-operation and Development, was not in a position yesterday to comment on the historic Appeal Court judgment which opens the way for black men with urban residence rights, to have their wives and children live with them.

A spokesman for Dr Koornhof's office confirmed the receipt of a telex sent to Dr Koornhof by the Rand Daily Mail this week.

However, the telex had not yet been relayed to Dr Koornhof because of severe pressure of work, the spokesman said.

The historic judgment dismissed as ultra vires a regulation barring black wives and children without urban residence rights from living with their menfolk in urban areas.
A CHIEF public prosecutor dramatically walked out on his job in the middle of a case this week — after telling the court he was no longer prepared to "serve apartheid".

In an amazing protest Mr A R Klein, chief prosecutor in the criminal section of the Pretoria Commissioner's Court, interrupted the trial of five black men charged under curfew regulations on Friday.

He told the magistrate he was refusing to proceed with the prosecution because of various irregularities which he alleged had taken place in preceding cases.

"In short, I am not prepared to apply apartheid under the guise of justice," he said and stormed out of the court.

Yesterday Mr Klein, who is completing his law studies at the University of Pretoria, told the Sunday Times he had hesitated for many months.

"But on Friday, when in quick succession I was confronted with all the distortions of the system, I had once again to decide: 'Do I remain silent, or do I throw my cards on the table'?"

"I decided that, as an individual was not important, when it came to the 12,000 or more people who are still prosecuted under the system in Pretoria alone each year, people who experience the very real hardships of the system, despite Dr Knoorhof's announcement that 'apartheid is dead'."

Mr C N Welman... notes to the court

By MARTIN WELZ

itor must be given an opportunity to test the merits of the application and address the court on the application," Mr Klein told the Sunday Times afterwards.

"It is common practice that files are handed to me with notes from the commissioner that no bail should be granted.

"When I once had the temerity to say that I would not automatically oppose a bail application without having considered the merits of the case, I was summarily removed from that court shortly before the cases were to begin.

"In the case that immediately followed the one in which Professor Strauss appeared, the accused — who was charged with an identica
cal offence — was given bail of R150, even though I had recommended that he should be released on R50 bail, as his family would have great difficulty in raising a larger amount.

"In the next case five black men were simultaneously brought to the dock and charged with failing to produce reference books when asked to do so by a policeman.

"The law requires that the police should have taken them to fetch the reference books under those circumstances, before they could be validly charged."

...To Page 2
'I quit,' says lawyer

From Page 1

stances, before they could be validly charged. On their evidence they were entitled to be found not guilty.

Instead, the court summarily postponed the cases for four days, for which time the accused would be held in custody.

'It is for the prosecutor to ask for a postponement if he considers it reasonable and necessary, but I did not ask for a postponement.'

The magistrate was simply carrying out office policy, which is to postpone all pass cases for at least four days so that Reference Bureau officials can be given the opportunity to check and update their records under the guise of legitimate court proceedings.' Mr Klein said.

'Besides being an improper use of the court, this effectively means that every black person arrested on a pass offence charge faces an automatic five to seven days in prison, regardless of whether he is able to prove his innocence on the charge or, in fact, is prepared to immediately plead guilty.' Mr Klein said.

The procedure was confirmed by a senior court official, who did not wish to be quoted.

'It is necessary because we have a lot of trouble these days with false reference books,' he said.

The official said a set of fingerprints was taken in each case and then referred to the Reference Bureau for checking.

'This all takes time,' he said.

When asked for comment the chief commissioner said that departmental rules forbade him to talk to the Press.

Mr Klein has written to the Attorney-General to inform him of the circumstances of his resignation.

He said he was compiling a full report on his experiences in the court over the past year for submission to the Attorney-General of the Transvaal.
"I simply transposed his words slightly and put them into effect. I am not prepared to carry out apartheid," Mr. Klein said.

After Mr. Klein left the court on Friday, the magistrate, Mr. G. Boshoff, looked ashen, immediately adjourned proceedings, while officials herded the five accused men back to the court cells.

In his announcement to the court, Mr. Klein listed these reasons for his decision:

1. In the first case before the court on Friday a Malawian charged with being an illegal immigrant, the case was postponed and the accused released on his own recognisances, without any evidence or argument having been heard in court.

Granted

Mr. Klein said that the court file contained a note from the Chief Commissioner, Mr. C. N. J. Welman, that bail should be granted in the case.

A later note from Mr. Welman, however, said that the accused should be released on his own recognisances, "apparently because of the influence of Professor S. A. Strauss (a law professor from the University of South Africa) who had been to see him about the case.

"The magistrate in this case was acting on instructions given to him outside of court.

"In terms of proper court procedure, it is the court's prerogative to grant or refuse bail, and the prosecu--"
Suzman draws attention to unkept Pass Law promises

Pretoim Bureau

The dramatic decision by a chief public prosecutor to quit his job in Pretoria rather than "serve apartheid" would hopefully shock the Government into a new realisation, Mrs Helen Suzman, Opposition black affairs spokesman, said yesterday.

But the President of the Transvaal Law Society, Mr Billy van der Merwe, today criticised the prosecutor who walked out of his job at the Pretoria Commissioner's Court last week.

Mr van der Merwe said that the prosecutor, Mr A R (Addie) Klop (24), should have taken up any complaints about irregularities in the court with the relevant authorities.

"No prosecutor should ever walk out of court," he said.

Mr Klop, who alleged certain irregularities in the granting of bail, walked out of the trial of five black men charged under curfew regulations last week.

Before leaving he said he was "not prepared to apply apartheid under the guise of justice."

The Commissioner's Court is run by the Department of Co-operation and Development, although its legal staff are seconded by the Department of Justice.

Mr Klop has tendered his resignation to the Department of Justice and it is understood he plans to complete his articles with an attorney's firm and to go into private practice.

He detailed to the magistrate why he was refusing to continue the prosecution and summed up by saying: "In short, I am not prepared to apply apartheid under the guise of justice."

Mrs Suzman said: "One hopes this will shock the Government into realising it cannot drag its feet over reforming unpopular laws which civil servants have to implement."

"Last year the Government actually undertook to repeal the curfew laws - a move recommended by the Riebeck Commission."

"Nothing has been done about these measures which create an inordinate amount of racial friction, poisoned relations between police and the black community and results in thousands of convictions."

Mrs Suzman said nothing more had been heard about the announcement by the Minister of Co-operation and Development, Dr Koornhof, that curfew laws would be suspended experimentally in Pretoria and Bismarck.,
Shock treatment for the pass laws

If there is one overwhelming source of racial grievance in South Africa it is the discriminatory body of restrictions styled the Pass Laws. If there is one promise that has been repeatedly made — and broken — in the last decade it is that the pass laws are being eased, or humanised, or phased out.

If anything makes the Government’s credibility look increasingly shabby, it is the fact that hundreds of people are still daily arrested and jailed under the pass laws, often on the most trivial of grounds.

It seems that the system needs some sort of shock treatment even to modify it. It is in this light that one must look at last week’s dramatic protest by a prosecutor in the Pretoria Commissioner’s Court, Mr A R Klein, who walked out of court saying “I am not prepared to apply apartheid under the guise of justice.”

Mr Klein hesitated for months, he says, before making his protest. Last Friday however he was confronted with a series of cases epitomising the rough justice which is meted out to pass offenders. For instance two men were remanded in custody even though they should have been released, having told the court that they could have fetched their reference books from their nearby places of work. Bail for an alleged illegal immigrant was set at R150, even though the prosecutor had recommended R50 as reasonable. And so on.

It may be argued that Mr Klein chose an extreme means of dramatising his protest against this kind of assembly-line justice. It is the duty of a prosecutor to remain in court and to pursue his complaints through official channels. Yet the system calls out for shock treatment. Not only are people deprived of their freedom on trifling and often arbitrary grounds but it seems that outside factors — in this case policy directives laid down by the local Administration Board — are being allowed to influence the ordinary behaviour of the courts. It is time that the day-to-day administration of the pass laws caught up with all those fine protestations that “apartheid is dead”. After that it will be necessary to see whether laws like these have any place at all in our society.
Prosecutor walk-out inquiry

Pretoria Bureau
The Minister of Co-operation and Development, Dr Koornhof, said today he had ordered an immediate investigation into the sudden resignation of a Pretoria Commissioner's Court prosecutor.

The prosecutor, Mr Adam Klein, walked out of his job last week, alleging various irregularities in the court, which is run by the Department of Co-operation and Development.

A spokesman for the Department said today he could not comment on the matter until the investigation had been completed.

Mr Klein alleged that "outside" influences were exercised on courts when it came to granting bail conditions.

The Chief Commissioner, Mr C N J Welman, said regulations did not permit him to comment.

It is understood Mr Klein will go into private practice after completing his articles.

He walked out of the court last week, saying "I am not prepared to apply apartheid under the guise of justice."
More should join rebel lawmen who quit - Tutu

By PHIL MTIMKULU

Two black leaders yesterday commanded Mr A R Klein, the public prosecutor who walked out of court on a matter of principle, for his courage and also invited those who held similar feelings to join him.

The two leaders are Mr Leonard Mosala of the Committee of Ten and Bishop Desmond Tutu, the General Secretary of the South African Council of Churches (SAACC).

And a third black leader, the Reverend Cecil W Begbie, convenor of the Justice and Reconciliation Division of the Witwatersrand Council of Churches, said Mr Klein's action served as a reminder that very often law courts were instruments of apartheid.

Mr Klein refused to proceed with the prosecution of five black men charged under curfew regulations. This happened in a Pretoria court on Friday.

He told the magistrate that he was not prepared to apply apartheid under the guise of justice.

Reverend Begbie said yesterday: "I would like to express our support for Mr Klein in his stand against the practices of injustice as he experienced them in the law courts. This action of Mr Klein's serves as a reminder and proves further that very often our law courts are instruments of apartheid."

"We give praise to God that yet another person has seen the light," he said.

Bishop Tutu said Mr Klein should be commended for his "tremendous courage." He said Mr Klein was going to be faced with problems because of his stand.

"I would say he poses a challenge to the practitioners of law. The challenge is: How long are you going to continue to co-operate with unjust laws? Laws which are contrary to accepted legal norms," he said.

Mr Mosala said there was an awareness which was spreading among the Afrikaans students and academics and the Klein incident - much as it might be insignificant to the Afrikaners - highlighted this.

Professor John Dugard of the University of the Witwatersrand said it was a significant step because it was the first public prosecutor who had resigned as a matter of principle.

"It is clear that the Commissioner's Courts are used for enforcing apartheid. It is also significant that a public prosecutor should have refused to participate in the process of using the law to enforce the worst features of apartheid," he said.
THE resignation of a Pretoria prosecutor over curfew regulations brings into sharp focus the moral dilemma undergone by some men when they have to administer laws which do not square up with their sense of justice and fair play.

Mr A R Klein, a senior public prosecutor, stunned a Pretoria court when he refused to proceed with the prosecution of five black men charged under curfew regulations.

He detailed to the magistrate why he was refusing to continue the prosecution and summed up by saying: "In short I am not prepared to apply apartheid under the guise of justice."

His dramatic resignation is a clear endorsement of the inhumanity of the pass laws and one is surprised that so few of his colleagues have dared to challenge the kind of laws that mete out blatant suffering and unhappiness to thousands of blacks every day of the week.

His stand will go down in South Africa history as that of a man who was prepared to stand up and be counted as honest, sincere, brave and humane. How many other officers of the court, how many other police officers, who have to be unwilling instruments of laws that take away their manhood, have not suffered in silence, we wonder.

It is not easy for a man to stand up against the might of a system as powerful as South Africa's, to stand up and take a stand that will make enemies amongst his own people.

Mr Klein's stand makes him tower above men in the cockpit of power like Mr Pik Botha, who will go into grandiose rhetoric but be too timid to see the action through.

It is now more than a year since Pik Botha bravely told an international audience that he would see to the final demise of the pass laws. The dompass, he shouted, will cease to be.

We have not seen much easing of this draconian law since his memorable utterings. Instead men and women continue to be arrested and treated like criminals for such petty laws which should never have been on the books of a so-called civilized country.
Pass prosecutor: 'It's bad law'

Youth on mercy trip was arrested under pass laws

Pretoria Bureau

A youth who travelled from Nyline to Verwoerburg to tell his brother that their mother had died, found himself arrested under the pass laws, an angry ex-prosecutor said last night.

Mr Adolphus Klein, who last week walked out of his job at the Commissioner's Court in Pretoria, recounted the story of the youth as an example of the cruelty of the system.

He said the youth had arrived about 10 on 14, travelled from Nyline to contact his brother about their mother's death. The brother could not be otherwise contacted.

The youth arrived at Pretoria station and walked to Verwoerburg, where he told his brother the news. He then walked back to the station, but was arrested for not carrying a pass.

The youth was carrying a "school pass" signed by his school principal. He was still at school and was travelling.

But the youth said the police told him this document was not necessary in court.

Mr Klein said the youth was convicted under the pass laws in cautions discharged.

Mr Klein also alleged that the apartheid laws were intended to help victims of the apartheid laws. They were simply used to send offenders back to their homelands.

But Mr Klein replied that in fact he had been doing prosecutor's work at the court.

In his statement, Mr Mills said that if any of the allegations were correct, the department expressed its regret to those involved.

"The department will investigate allegations made about specific people thoroughly and sympathetically," Mr Mills said.

"If it appears correct, we will have to look anew at a system to prevent such occurrences for the interests of healthy relations in our country," Mr Mills said.

Allegations of irregularities include the arrest of blacks not carrying passes before sending them back within a km of the place of arrest.
Congress was divided, rightists claim

Political Staff

What was intended to be a Transvaal Nationalist congress of unity has been turned into a congress of division.

This is being claimed by angry conservatives after the Prime Minister's breaking of the Craven Week truce yesterday when he replied to congress delegates' criticism of moved escort.

They say Mr P W Botha's implication about the "kind of mentality of people who refused to play with coloured people who fought with whites on the borders" made the attack worse than the one which led to his row with Dr Andries Treurnicht earlier this year.

After the Cabinet reshuffle in which he has once again been relegated to an inferior post, Dr Treurnicht has tried his best to create the impression of unity at the Transvaal Nationalist congress, but the Prime Minister has rejected his overtures, they claim.

Verligte Nationalists, on the other hand, are elated at the Prime Minister's forthright replies to verkrampete criticisms and the political courage he has shown by tackling the conservative Transvaal leader on his home ground on the Craven Week issue.

This has finally destroyed the myth that Mr Botha was the loser in his earlier confrontation with Dr Treurnicht on the issue," said one verligte MP.

Other verligtes are particularly pleased at the way Mr Botha challenged delegates who differed with his policy statements to stand up and say so. The fact that no one did so enables them to speak out more freely on these issues, they say.

While once again left reeling by the Prime Minister's challenging stand, the conservatives took courage only from Dr Treurnicht's unresigned re-election as Transvaal leader of the party, which took place with standing acclamation by the delegates.

Some believe the continued power struggle is heading the party for an inevitable break.

Others claim the battle is being fought in preparation for another premiership election. That they expect to happen if a constitution is opted for which provides for an executive State presidency and which will then be taken over by Mr Botha.
Another card for the black worker to carry

By Sig Hannig
Labour Editor

Black workers face a new burden of having to carry a "notification of employment" card — in addition to a reference book — in terms of the new black labour regulations.

"On request by a member of the SA Police or any other authorised person, the employee should produce this card together with his reference book," says a Press release from the West Rand Administration Board announcing that the regulations are now being implemented.

Mrs Sheena Duncan, director of the Johannesburg advice office of the Black Sash, holds out hope that the carrying of this card may be challenged successfully in court.

Mrs Duncan was "very disappointed" by the regulations.

Following the Riekert Report she had expected qualified urban blacks to be relieved of some of the burdens of the pass laws.

BLACK JOBS

The only relief the new regulations provided was that the unemployed did not have to register at regular intervals as work seekers.

Employers also benefited only very slightly. It was no longer compulsory for them to notify labour bureaux of black staff vacancies and they were able to employ qualified blacks immediately, sorting out the registration of employment afterwards.

But employers would have to become much more skilled in reading reference books because they needed to ascertain whether the workers they took on were legally qualified to take the jobs.

School pupils and students now may accept spare time and holiday work without the prior consent of the labour bureau, provided they have the necessary consent to be in a prescribed area, and provided their parents or principals have no objection.
Koornhof accepts appeal ruling

By HARRY MASHABELA

THE Department of Co-operation and Development has accepted the recent ruling by the Appeal Court in Bloemfontein which declared invalid a regulation requiring anyone living in a black residential area to hold a lodger's permit.

And it is already sending out circulars informing regional offices that people should no longer be required to take out lodger's permits.

However, the Minister of Co-operation and Development, Dr Piet Koornhof, warned 10 days ago that it would be completely wrong to infer that a large-scale influx of wives and children of men contemplated in Section 19 (1) (a) or (b) of the Urban Areas Act will now be possible, as each case will have to be judged on the facts concerned.

A spokesman for the department said yesterday that a circular to the effect that Regulation 20 (1) has been declared ultra vires by the Appeal Court has been sent out to regional offices of the department.

Dr Nthato Motlana, chairman of the Committee of 10, said anything done to lighten the "onerous burden of apartheid" was always welcomed.

"But it must be realised that our fight is not for consensuses, but for structural and fundamental change in this country," he said.

The director of the Black Sachet advice office, Mrs Sheena Duncan, said the organisation was pleased the Minister had drawn attention to the ruling.

"It's a great relief to know that thousands who were affected by the regulation will now have their legal status recognised. We hope administration boards will act swiftly to make sure these people are not subjected to bureaucratic frustrations," she said.

The Appeal Court ruled invalid Regulation 20 (1) which stipulated that no person other than the holder of a site or residential permit could reside in a black area unless he had obtained a lodger's permit.

The judgment was related to the case of Mrs Nonkshena Mchimana Komani, of Gugulethu, near Cape Town.

Her husband, Mr Veli Wilho Komani, appealed after Mr Justice Schoek in November 1978 dismissed his case contesting the ruling of the Peninsula Administration Board that his wife did not have the legal right to live in the black residential area where he resided.

The fact that the department has accepted the ruling means people whose husbands or fathers qualified to be in the urban areas can join them if accommodation is available.
Guguletu case: Govt accepts Appeal ruling

JOHANNESBURG — The Department of Co-operation and Development has accepted the recent ruling by the Appeal Court in Bloemfontein which declared invalid a regulation requiring anyone living in a black residential area to hold a lodger’s permit.

And it is already sending out circulars informing regional offices of the department that people should no longer be required to take out lodgers’ permits.

However, the Minister of Co-operation and Development, Dr Piet Koornhof, warned yesterday: “It would be completely wrong to infer that a large-scale influx of wives and children of men contemplated in section 10 (1) (a) or (b) of the Urban Areas Act will now be possible, as each case will have to be judged on the facts concerned.

He indicated that the facts of the case on which the court’s judgment was made, could not be extended to all women and children affected by the act.

The Appeal Court ruled invalid regulation 20 (1) which stipulated that no person other than any holder of a site or residential permit could reside in a black area unless he had first obtained a lodger’s permit.

It was said by the Appeal Court that the regulation was inconsistent with the intention of the legislature relating to people born in an area and who have resided there continuously.

The judgment was related to the case of Mrs Nomatha Mashe Koman, of Guguletu. Her husband, Mr Veli Willie Koman, appealed after Mr Justice Schock, in November, 1978, had dismissed his case contesting the ruling of the Peninsula Administration Board that his wife did not have the legal right to live in the black residential area where he resided.
SA will keep its twin capitals

Political Staff

PRETORIA — South Africa will continue to have twin capitals in Cape Town and Pretoria.

"This was made clear yesterday by the Prime Minister, Mr P W Botha, at the Transvaal National Party congress where a resolution asked that the system be dropped in the light of the new dispensation being planned for the country.

Mr Botha, in a light-hearted mood after a major victory over the conservatives shortly before, said that the average citizen did not suffer from the country having two capitals. The people who did suffer were the ministers who had to move up and down all the time. They also had families, and it was not always easy to meet their family commitments.

It was good that the people who governed the country also saw other parts of it. And it was good for members to be able to relax in the sea while being largely cooped up for six months. It eased the tension.

"In a more serious vein, he said it would cost 'a great deal' to build a new house of parliament, but it would be even more expensive to create a new capital. The communications problems of the past had been ironed out, and in a light reference to the previous tense debate, he said he had had enough problems without creating another one.

72-hour curfew may be dropped

Own Correspondent

PRETORIA — The government was still intent on dropping the 72-hour curfew provided that the twin conditions of employment and housing could effectively control the influx of blacks to white areas, the Transvaal National Party congress was told yesterday.

The Minister of Co-operation and Development, Dr Piet Koornhof, emphasized, however, that the control that would be effected "must be far better than it is at present."

The government's view was that South Africa must move away from a law which could be hurtful. "The black leaders support the necessity of influx control on the twin conditions that blacks in white areas have employment and approved housing," he said.

The movement of blacks to urban areas had only recently gathered momentum, but it had become vital to limit this movement within the principles of a plural society. Disparity in wages was one of the prime reasons for the influx of blacks to urban areas.

But when blacks took this decision the market mechanism found itself unable to cope. That left the government with the responsibility to prevent poverty and the establishment of squatter communities.

(Report by R Nttall, Newspaper House, Barcen Stree, Port Elizabeth)
THE controversy over the Pretoria court official who walked out of court took a dramatic turn yesterday when an official of the Department of Co-operation and Development said the civil servant was not a chief public prosecutor.

In a statement released to the Press, Mr J H T Mills, Director General of the Department, said Mr A R Klein was "only serving as an administrative assistant and not as chief prosecutor."

Mr Klein, a Pretoria law student, hit the headlines over the weekend in a Johannesburg Sunday paper, when he claimed to have walked out on a case he was prosecuting because he was no longer prepared to "serve apartheid."

He reportedly told the magistrate that he refused to continue with the prosecution at a trial of five black men charged under curfew regulations because of "various irregularities" which he alleged had taken place in previous cases.

Mr Mills said Mr Klein was not a qualified prosecutor but that he was still undergoing training in the field.

"It must further be pointed out that it was the duty of the courts to execute all laws passed by Parliament," said Mr Mills who claimed that allegations that certain courts "served apartheid" were "unfounded."

Mr Mills also said his department was concerned about the Sunday Times' headlines on its second page which read "where apartheid still rules hard." He claimed the headline was "misleading."

When Mr Klein left the court on Friday, the magistrate Mr G Boshoff had to adjourn proceedings.
POST Reporter

BLACK workers face a new burden of having to carry a "notification of employment" card in addition to their reference book, in terms of the new black labour regulations.

"On request by a member of the SA police or any other authorised person the employee should produce this card together with his reference book," says a Press release from the West Rand Administration Board announcing that the regulations are now being implemented.

But Mrs Sheena Duncan, director of the Johannesburg advice office of the Black Sash, holds out hope that the carrying of this card may be challenged successfully in court.

Mrs Duncan was "very disappointed" in the regulations.

From the Reikerti Report she had expected that qualified urban blacks would be relieved of some of the burdens of the pass laws.

RELIEF

But the only relief the new regulations provided was that the unemployed did not have to register at regular intervals as work-seekers.

Employers also benefited only very slightly. It was no longer compulsory for them to notify labour bureau for existing black staff vacancies. And they were able to employ qualified blacks immediately, sorting out the registration of employment afterwards.

But employers would have to become much more skilled in reading reference books because the need to ascertain whether the workers they took on were qualified to take the jobs.

One of the advantages applies to school pupils and students who now may accept spare time and holiday work without the prior consent of the labour bureau, provided they have the necessary consent to be in a prescribed area and provided their parents or principals have no objection.
The card will be an added burden

THE latest regulation that we will be expected to carry "notification or employment cards" in addition to our passes is not only scandalous, but in the climate of prevailing events extremely dangerous.

A Press release from the West Rand Administration Board announcing the immediate implementation of the regulation says: "On request by a member of the South Africa police or any other authorised person, the employee should produce this card together with his reference book."

The notification is scandalous not only because it is making us lose a sense of balance and destroys all the goodwill we may have gathered from what the Prime Minister told a National Party Congress this week.

Mr F W Botha put some hope into blacks who have indeed lost all confidence in the white oligarchy, when he told steward Nats that they could not have their piece of cake and eat it.

We feel bolstered by the fact that he appeared to be taking a tough stand with irrational radicals in his party who are only worried about their narrow self interests at the expense of this country's continued peace.

Instead of hearing more of such good sense we are now faced with an added burden of carrying an extra "pass" for that is expressly what this work permit or card amounts to.

It is bad enough to have to carry the hated reference book, which gives every policeman, even the lowest rookie in the force, the power to get you landed in jail, let alone suffer the acute indignity of being stopped in the street to produce the book.

We appeal to Mr Botha to stop this senselessness from that coterie of rabid reactionaries in his administration who are doing their utmost to upset thousands of people.
By NORMAN NGALE

THE Pretoria prosecutor who recently walked out of court is living in fear of his life and has taken refuge at a block of flats in a remote part of the city.

Mr Adam Rudolf Klein (24), told POST that since the revelations of his refusal to serve apartheid he was taking precautions to protect himself.

He said he had been warned to be careful of the right-wing group, the Wit Kommando.

After letting me into the apartment, the controversial ex-prosecutor locked the door as a "precaution". Mr Klein had a gun strapped to his hip.

Mr Klein stormed out on a case at the Pretoria Commissioner's Court on Friday last week after a shock address to the court in which he said: "I am not prepared to serve apartheid."

He alleged the court was used to perpetrate the "inhuman and cruel laws of apartheid under the guise of justice."

CLAIMS

Responding to claims by Mr J H T Mills, Director-General of the Department of Co-operation and Development, that he was just an administrative assistant, Mr. Klein said it was true.

But he added that he was also a public prosecutor appointed by and acting on behalf of the Attorney-General of the Transvaal, Mr J E Nokhaling, since February 11.

Mr Klein produced his letter of appointment which bore Mr Nokhaling's signature. The letter stated that he was appointed under section 4 of Act 51 of 1977.

He said he was expecting the Government to try to "frame" him under a security law and to give the public the idea that he had no right to expose what had been done.

Klein said his sense of justice did not allow him to serve under apartheid laws designed specifically for blacks.

"I am glad that he (Mr Mills) admitted in his report that there were irregularities when he said if there were such irregularities he felt pity for those who became victims," Mr said.

The system was so nearly worked out that it was difficult for members of the public or the Press to determine what was going on.

He did not cite specific cases, but said the cases were so numerous that they could fill volumes "as soon as you experience these laws your eyes open up and you see the inhumanity, the cruelty and the actual discrimination against blacks."

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"I do not want to sound like Dr Rhoodie who threatened that he had some tapes which could damage the image of the Government, but I have documents and court records - which will prove such irregularities I mentioned earlier," Mr Klein said.

Looking tense, Mr...
I am arrests were illegal
Hostel residents claim

The Mercury, Monday, September 6, 1980

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Labour laws could be fought in court

By STEVEN FRIEDMAN
Labour Reporter

NEW black labour regulations introduced by the Government earlier this year could be challenged in the courts because two paragraphs seem to contradict each other.

Official comment was not available yesterday, but informed sources say Government officials have conceded there are inconsistencies in the regulations.

The West Rand Administration Board announced it was beginning to implement the regulations this week.

They have been criticised because they introduce a new card which black workers must carry in their reference books.

The contradiction may allow the new system to be challenged in the courts. It may also provide a legal loophole for employers who are prosecuted for hiring workers without obtaining their local labour bureaux.

In terms of the new regulations, which were introduced as part of a Government plan to implement the report of the Hebert Commission, black workers with urban residence rights no longer have to register as workseekers.

They are also not required to notify their local labour bureaux when they change jobs.

However, employers are still obliged to notify the labour bureaux if they employ workers with residence rights and they can be prosecuted if they fail to do so.

In addition, workers who change jobs still have to obtain two "notification of employment" cards — "E" cards — from the labour bureaux and present them to their employer.

The employer must then give the worker one of the cards, which must be produced on demand by a policeman or other official.

This stipulation received little publicity when the regulations were first introduced but has been sharply criticized over the past few weeks.

Critics believe the new card will place an additional burden on urban blacks, although the regulations were ostensibly designed to ease their ability to find jobs.

However, the contradiction in the regulations could render this stipulation invalid.

Regulation 16 (iii) says that the police may employ blacks as needed if they have urban residence rights. The cases is on the worker to prove that he or she is qualified to live and work in the cities, but no further permission is required.

However, regulations 16 (ii) says an endorsement in a worker's reference book does not absolve the employer from complying with the two card system.

"The two clauses seem to directly contradict each other and leave the way open for prosecutions to be challenged in the courts," Mrs Sheena Duncan of the Black Sash said yesterday.
**Forced to live apart**

Qualified husbands, as required by Section 4 of the Urban Areas Act.

The men we see live in the "single-quarters" here. Their wives cannot "ordinarily" reside with them, as it is illegal for women to live in the same buildings as men. Even when one man manages to move into a new house, he has any hope of getting permission from the authorities to live there with his wife. In the housing shortage intervenes and it is possible for a man to transfer his registration from the single-quarters to married housing.

"Often the only hope is that the man gets his own house — either by way of subsidy or by building it himself. But he himself can afford the R3 000 necessary to do this." "But because the Western Cape does not offer the 50-year leasehold scheme applicable in the rest of the country, banks will not lend the necessary money.

"The waiting-lists for housing in the townships grow longer and longer and only the lucky few get permission to bring in their wives and enjoy normal family life."

"The vast majority are condemned to loneliness."
Re: Term 3: It is suggested that a discount factor equal to (or slightly higher than) the interest rate on a comparable loan should be used for this term. This stream is riskier than the stream in Term 2 because the lease requires to have a taxable income to get the cash flow.

Re: Term 4: The riskiness of this flow is likely to be equal to that of Term 3, thus the same discount factor is suggested. To facilitate a fair comparison with more depreciation in this context includes the investment and initial allowances.

Re: Term 5: The riskiness of this flow is likely to be equal to that of Term 3, thus the same discount factor is suggested. This stream is the tax shield arising from the tax deductibility of the interest on an equivalent (displaced) loan.

The general approach will now be applied to the problem in MAN.

530 which follows.
72-hour curfew report sent to 'higher authority'

Pretoria Bureau

The report on the experiment in Pretoria and Bloemfontein to scrap the 72-hour curfew on visiting blacks, has been completed.

A spokesman for the Department of Co-operation and Development said the report had been completed by departmental officials and had been sent to 'higher authority'.

It was being studied by the Director-General of the department, Mr J H T Mills, he said.

The spokesman added that although the report had been completed, the 72-hour curfew was still not being applied in Pretoria and Bloemfontein.

When Dr Koornhof, the Minister of Co-operation and Development, announced the lifting of the curfew as an experiment earlier this year, he said that if it was successful, it could be extended to other cities.

The lifting of the 72-hour limit by no means abolishes influx control.

The experiment is largely in terms of the Becket report published last year, which suggests that the 72-hour restriction be phased out.

The report suggests instead that the availability of housing and employment for blacks be used as criteria for whether they should be allowed to live in an area.

Dr Koornhof had made it clear that influx control would concentrate on the elements of housing and employment for the duration of the experiment.

The administration of the experiment has caused great confusion.

One senior official of the Department in Pretoria is said to have said that the abolition of the 72-hour restriction means that blacks would not be allowed to visit the city even for less than 72 hours.
When the tortoise becomes a bully

The average black will tell you that contact with officials always means endless queues and endless delays. Blacks who visit the West Rand Administration Board and offices of the Department of Cooperation and Development expect problems, such as having to apply for reference books, or for particular nights

A picture taken in January of people waiting in a queue outside the offices of the West Rand Administration Board in New Canada, near Pretoria. People had visited the offices with a variety of

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DIAGO SEGOLA reports.
No great change in the pass laws

With talk about change all the fashion, and with Dr Piet Koornhof on record in declaring war on the dompas, the West Rand Administration Board has made known the changes it has introduced in labour regulations affecting blacks. These have come about as a result of last year's Rekert Commission recommendations for improving the lot of city blacks while tightening influx control.

Some positive aspects can be noted for example, blacks who qualify to live in the cities are no longer compelled to register as work-seekers; blacks no longer have to keep returning to labour bureaux for renewal of permission to seek work, but one visit will now suffice; registered workers are now allowed to do other work in their spare time if they have written permission from their employer.

On the other hand, an attempt to introduce an E2 (Notification of Employment) Card has, mercifully, come unstuck. It was to have been another piece of paper — or thin cardboard, as it actually is — to be carried by a worker at all times, together with his pass, under pain of arrest. Wrb now says it will be only an “optional” document.

Putting the changes together, they do not add up to a great deal. There’s a bit of streamlining here and there, with a certain amount of relaxation for black workers and for employers.

At the heart of it, however, the pass law system and all that goes with it remains untouched. The controls over the lives of blacks continue as pervasive and oppressive as ever, and the same vast amount of bureaucracy is required to maintain the controls, backed by the same numbers of policemen, magistrates, prosecutors and prison warders.

What this can mean in the lives of ordinary people is graphically illustrated in our report on the opposite page today. For as long as blacks are singled out as victims of such outrageous treatment, the Nationalists will have difficulty in convincing anyone that real change is happening.
By Sieg Hannig
Labour Editor

A new breakthrough for workers' rights has been achieved by the Industrial Court in its first hearing of an alleged unfair labour practice.

"The case has shown that the Industrial Court has strengthened the hand of the workers," commented a lawyer on the out-of-court settlement won by a black contract worker and his unregistered trade union.

In terms of the settlement, the employer, Precision Tools, agreed to pay the Metal and Allied Workers' Union R4,000 and committed itself to a recognition agreement.

The agreement provides for:
1. Recognition of the union
2. Acceptance of the union’s shop stewards
3. Shop steward representation for workers in grievance procedures which provide for arbitration in the event of a deadlock.

The union failed to achieve the reinstatement of Mr. Stephen Maponya who was allegedly victimised for his union membership by the firm’s failure to renew his migrant contract.

But Mr. Maponya got a new job this week and is to receive about R1,000 from the R4,000 being paid to the union.
Test case victory for contract worker

By STEVEN FRIEDMAN
Labour Reporter

THE new industrial court’s first test case has ended in a major victory for contract worker Mr Stephen Maponya and his union, the Metal and Allied Workers Union.

In an out-of-court settlement yesterday, Mr Maponya’s former employer, Precision Tools, a small Johannesburg engineering company, agreed to pay the union R6 000 and recognise it.

The agreement accords recognition to the union shop stewards in the factory as well as company recognition of the union itself.

The company has also undertaken to grant the union “stop order” facilities, grant its organisers access to its factory once a week and introduce a grievance procedure for workers.

Mr Maponya and the MAWU brought the case to the court after the company refused to renew his migrant service contract. They claimed the company did this as a refusal for Mr Maponya’s union activities.

Although the union had originally asked the court to reinstate Mr Maponya, he has found another job and this issue has thus fallen away.

Last month, the court handed down an historic judgment in the Maponya case in which it found that unregistered trade unions were entitled to bring cases before it.

It also found that unregistered unions were entitled to bring cases to the court in which they alleged that their members had been victims of an “unfair labour practice”.

This opened a legal avenue to black unions after the Supreme Court had found, in the “Bosman case”, that black unions had no right to bring an interdict against an employer on behalf of union members who fear victimisation.

The industrial court also agreed to allow counsel for Mr Maponya and the union to lead evidence to support their claim that the company had been guilty of an “unfair labour practice” by refusing to renew the contract, even though it was legally entitled to do so.
ADAM KLEIN, the Commissioner's Court prosecutor who caused an uproar by walking out of his job because, he said, the courts were being used to enforce apartheid, is a quiet-spoken, slender young man whose beard and sideburns were showing lines of tension when I spoke to him in Pretoria.

"A very neat system has been built up in which the law, justice if you can call it that, is used to apply apartheid to every sphere of a Black man's existence," he said.

"It is very ingenious - and it usually works just the way the Government wants it to.

"Courts have been set up to prosecute Blacks under the law of apartheid.

"There are more than 300 discriminatory laws under which a Black man can stand trial before a commissioner.

"The Government and its supporters justify the use of these laws by saying they have been passed by Parliament or proclaimed in the Gazette. The argument runs: 'That is the law and it must be applied.'

"But I maintain that these proclamations should be tested in court and that when that is done, some will be found to be null and void. They are bad in law.'

Mr Klein grew up as a middle-class Pretoria boy - his father was a motor mechanic - and was educated at Langenhoven School in Pretoria. After two years of B Proc at Pretoria University he joined a firm of attorneys as an articled clerk.

"I have never considered myself a politically committed person, but I was involved at one stage with Mr Theo Gelderblum's Democratic Party and later with the New Republic Party," he told the Sunday Express.

But I have always felt a deep concern for Blacks and when I completed my articles I decided to specialise in Bantu Law - that is not my phrase, it is the way it is described in the syllabus - and applied for a position in the Commissioner's Court.

"I realised soon after I went there a year ago that the courts were being used to enforce apartheid.

"I was appointed a prosecutor - I became part of that system. If I am tense now, it is because that tension has been building up for years. There were few people I could discuss my problems with among them a close friend who resigned for the same reasons as I did.

"I tried discussing how I felt with my superiors in the department, and whenever I did, I was told that that was the way things were done and that I had to accept it.'

"Mr Klein said he had discussed his misgivings with 'scores' of senior officials but only one had helped or shown sympathy.

"The aspect I resented deeply, which I felt to be so very wrong, was the way in which the administrators became a force in the courts. Every case had to be postponed for their convenience."

"I worked out that in Pretoria alone Blacks were required for simple petty offences - many of whom would eventually be warned and discharged - spent thousands of hours in jail while the administrators were checking their documents."

"I could have gritted my teeth and said to myself: 'This is the way I am going to experience Bantu Law', but I could not reconcile my conscience to being part of that system."

"That is why I walked out."
Pass offence accused 'denied fair trials'

THE accused in many pass cases heard in Commissioners' Courts are not given a fair trial because of errors in interpreting questions put to them by prosecutors, a Johannesburg legal researcher claimed this week.

"Legally, pass offences are regarded as minor matters, even though hundreds of thousands of people are sent to prison every year as a result of them," Mr Ramarumo Monama told the Sunday Express.

"The cases are not subject to automatic review by the Supreme Court. Thus allows errors in procedure and in the application of the law by Commissioners to go undetected.

Mr Monama is a researcher working for the Centre for Applied Legal Studies at the University of the Witwatersrand. He has made an intensive study of cases heard before the Commissioner's Court. His comments came a few weeks after a recent furore when a prosecutor in the Pretoria Commissioner's Court, Mr Adam Klein, was reported to have used language which alleged there was an unfair trial.

Mr Klein also alleged irregularities had taken place in cases which he had prosecuted, including the intervention of officials.

Mr Monama told the Sunday Express that in the overwhelming majority of cases he had observed the accused were not represented by lawyers. Black policemen often acted as interpreters.

The inadequacy of interpreters led to problems. The circumstances which most frequently led to errors, Mr Monama said, were when the accused possessed a valid reference book but had not been given an opportunity by the police to fetch it.

What often happened, he alleged, was that the prosecutors often put the charge correctly to the accused, saying: "You are charged with the contravention of a law. How do you plead?"

However, instead of interpreting the question precisely, the interpreter would ask the accused "Is it correct that you were found without a permit?"

The accused would reply, "Yes, that is so!" and the interpreter would inform the court that the accused had pleaded guilty.

Some commissioners then convicted the accused without further inquiry into the facts, Mr Monama said.

The accused had no opportunity to defend himself. People convicted often protested before sentence was passed, saying they were not guilty because they should have been given an opportunity to fetch their reference books, but this led to more problems.

Evidence of the circumstances of the arrest had to be called and the arresting officer was not always available.

The accused was then remanded in custody, which caused more resentment.

Mr Monama urged that the law should be changed to make all pass cases subject to automatic review by a higher court. "Commissioners working under great pressure with hundreds of pass cases a week are inclined to remain unaware of certain important factors in establishing the true facts behind every case and this, in my opinion, can lead to errors of judgment in passing sentence," said Mr Monama.

"However, I have noticed that in inquiries under Section 26 of the Black (Urban Areas) Consolidation Act, after which a person can be declared 'idle and undesirable', presiding officers go to immense pains to establish the true facts.

"This, in my opinion, is because such inquiries go for automatic review by a Supreme Court judge.

"I feel very strongly that a change in the law which would send all pass cases for automatic review would go a long way towards improving the quality of justice in the Commissioner's Courts."

Mr Monama also criticised the criteria under which it is decided whether a case shall be sent to the Supreme Court for review, which are:

- When the sentence is a fine of R250 or three months' imprisonment imposed by a magistrate with less than seven years' service.

- A fine of R500 or six months' imprisonment imposed by a magistrate with more than seven years' service.

By JEAN LE MAY
Political Reporter
Mercury Reporter

Almost half South Africa's black prisoners are jailed because of influx control laws, according to Mr. John Pegge, national director of the National Institute for Crime Prevention and the Rehabilitation of Offenders (Nicro).

Mr. Pegge was commenting on a claim in Nicro's annual report which says that South Africa's prison population is more than twice that of any other country in the free world.

The statistics quoted in the Nicro report are based on June 1979 figures from the Institute for Criminology at the University of Cape Town. The report claims that for every 100,000 people living in South Africa, 440 are in jail.

The United States has the next largest prison population, with 198 per 100,000 people in jail.

According to the report, statistics for the communist countries are not available.

Influx control laws are not only responsible for the high prison population, but also for causing the greatest amount of friction between race groups in the country," said Mrs. Helen Suzman, Justice spokesman for the Progressive Federal Party.

She said she had often raised the matter in Parliament and would do so again during the next session.

She said the 'pass law' prisoners were not real criminals, but 'statutory criminals'.

The 'technical' offence prisoners were often subject to the influence of other hardened criminals while in jail.

Mr. Pegge said the Government was aware of the problem regarding the high prison population and was looking at influx control laws with a view to reform.

He said Nicro hoped to be able to organise a conference on alternate forms of punishment. He said a problem was that it was easier to check if sentences were carried out if offenders were fined or imprisoned.

There is no doubt that reform in sentencing practice and the encouragement of an innovative sentencing policy can contribute towards a reduction in the prison population.

But he said the infrastructure did not exist in South Africa to enforce non-custodial sentences.

Mr. Pegge added there was danger in looking at only political references for the high prison population.

The reasons are broader than politics. The standard and quality of life for the majority of South Africans has to be improved.

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The graph comparing South Africa's prison population with other countries in the 'free world' per 100,000 of the population. The graph was published in the annual report of the National Institute for Crime Prevention and the Rehabilitation of Offenders.
What a record!

Influx laws partly to blame for SA’s large prison population
Lodger ruling takes effect

SUNDAY POST Reporter

All regional offices of the Department of Cooperation and Development have been told to observe the court ruling nullifying lodgers' permits.

"We have accepted the court's ruling and Chief Commissioners throughout the country have been told that the ruling should already be in effect," a spokesman for the department said this week.

The spokesman for the West Rand Administration Board, Mr. Jan Borman, said they had received the directive and the board was studying it carefully.

Although the directive was still being studied, he said, it was clear that Section 29 (1) of the township regulations had been nullified.

He added that influx control would not be affected by the department's decision. "It is only that specific section which will change. Otherwise everything remains as it was."

The department's decision to do away with the permit requirement followed an Appellate Court Division ruling that it wrongly excluded a woman from the homelands and did not require a permit to live with her husband in an urban area."
Antil-apartheid lawman raided

By NORMAN NGALE

THE FLAT, car and offices of Mr. Adam Rudolph Klein, a Pretoria ex-prosecutor, were searched by police yesterday.

Two files which contained court records and his personal copies of poems and essays were taken away.

Mr. Klein resigned from his job as public prosecutor last month after he had walked out of court, citing that he was not prepared to serve apartheid.

Mr. Klein said that was his first contact with the police since his claim that Commissioners' Courts were practicing apartheid under the veil of justice.

The search warrant left in Mr. Klein's possession said that the police were looking for court records "concerned in the commission of an offence."

NO TIME

"But they took my personal belongings as well, and when I asked why they were taking the poems and essays, they said they would return them. They said they were in a hurry and had no time to read the contents," Mr. Klein said.

"They also searched through my books and asked why I was reading Breyten Breytenbach's works," he said.

The police did not tell him whether a charge was to be preferred against him but said they would be in touch with him. Mr. Klein said:

Prior to the police visit, this reporter was called to Pretoria Central police station for questioning by Lt. W. L. Lombrecht and was asked whether a paragraph quoted in a story on Mr. Klein, published in POST on September 5, contained Mr. Klein's own words.

The paragraph read:
"I do not want to sound like Dr. Rhodie, who threatened that he had some tapes which could damage the image of the Government. I have records - court records - which will prove such irregularities."

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Term 3: The riskiness of this flow is likely to be equal to

Term 4: The riskiness of this flow is likely to be equal to

Term 5: The riskiness of this flow is likely to be equal to

To get the cash flow, because the lease requires to have a taxable income

This stream is riskier than the stream in Term 2.

A comparable loan should be used for this term.

To or slightly higher than (the interest rate on)

Re: Term 2: Here it is suggested that a discount factor equal
Influx control: new deal soon

Political Reporter

Plans for a new system of influx control and the better development of urban black areas are contained in draft legislation expected soon.

The proposed legislation is likely to closely follow the controversial Rieker Commission recommendations on influx control.

The commission recommended:

- The scrapping of the 72-hour limit on black visitors to white areas.
- An influx control system based on the availability of jobs and suitable accommodation.
- That penalty provisions aimed at black workers illegally employed in white areas should be abolished.
- That very heavy fines should instead be imposed on employers of illegal black labour.

The proposals have caused concern in conservative Nationalist circles and have also been deplored by prominent black leaders who say they will not relax influx control, but will in fact make it more effective.

Said Government officials are remaining tight-lipped about what is contained in the draft legislation.

A reliable source said today, however: "As far as possible we have stuck to the Rieker proposals." Experiments have been carried out in Pretoria and Bloemfontein to determine the viability of the Rieker proposals.

A Black Community Development Bill proposed by the commission has virtually been completed, according to informed sources. This is aimed at the more purposeful development of black townships in white areas.

Late Flash

General Walls dismissed

SALISBURY — Prime Minister Robert Mugabe announced in Parliament today that Lieutenant General Peter Walls had been dismissed.

The commission's report said: "The commission is of the opinion that the most important advantage of the Black Community Development Act will be the fact that it strengthens the position of the established black communities in the white areas."

It would afford them new and much wider opportunities for decision-making on their own development in an atmosphere free from the historical prejudices created by outdated provisions."
By DIAGO SEGOLA

MANY black Johannesburg City Council workers, who lost their jobs in the strike recently, had been denied a better chance of stability and permanence, despite having worked for the council for a long enough period to entitle them to legal status in the area.

The Black Sash said this yesterday in a report on the strike. It was compiled by Mrs Sheena Duncan, director of the Sash’s Advice Office.

The report said men had also been denied the benefit of contributing to the Unemployment Insurance Fund “through lack of concern shown by their employers”.

Several had been endorsed out of Johannesburg even though they had worked for the council for more than 10 years, and had lived in the same area for more than 15.

The report cited cases of men who were sacked and sought advice from the Black Sash. Several were endorsed out though they had not been involved in the strike, or had wanted to continue working.

“Because the council did not help them to establish their rights under Section 10 (1) (b) of the Urban Areas Act after they had completed their 15 years’ lawful residence, they have contended to be registered on annual contracts,” said the report.

“It is a pity that council personnel workers have not spent time over the years helping workers to establish their rights, so that they can escape from migrancy and the compounds and establish themselves in some sort of family stability.”

The report also hit at the council’s wage structure which, it said, because of the grading system, kept many workers “perpetually at the R33-a-week minimum even after 20 years or more in the council’s employ”.

“The council’s wage structure for those who are not migrants, and those who are, is dictated by the peculiar supply of cheap labour and not by any other considerations.”

The council increased the minimum wage from R30.36 to R35.37 last month.

The report also says migrant workers (about 12,500 of the council’s 15,000 workers are migrants) must live in compounds and hostels “with no privacy”.

“They may not bring their families with them to town. For many men, the hostels are ‘home’ for their entire working lives, and family is something they meet with once a year when they have to go back to attest a new contract.”

The migrant labour system was largely responsible for the “unsatisfactory conditions of employment and low rates of pay exposed by the strike,” the report said.

“The only way in which men who live in the overcrowded poverty-stricken Bantustans can obtain legal employment is to work at the labour bureau in their home district until a request comes through from a labour bureau in the so-called white area.”

“There are always more job-seekers than there are jobs offered. If a man is lucky enough to be offered work he attests a contract (usually for a year) with his unseen, unknown employer and only then may he proceed to town to take up the job.”

“He is in no position to bargain for better pay before he signs the contract. If he tries to do so, the job is immediately offered to someone else.”

Mr Jan Bosman, public relations officer for Whb, said yesterday that annual contract workers operating on the ‘call-and-card’ system (they must return to their homelands each year to re-register) were not entitled to Section 10 rights.

He denied the Sash allegation that Whb had seemed to be acting as agents for the council.

Whb labour department officials were sent to the premises, instead of thousands of workers coming to the bureaux. They went through the individual cases, registering those who wanted to remain, employed, and endorsing out those who did not.

“They acted strictly in accordance with the regulations.”

“I do not want to comment on the tone of the allegation,” said Mr Bosman.

Mr Francois Oberholzer, chairman of the Johannesburg City Council management committee, said the council had not helped workers to gain Section 10 rights because it was not the council’s function.

“We don’t help our white employers to apply for passports. Besides, every black person knows what his rights are under Section 10. Nobody needs to be told.”

Commenting on the other Sash claim that the council was exploiting a plentiful supply of cheap migrant labour, he said: “When our recruiting teams go to Transkei, they have to ask for police protection because they are mobbed by so many work-seekers eager to work for the council.”

The council also says the Department of Manpower Utilisation has credited it with one of the best minimum wage levels in South Africa.

Mr Oberholzer doubted that many workers had not been permitted to join the UDF, but referred the Rand Daily Mail to the chairman of the Staff Board, Mr J C de Villiers.

Mr de Villiers declined to comment.

Mr Oberholzer said department heads were already screening applications by black municipal strikers who wished to return to their jobs, and many were being re-employed.
Mr Veli Willie Komani, 88, today praised the 'Black Sash' and the lawyers they had provided for his appeal which succeeded yesterday in Bloemfontein.

Mr Komani said it had been a victory not only for his family but also for other families affected by the residential laws.

He had not yet met his lawyers, who had been involved in the case since 1974, to discuss the question of obtaining a home. Until now, Mr Komani, his wife, Mrs Nonceba Mercy Meriba Komani and two daughters have been staying in a bungalow provided by his employers five years ago.

See reports on page 2.
The picture was taken on the ground.

AN article quoted documents seized in interrogation point rank

A case

Office

Advise

CASE TWO

The picture was taken on the ground.

A case

Office

Advise
"Rights"

However, these "rights" can be taken away by the Administration Board officials. This can be done if he leaves the area, for any period in the "time elsewhere" else, or if he has been sentenced to six months or fined $100 for any "offence."
Residential curb on blacks illegal

By TONY STIRLING
Chief Reporter

THOUSANDS of wives and children barred from living with men legally resident in Soweto and other black townships will from now on be able to do so without restriction.

This is the effect of a judgment in the Appeal Court in Bloemfontein yesterday.

It declares ultra vires the regulation which requires anyone living in a black residential area to hold a lodger’s permit or site and residential permit.

The provision contained in Regulation 20 (1) that no person may reside in a black area without the permits referred to, was therefore ultra vires.

It had not been contended before the court that the regulation was valid insofar as it related to persons not qualifying under Section 10 (1) (a) in terms of residence, and invalid for those who did qualify in these terms.

Prima facie, the judgment said, there appeared to be no substance in such an argument. Mrs Duncan said that by specifically declaring the regulation ultra vires, the judgment would affect the position of thousands of wives and children who have been unable to get permits to live in black townships with husbands and fathers.

Scores of thousands of these people — having been endorsed out of the black areas — were living illegally in Soweto and other townships.

Now they would be able to register with the employment authorities, seek passes and legally seek jobs, she said.

"It often happened that children were affected because their mothers did not possess the necessary qualifications to reside legally in the black townships where their husbands lived."

Mrs Duncan said she expected the Sash offices to be inundated with applications for lodger’s permits...
Barrier to black family life falls

The government's new policy to allow black employment is expected to lead to the settlement of the long-standing conflict between labour supply and demand. This has been the key to the increasing demand for migrant labour. The goal of increased training and increased wages for black workers is being met by the need to change the law in urban white areas.

She warned that this would take several months to cut through administrative red tape to clarify the position of many of those affected, as documents such as birth certificates would have to be sought.

The onus of proving a residential qualification still rested with the people affected by the regulations.

But she hoped that within a short period the black would be able to have the position of many affected wives legalized.

Yesterday's judgment related to the case of Mrs. Nomusa Komani, of Guguletu, near Cape Town. Her husband, Mr. Veli Welie Komani, appealed after Mr. Justice P. Schock in November 1978, dammed his case contesting the ruling of the Peninsula Administration Board that his wife did not have the legal right to live in the black residential area where he resided.

The Appeal Court ruled that Mrs. Komani was entitled to live in an area by virtue of the provisions of Section 10 (1) (c) of the Black Act. It is the section of the Act giving right of residence to the wife, or daughter or son under 18, of a legal resident.

Mrs. Komani entered a prescribed area in May 1974 and remained there under permit until January 1975.

In March 1975, the Administration Board was called upon to concede that Mrs. Komani was entitled to remain by virtue of the provisions of Section 10 (1) (c).

Mrs. Duncan said the judgment also appeared to affect the position of people living in the townships by virtue of a work or residential qualification under section 10 (1) (b) - 10 years of service of one employer or continuous residence for 15 years.

"But I would like time to study this to clarify it, as no specific mention was made of persons falling under this section," she said.
Urban rights ruling: Soweto homes backlog set to double

By Steven Friedman, Labour Reporter

SOWETO’s official housing backlog of 33,000 homes could double “overnight” as a result of this week’s historic Appeal Court ruling which legalises the position of wives and children of men qualified to live in urban areas.

This is the forecast of Mrs Sheema Duncan of the Black Sash.

And she said yesterday that the judgment has also posed the Minister of Co-operation and Development, Dr Piet Koornhof, with one of his most crucial policy dilemmas.

Another implication of the judgment is that administration board finances could be denied by the removal of a form of “concealed rent” which some holders of lodgers’ permits have had to pay.

Mrs Duncan believes the number of people affected by the judgment could run into hundreds of thousands — almost half the estimated 700,000 people living “illegally” in Soweto could benefit.

But she has warned that people who benefit from the judgment must take steps to safeguard their new rights.

This week, the Appellate Division ruled invalid a regulation requiring anyone living in a black residential area to have a valid lodger’s permit, or site or residential permit.

In effect, the ruling has enabled scores of thousands of people living “illegally” without permits in the townships to claim the right to live and work in the cities under Section 10(1)(c) of the Black Urban Areas Act.

Mrs Duncan warned, however, that township residents who qualified to benefit from the judgment would run the risk of arrest if they did not take steps to legalise their position.

One way in which they could do this would be to demand that officials stamp their reference books to show they had 10(1)(c) rights.

She urged formerly “illegal” township residents whose husbands or fathers had residential rights to seek help if they were not clear on what steps to take.

The ruling applies only, however, to wives and children of men who are qualified to live and work in the cities.

Mrs Duncan pointed out, however, that the official housing backlog would now double.

Many men may have been kept off the official waiting list for housing because their wives did not hold lodgers’ permits, and they would now be free to apply.

Soweto’s planning chief, Mr Louis Ruvo, said this week that the official backlog now stood at 33,000 homes.

The ruling had also posed Dr Koornhof with a “crucial policy dilemma”, Mrs Duncan said.

If the Government accepted the ruling, it would have to lay down far more accommodation and facilities in townships such as Soweto to cope with the greatly increased legal and permanent township population.

If, however, it decided to frame new regulations in order to close the “loophole” posed by the judgment, “Dr Koornhof’s claims to have the past laws and to have declared war on the pass system will finally be stripped of all credibility”,

The judgment would also pose financial problems for the boards and result in an effective rent decrease for many households.

Many township dwellers living in their parents’ homes have been paying a R1 a month fee for a lodgers’ permit — raising rents for some households by up to R5 a month.

This would now have to fall away.

Rand Daily Mail Political Correspondent HELEN ZILLE reports that Dr Koornhof said yesterday he would give the judgment urgent study before commenting on its implications.
Influx control 'a cause of rural poverty'

Staff Reporter

THF Government's influx control policy and the existing "grossly unequal" land allocation are the main causes of rural poverty, says an academic of the University of the Witwatersrand.

In the latest issue of Reality, a journal of "liberal and radical opinion", Mr Tom Lodge, senior lecturer in political science, said the "puny efforts" in homeland job-creation schemes and State-sponsored rural development programmes were little more than "propaganda exercises".

He called for the total scrapping of all influx control legislation and a radical redistribution of land as the only solution to the mounting rural poverty.

"The wealth of South Africa's white, and largely urban, society is at least partly based on massive social injustice in the countryside - historically it involved capital accumulation at the expense of the rural poor," he said.

Any reforms to land distribution in the poverty-stricken rural population's favour would involve a drastic reduction in the "grotesque" levels of consumption among members of South Africa's dominant white class.

Mr Lodge said the total removal of influx control laws would provide powerful stimuli for an improvement in the lives of the rural poor.

Although a massive and uncontrolled swelling of South Africa's urban population would bring with it considerable social distress, it would also present very powerful pressures favouring a massive increase in wages, vast expansion of housing, and heavy progressive taxation.

"Of course that would involve considerable costs. At present white urban populations are provided with services which compare favourably with those existing anywhere else in the world at rates which are derisory cheap," he said.

Further points made in the article were:

- Even with the removal of influx control, land reform was imperative, especially if African farmers were expected to produce the surpluses necessary for the country's own security and investment in improved techniques.
- South African industry was increasingly capital-intensive and without the political protection they at present received from the State, white employers - forced to pay higher wages - would be induced to cut down on their labour requirements.
- At present white farmers were still able to employ "political muscle" to gain State protective measures - these were crucial to their success in competing with black peasants in the past, but today they might begin to be "socially costly luxuries" farmers could well do without, and,
- In the short term, the shortage of skills and investment capital, social tension, sabotage and war-time disruption would make simpler forms of agricultural production the most sensible to adopt.
GOVT BLAMED FOR RURAL POVERTY

Mercury Correspondent

Johannesburg—The Government's influx control policy and the existing 'grossly unequal' land allocation are the main causes of rural poverty, says a senior lecturer at the University of the Witwatersrand.

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Boards won’t act on resident ruling yet

By MARIKA SBOROS

THE East and West Rand administration boards say they will wait for new instructions from the Government before they act on the Appeal Court decision which legalises the residential position of wives and children of blacks entitled to live in urban areas.

This was confirmed yesterday by spokesmen for both boards, which between them control the lives of the majority of blacks on the Witwatersrand.

Mrs Helen Suzman, Progressive Federal Party MP for Houghton called on the Minister of Co-operation and Development, Dr Piet Koornhof, to issue those instructions as soon as possible.

"Otherwise I see tremendous confusion, with officials doing their own thing, and expectations among black people that they will now be able to lead normal family lives being quashed, with much subsequent ill-feeling," Mrs Suzman said.

Mrs Suzman said Dr Koornhof should welcome the Appeal Court decision in the light of the utterances he made overseas last year.

But legal sources believe the courts can force the boards to recognise these newly-defined rights, and the Wrb and Erab statements have raised the possibility of new court action to enforce residents’ rights.

The court ruled that a regulation which requires anyone living in a black residential area to have a lodger’s site or residential permit was invalid.

However, yesterday both Wrb and Erab said they were not prepared to stamp these residents’ reference books to indicate that they now held 10(1)(e) rights until they received instructions.

Mrs Suzman and Mrs Sheena Duncan, director of the Black Sash advice office, appealed to blacks who believed they now qualified under the new ruling to "allow the issue to be clarified" before approaching board officials for authorisation.

Legal sources said yesterday that blacks who qualified under the new ruling — the Black Sash estimates that the number runs to hundreds of thousands — could immediately ask the Supreme Court to compel board officials to give them the endorsement.

The Black Sash described yesterday’s move as "insult " to blacks trying to gain their new rights should go about it.

Any man who wishes to have his wife and children living with him must have either a 10(1)(a) or (b) endorsement in his reference book.

If he does not have either of these endorsements he should go to the pass office in his area and ask for it to be put in his reference book.

He is entitled to 10(1)(e) endorsement if he has lived continuously in one town since he was born.

If he has been living " foolishly in one town for 15 years, or if he has worked in registered employment for one employer in one place for 10 full years he is entitled to 10(1)(b) endorsement.

When he has this endorsement he should then take his wife with their marriage certificate, and children with their birth certificates to the administration board in their area to ask for a 10(1)(e) endorsement.

This will be put in his family members’ pass books, and in the case of children under 16, the endorsement will be stamped on the back of their birth certificates."
KOORNHOF'S WARNING

Staff Reporter

THE Minister of Co-operation and Development, Dr Piet Koornhof, has warned that the decision of the Appeal Court on the status of a wife of a man living in a township may not apply to all blacks.

Dr Koornhof was reacting to speculation that the effect of the judgment would be that thousands of wives and children barred from living in black urban townships will be able to move in with their husbands and fathers without restriction.

"It appears that the Appeal Court ruled certain regulations to be ultra vires — a matter on which I cannot comment without prior perusal of the full judgment." He went on to make it clear, however, that it would be completely wrong to make general statements on influx control when the judgment rests on the facts pertaining to a particular person, which facts obviously cannot apply to all wives and children of men contemplated in Section 10 (1) (a) or (b) of the Act.

"It would be completely wrong to infer that a large-scale influx of wives and children of men contemplated in Section 10 (1) (a) or (b) will now be possible as each case will have to be judged on the facts concerned."
'No free movement for blacks'

Buthelezi

Mercery Report

The Chief Minister of KwaZulu, Chief Gatsha Buthelezi, says influx control regulations have not yet been repealed.

Replying to a query from the Mercury he said yesterday that blacks did not have free movement.

'The Western Cape is completely closed to Zulus,' he pointed out, 'Dr Koorshof, Minister of Co-operation and Development, has confirmed this.'

He said an added effect of the ban on free movement was that blacks had to spend large sums of money on transport. 'They were often fleeced by officials who wanted bribes.'

In certain areas like Richards Bay it is almost impossible — if you come from districts like Mahlabatina or Mandum — to get a job,' Chief Buthelezi said.
Sash to back urban rights test case

By Simon Wilson

Blacks who are still refusing the right to live with their families, despite the decision last week outlawing the regulation which made their living together illegal, will now be advised by the Black Sash to go to the Supreme Court.

The Black Sash wants the Supreme Court to set a precedent for the estimated thousands of families who lived together illegally because of Regulation 21(1) of the Urban Areas Consolidation Act.

The regulation required anyone living in a black residential area to hold a lodger's permit, or site and residential permit. It was declared ultra vires (that is, exceeding the powers and authority of the Urban Areas Act) by the Appeal Court in Breggerton last week.

"We will now advise anyone coming to us for help to apply for a 10(1)(c) (endorsement of right to live in a black area) in the normal way. Immediately they are refused, we will refer them through attorneys to the Supreme Court," Mrs. Sheena Duncan, director of the Black Sash Advice Office, said yesterday.

"After the Appeal Court judgment, people seeking 10(1)(c) now have the right to seek a declaration of rights from the Supreme Court, and an order compelling the relevant administrative board to enter a 10(1)(c), endorsed in their reference books."

"What we are speculating about now is whether you can get a 'judgment to affect a whole class of people, not just one,.'"

In a statement on Friday, the Minister of Co-operation and Development, Dr. Piet Koornhof, said the Appeal Court's judgment was based on facts from one case affecting an African family living near Cape Town.

"It would be wrong to make a general assumption that influx control when the judgment rests on facts pertaining to a particular person."

Legal sources said yesterday that if a black seeking residence rights by means of a 10(1)(c) qualification took the case, to the Supreme Court, the judgment applied for would be a mandamus — an application to the court "enter the judgment as a judgment in their reference books."

But other legal sources said the question raised by Koornhof would still apply would it be possible to bring a Supreme Court action on behalf of all people affected by Regulation 21(1), or would separate actions have to be brought by individuals?

Professor John Dugard, professor of law at the University of the Witwatersrand and director of the Centre of Applied Legal Studies, said administration boards could not be expected to abandon existing policies until the judgment had been studied. The significance of the judgment extended beyond the case of the Cape Town family.

"It is impossible to confine the effects of removing the regulation to one person, because the court has ruled the whole regulation to be invalid — so it obviously affects more than one. Generally, when a regulation is declared ultra vires, it has implications going beyond one particular case."

He added that a black person taking a 10(1)(c) case to the Supreme Court would only need an mandamus to establish the principle, and carry the case, for all the people affected by the outlawed Regulation 21(1).
DR Piet Koornhof's attempt to end the pass laws has been foiled again.

Officials of the Central Transvaal Administration Board in Pretoria are using a new charge sheet to "endorse" blacks out of the city despite Dr Koornhof's announcement in February that the so-called "72-hour regulations" would be experimentally lifted in Pretoria and Bloemfontein.

The use of the new charge sheet has been confirmed by the chief director of the board, Mr C H Kotze. According to the charge sheet blacks thought to be illegally in Pretoria are no longer charged under the "72-hour" regulations, but in terms of alternative legislation.

Professor Jan van Rooyen, head of the department of criminal and procedural law at the University of South Africa, this week slammed the new charge sheet as extremely vague.

"I cannot see how — with a charge sheet of this nature — substantive justice can be done to the run-of-the-mill accused in the Commissioner's Court," he added.

Mr Kotze confirmed that the new charge sheet was being used to prosecute blacks thought to be illegally in Pretoria after a senior official of his board had given the Sunday Times one of the new documents.

The official, who does not want to be identified, supplied the document and other information to support his claim that certain "practices which contravene the law" and "loopholes in the law" are being used to get round the suspension of the 72-hour regulations.

Mr Kotze responded: "There are no loopholes. People misunderstand the suspension of the 72-hour rule."

"This does not mean that there is no influx control and that any black is allowed to be in Pretoria illegally and without permission of the labour bureau.

"Those who are here for longer than 72 hours must get permission, and those without permission will be sent to our ad centres. But I don't want to comment further," Mr Kotze said.

Professor Van Rooyen said this week that the continued prosecution of black pass offenders under alternative legislation after the suspension of the 72-hour regulations seemed to be a prime example of the "torture" remark made by Dr Koornhof earlier this year.

(As July Dr Koornhof upset public servants when he compared the public service to a torture, which he said crawls slowly, but if pushed it stops altogether.)

System

"Many of these civil servants, including those implementing the pass laws, were appointed to their positions under another system, and either do not understand the changes that have been made, or don't want to implement them," Professor Van Rooyen said.

He referred to a Supreme Court ruling in 1974 that the phrase "produce on demand" merely required the holder of a reference book to produce it within a reasonable time.

"The newspapers at the time reported another 'tortoise situation' quoting a Pretoria police district commandant stating that he disagreed with the Supreme Court ruling saying 'As far as I am concerned being in possession of a pass means carrying it, and all Africans should do so for their own good.'" Professor Van Rooyen said.

In terms of Article 18 of the Blacks (Urban Areas) Consolidation Act of 1945, no black person is entitled to remain in a prescribed area for more than 72 hours unless he or she has a permit to live or work there, and any black contravening this regulation can be fined R100 or sentenced to up to three months' imprisonment, or both.

In the new charge sheet blacks illegally in Pretoria are charged with contravening Regulation 33(e) of Chapter VIII of Government Notice 1969 of December 12, 1974, as amended, read in conjunction with Article 31 of Act 97 of 1944.

Commenting, Professor Van Rooyen said:"The charge sheet is a mere skeleton containing no substantive legal principles in the Commissioner's Court."

The official who gave the charge sheet to the Sunday Times said that the ad centres had been created to sort out the pass problems of blacks and to prevent their appearing needlessly in court.

But the legislation invoked in the new charge sheet was having precisely the reverse effect, he said.

He said that since Dr Koornhof announced the suspension of the 72-hour regulations, the number of blacks sent to the ad centres in Pretoria had risen from an average of about eight to about 50 a day.

This only dropped off three weeks ago after the Sunday Times reported the resignations of Mr A Klein, prosecutor at the Pretoria Commissioner's Court, who told the commissioner: "I am not prepared to apply apartheid under the guise of justice."

Onslaught

Professor Van Rooyen said that the Vlplien Commission into Pass Reform had recommended in 1976 that influx control should be depenalized, and said that this was even more important now.

"In the light of the total onslaught against South Africa, the traditional approach to influx control must be seen as a strong factor favouring our enemies."

"If our answer to the total onslaught is a total strategy of survival, one of the first things we will have to demolish is the system on influx control worked in the Commissioners Courts."
The following morning we started the proceedings

He difficulty of recent

stated to trustees to:

open to people who might wish to take advantage

who do not know about it;

idea of possible commissions (such as the

and the African Studies Course for the

funds locally for projects such as the

cannot support themselves.

be discussed and decided a meeting. However, Johannesburg proceeded to

on a 'local' basis with only slides/tapes

harmony of the races

in urban. They realised the implications of this

their plans. The 30-odd companies

ten to warn, mostly, signatories to the

es. Invitations will be sent out by May 15.

In contacts on the open day, and in other ways, it

production department financially independent

qualified printer has been employed. SACHED

was hired to prevent on a ground floor and some new machinery.

Funds

The dynamics and mechanics of accepting commissions must be carefully

gone into (and the 'small print' read) to prevent conflict arising

in undertaking anything that might be incompatible with SACHED's

original aims. We must avoid being in a position where:

(i) funds are withheld from the sponsors who have not fulfilled;

(ii) we become dependent on an annual income. In this regard, it

was suggested SACHED obtains sponsorships for specific projects.

In principle there are no objections to accepting funds from

companies. However, because of Cape Town's insularity, we would

have to square ourselves with the community, who may well have

specific objections to such acceptance of funds. The banner on the

front page of Learning Point alerting the funding thereof was an

example of what would be unacceptable in Cape Town and could

seriously prejudice SACHED's Cape Town centre.

We should bear in mind that because of the present law on fund-

raising, it is necessary to enter into a contract with any funding

ey agency. Raymond Tucker

There has been no success with attempting to raise funds from

organisations, rather than companies.
THE LAW

Section 29 of the Black (Urban Areas) Consolidation Act permits a police officer to arrest without warrant in an urban area any African whom he "has reason to believe" is "an idle or undesirable person" and to bring him before a Black Affairs Commissioner, who "shall require such Bantu to give a good and satisfactory account of himself." After an administrative inquiry the commissioner may declare the African "idle" if he is habitually unemployed, or "undesirable" if he has been convicted previously of certain offences — and order him to be sent to his homeland, a rehabilitation centre or to a farm colony for a period not exceeding two years. Jack Leputu was arrested for alleged contravention of this act. This is his story...

By Josie Brouard

September 9, 1958

Charlile Leputu (35) saw his son Jack (13) for the first time in 18 days — in a court dock, an alleged criminal under Section 29 of the Blacks (Urban Areas) Consolidation Act.

On August 21, his son disappeared into the blue — and Charlile worried. Then, a few days later, at a local burial society meeting, Charlile heard his son had been arrested.

Nobody was sure what for. Jack had a reference book, but not a registered employee or work seeking. It was probably a 'penshool' omission, Charlile suspected.

Two weeks and one day later, on Friday September 5, Charlile traced his son to Mediter B prison, Benoni, and on the margins were confirmed. But then, his son was under arrest, about to vagrancy under Section 29.

Charlile was not sure what being a vagrant implied, but went to Mediter B to try and see Jack, to find out if his son would get out, whether he was guilty of a crime.

Anxious

Charlile did not find out that day, nor see his son. Because he had not brought a food parcel for his son, prison officials said he could not have a visitor's permit.

At least Charlile knew he was alive and that he was appearing in court on September 9. It was an anxious wait of four days.

Charlile, however, was relatively lucky. The day of his son's court appearance, the father was accompanied by an attorney and a reporter, two white faces in the sea of blacks at the Central Commissioners Court next door to John Vorster Square.

The party arrived at 9 am and was directed to a court which was empty.

By Josie Brouard

A police officer could arrest anyone in this crowd whom he had "reason to believe" was "idle or undesirable."

The plight of Jack the 'vagrant'

The three then moved on to the "Section 29" office where an officer said Mr Leputu, Jun, was indeed to appear in court that day.

Bail

Twenty-five minutes later, Jack was in the dock.

The attorney asked that bail be granted. "I have not been allowed to speak to the prisoner yet. Your Worship I would like to find out from him the side of the story," she said.

The commissioner asked the inquiry officer if he objected to 250 bail being granted. He did not. But Charlie had only 250. The officer had not accept this.

"We have no record of this name. We do not know where he comes from. Where he was going, if he is a foreign black or perhaps even a terrorist, and am still waiting for his record from Pretoria," the officer said.

Remand

But the prisoner's father was in court and the commissioner allowed Charlie to speak. Charlie said he lived in Alexandra Township and had worked at a gardener for his Highlands North employer for 21 years. The commissioner was impressed.

Charlie told how he had searched the mortuaries.

The inquiry officer said Jack's case might well be withdrawn.

So Jack walked out free, temporarily, after languishing in jail for 18 days. Not once was he given the chance to contact his family, nor was he told of his right to apply for bail, he said.

That day, the same commissioner was scheduled to hear more than 100 more such cases....

The following week 26 days after Jack was originally arrested, the Central Commissioners Court's investigating officer withdrew any charges held against Jack.
Govt to tighten influx control

PORT ELIZABETH — The government is to take steps to make influx control more effective, the Deputy Minister of Co-operation and Development, Dr George Morrison, said yesterday.

He announced this at the Cape National Party Congress here when he replied to a draft resolution, which he rejected, that asked the government to give attention to the fact that whites needed permits to go into black areas while blacks did not need permits to go into white areas.

Later, Dr Morrison refused to disclose what measures the government intended to introduce to tighten-up influx control.

But it is understood the new measures are based on the recommendations of the Trehearn Commission which recommended that black people only be allowed in white areas if they had housing and jobs.

"Good reasons"

The new measures are also linked to the government's declared aim of introducing a uniform identification system for all South Africans.

In his reply, Dr Morrison said people were allowed to leave the homelands for good reasons, basically because there were job opportunities in the white areas.

However, this was strictly controlled by regulation.

Dr Morrison said it was necessary for whites to apply for permits to enter black areas both for their own protection and for the protection of black people.
WILL the hated "dompoor" — or something very much like it — finally eliminated from Life among the Black Africans?

Dr Prat Coorahoof says yes. But the veritable record of this week's Press conference leaves the matter far from clear cut. The Press conference was a system as envisaged in this Bill, black people will not be required to show a referral from the system the black people were emigrated from. The system will be to the Minister on a par with white people. This is the gist of the dompoor.

These changes are now shadowed. Question: If he is appointed to a black area and he is appointed to an area in a white area and he is not appointed to an area in an area in a black area, he will not be "asphyliated". Thus he runs the risk of becoming a police constable to the extent of his out of the job. Dr Koorahoof says that he is appointed to an area in a white area and he is appointed to the black area in a white area and he is appointed to the black area in a black area. The new system will remain as follows. Dr Koorahoof. The new system will be in black areas and will be run by black people. The new system will be a black area.

A white man in a black area is not the same as a black man in a white area. We are not doing away with all controls, and no as long as we have better controls, they must be an order to continue. We must make sure that we do not trip the order. The results will be that the exercise involved in this new system will be.

I have no doubt that when it is all over we will achieve this. For under the present system, if a man has a block letter to a doctor or a general practitioner, he will not be able to see a doctor of a different colour in the block letter. If he has a different colour in the block letter, he will not be able to see a doctor of a different colour. The result will be that the exercise involved in this new system will be.

A black from a non-representative black to the black, where a right of appeal of black communities by blacks could be on people's control, the Press conference was a system as envisaged in this Bill, black people will not be required to show a referral from the system the black people were emigrated from. The system will be to the Minister on a par with white people. This is the gist of the dompoor.

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Revolutionary changes are expected soon.

Apartheid in Action.
PORT ELIZABETH — The government is to take steps to make influx control more effective, Mr. Deputy Minister of Co-operation and Development, Dr. George Morrison, said yesterday.

"Attention is being given to making influx control more effective," Dr. Morrison told the Cape Congress of the National Party.

He announced this when he rejected a draft resolution that asked the government to give attention to the fact that whites needed permits to go into black areas while blacks did not need permits to go into white areas.

Afterwards, Dr. Morrison refused to disclose what measures the government intended to introduce to tighten influx control.

But it is understood that the new measures are based on the recommendations of the Riepert Commission, which recommended that blacks only be allowed in white areas if they had accommodation and jobs.

The new measures are also linked to the government's declared aim of introducing a uniform identification system for all South Africans.

In his reply, Dr. Morrison said people were allowed to leave the homelands for good reasons, basically because there were job opportunities in the white areas. However, this was strictly controlled by regulation.

These controls were necessary because of the lack of housing and lack of job opportunities outside the black states.

Dr. Morrison said it was necessary for whites to apply for permits to enter black areas both for their own protection and for the protection of blacks.
Computer plan to control workers

By Tom Duff, Political Reporter

The Government is considering a vast national computer network to give it far-reaching control over the lives and work of urban black people.

Computers in all the areas now controlled by the main administration boards, linked to each other and to a central computer in Pretoria, would enable the Government to combat unemployment by providing instant information on where jobs are and where workers are who can do the jobs.

The system would also enable the Government to tighten up severely on influx control. A wide array of personal details — including "relevant" criminal offences — would be fed into the computers.

Mrs. Helen Suzman, opposition spokesman on labour affairs and civil liberties, warned today that the introduction of such a system might result in South Africa entering an era of 

The system, she said, that while the system might have some important benefits for black people, it could introduce a degree of "labor control which she doubted existed anywhere outside Russia."

Sources say that if the system is introduced, and it is being contemplated by some senior Government figures, personal details fed into computers will include:

- Educational qualifications and results of aptitude tests.
- A lengthy record of previous employers.
- Records of "relevant" criminal offences.

As understood, that the system could provide for a black "identity" number — the
Mr. Sheen Dunlop, President of the South African Federation of Trade Unions, told the Commission of Inquiry into Homelands today that the influx of homelands workers into the cities would continue unless the influx control laws were repealed. He said: "The influx control laws are driving homelands workers into the cities, and this is only exacerbating the situation."

The Commission is investigating the alleged discrimination against homelands workers in the city of Johannesburg. Mr. Dunlop said that the influx control laws were causing unemployment and social problems in the homelands, and that the influx of workers into the cities was leading to increased crime and violence.

He added: "The influx control laws are causing great hardship to the workers, and they are not being properly protected by the law. The Commission should look into this matter and take action to ensure that the workers' rights are protected."
Top blacks hit out at control by computer

By Craig Charnley and Mike Derry

Black leaders have slated the proposed new system of computerised control over black workers jobs and personal histories.

The proposal, disclosed by the Star yesterday, would give employers and Government officials a complete file on any black worker — including his movements, work history, employer recommendations, and even police record — at the push of a button.

Bishop Desmond Tutu, general secretary of the SA Council of Churches, said: "I find it very sinister."

"While there will be peripheral advantages, the worrying aspect is that it will give the authorities major control over the movements of blacks. Therefore, I think the churches and other interested bodies will have to ask the authorities to have another think."

While some people had said the proposals amounted to the coming of Big Brother to South Africa, Bishop Tutu said: "Big Brother is here already. It's just getting worse."

"DISTURBED"

Umkhatha's principal urban representative, Mr Gibson Thile, said he was "very disturbed" at news of the proposed computer system.

"The Government has been using computers for some time in influx control," he said.

"Obviously now they plan to link up and keep a stricter watch on black people's movements."

Mr Thile said there was no doubt the new computer system would be used to tighten up influx control.

The introduction of the proposed system could mean that "bad elements" in the black community could be singled out, warned Mr George Mabudla, president of the Afrikaner People's Organisation.

"If you're found guilty of any crime — from a pass offence to a political offence — you'll fall victim," he said.
Jobs crisis is due to 'absurd influx laws' 

By Sieg Hannig, Labour Editor

Employment codes and conditions negotiated by trade unions through industrial councils certainly cannot be blamed for South Africa's unemployment, says Mr Michael O'Dowd, chairman of the Free Market Foundation.

In a speech to a seminar of the Institute of International Affairs in Johannesburg yesterday, he blamed the unemployment crisis largely on:

1. the education and training bottlenecks, and
2. the Government's "absurd" policy of trying to put urbanisation into reverse through exporting unemployment to the rural areas by means of influx control.

For example, he said, South Africa had aimed for a servantless society amid a sea of unemployment.

He posed the question of how many jobs had been destroyed by the "entirely intended effects" of influx control.

Mr O'Dowd, who spoke in his private capacity, said economic development which benefited the whole population was possible in South Africa with modern technologies.

Japan, which had a per capita income no higher than that of South Africa in 1960, had provided the proof that this was possible, he said.

Mr Merton Dagut, corporate planner of Nedbank, said South Africa had not yet found the means of emulating Japan.

But it could reap many rewards automatically if it stopped committing "the sins of separate development".

PROFITS

A spokesman for an American firm which cut its black force by 20 percent five years ago to increase wages by up to 40 percent said it had proved a burden on profits.

Instead, 50 percent more jobs had been created as a result of the firm's increased efficiency (and competitiveness).

Professor Jill Natrass of the University of Natal said the immediate impact of higher black wages was greater buying power in the hands of low income earners.

This meant increased demand for food, clothing and other essentials - a demand which actually generated more jobs in the industries producing the goods, she said.

But Mr O'Dowd argued that harm could be done if the high wages being paid by big, capital intensive, firms were enforced on small, labour intensive, companies.

Where such large companies were threatened by competition from smaller ones, they should abandon the business in favour of the smaller firms, he said.
provided and the hours are long — up to 14 hours. Those unable to get work for the day spend their time hiding from the patrols, begging and foraging for food.

Meanwhile, the Cape Provincial Council plans to impose a municipal by-law on Cape Town, compelling it to administer a compound-labour system for domestic servants in Sea Point and Green Point. At its October 28 session the council will amend the municipal ordinance by conferring power on the Administrator to force any local authority to adopt the by-law.

The measure is based on a draft suggested by a 1978 committee headed by Community Development secretary Louis Fouche which investigated "undesirable conditions in Sea Point and Green Point arising from the influx of non-whites."

The report noted that the white population of the suburbs is 50,000, served by an estimated 8,000 "illegal" blacks, half of them Africans. But nightly, the report said, the black population is swelled by 10,000 "unqualified" blacks who work down in servants' quarters.

To clamp down on "unwanted elements" the committee recommended the police be given powers to control occupation of servants' quarters, search private houses, and keep a register of lawful occupiers of servants' quarters and duplicate keys to such quarters for use by the police and municipal officials, if needed for inspection.

Furthermore, the draft contains an assumption clause that the owner of a house, or block of flats knowingly permitted unlawful occupation by an unlicensed friend, husband, wife, etc. unless the contrary can be proved.

It proposed, too, that if the owner of an apartment block of 10 or more flats does not occupy the property he must appoint a representative to act for him in terms of the new by-law. Henceforth, owners will have to keep a register of lawful occupiers of servants' quarters, as well as duplicate keys to such quarters for use by the police and municipal officials, if needed for inspection.

The draft also extends the existing system of licensing of African servants to coloured servants who sleep in. According to the WP Domestic Workers' Association, the system of licensing will be unworkable unless workers can show proof of registration. This amounts to a double permit system.

In a written submission to the Cape Town City Council's committee of inquiry into aspects of the Fouche report ("Behavioural Problems in the Municipality") the Domestic Workers' Association noted that "The so-called influx of blacks into Sea Point is caused by the labour needs of the area. Rape, assault, drunkenness and other forms of antisocial behaviour, which are rife in the Peninsula's black townships, apparently fail to attract the attention or concern of the Department of Community Development."

To emphasise the problem in Sea Point/Green Point, it implies a concession to the moral rightness of separate development."

Workers are horrified they may not have people in their rooms even to relay messages of illness in their families or of other emergencies. Most workers work until at least 10 pm and will in effect be prohibited a simple basic social life.

It is therefore not regarded as a concession that the department does not contemplate a curfew for blacks.
A man speaks out

A FORMER Pretoria prosecutor who was recently charged with theft and had his case struck off the roll, is a bitter man.

Mr Adam Rudolf Klein (24) who recently walked out of the Commissioner's Court in protest against apartheid laws, told SUNDAY POST this week that he felt like a pass-law offender who had just been acquitted, after his case was struck off the roll on October 6.

He said that the abolition of the pass laws was the major issue in stamping out apartheid in South Africa. "I am not going to stop talking about this. Most hated system is frustrating thousands of the black people," said Mr Klein.

There are people who know about these oppressive laws but are afraid to speak out, according to Mr Klein.

"A member of people, including my friends, have told me that my voice is like a shotgun to a thunderstorm," Mr Klein said.

He said that he had got the thunder behind him. Mr Klein also said that the people before him, who fought this system, "have been prosecuted". Some of them were still licking their wounds and "I am still licking mine after this harsh treatment."

He said that he was a bitter man today, but "what about millions of black people who are convicted because of the pass-law system." He said that if the government showed him to keep alive a system like this, he would be humiliated.

According to him, the system creates hatred among the black people.

"Why must a man in an equal society bear a mark in his pocket from sunrise to sunset," he said.

"Why must he be prosecuted for not wearing the mark with him," asked Mr Klein.

By MONK NKOMO

Klein

He said that he wanted to know why a black man's existence had to be stated in a reference book while a white man enjoyed the benefit of his identity.

He said that he had been wandering for the past few weeks "in bitterness".

"When I imagine the bitterness a black man has gone through, I really feel it my duty to encourage the government to abolish these suppressive laws," said Mr Klein.

Asked by SUNDAY POST if he saw any changes coming, Mr Klein said that "the first change should be to make a black feel safe and free, otherwise the whole thing is just another blanket on the window."

Mr Klein said that there was an act which was made to abolish the pass laws "This is Act 67 of 1962," he said.

He told SUNDAY POST that this law has not been enforced as yet because it was made to "feel the whites'"

Mr Klein said that there were 23 offences in Section 15 of the pass laws, which could make millions of black people criminals. "I felt it my duty not to prosecute a man on an unjust laws."
Torn documents shatter Mrs Modise's dreams

A WIDOW who was promised a house and food by the Department of Co-operation and Development was this week given a tin of condensed milk and ordered back to Qwa-Qwa.

This has once again shattered all hopes of ending the controversy surrounding Mrs Emily Modise's forced removal last year from Springs to the Qwa-Qwa bantustan.

The promise of a house and regular supplies of food, including mealie meal, soup powder, beans and condensed milk, was made in writing by Government officials in Nigel on Wednesday this week.

But two days later when Mrs Modise reported at the commissioner's office, the two documents which marked the first step towards her return to the place of her birth were torn up in her face and she was ordered to go back to Qwa-Qwa.

This was not the first time that an empty promise was made to Mrs Modise. When she was forcefully removed from a squatter camp near Springs late last year, she was told that there was a house waiting for her in Qwa-Qwa.

But she was dumped in an open void in drenching rain while she was cuddling her 18-day-old grand-daughter.

Following SUNDAY POST's exposé of Mrs Modise's plight, she was again promised a house by Government officials from Nigel, who visited her while in hospital after a breast operation.

She was still under sedation when she was made to sign certain documents. She was under the impression that she was signing her way into a new house. It later turned out that the documents were an affidavit in which she allegedly admitted that she was resettled in Qwa-Qwa willingly and at her own request.

When I went to the commissioner's offices in Nigel, I had two photostat copies of the documents which had been given to Mrs Modise. A Mr Marais took the documents from me and told me to b... off. This was followed by a strong-worded altercation between him and myself.

He refused to comment on anything concerning Mrs Modise. A spokesman from the Department of Co-operation and Development said Mrs Modise had come to sort out her pension problems and that he knew nothing about a promise of a house.
New deal for blacks
— Koornhof

PRETORIA — A major new deal is coming for urban blacks. Three draft Bills will be published on Friday which will dramatically improve their lot.

The Minister of Cooperation and Development, Dr. Koornhof, has promised that the measures will show the blacks people the first tangible results of all the talk of change over past months.

Speaking at a reception here yesterday for leading Canadian businessmen, politicians and academics visiting the country, he said the Bills would show that getting away from statutory race discrimination was now becoming a reality.

He said a fourth Bill, on the pass laws, was among the legislation which has been prepared over the past 18 months with the aim of doing away with statutory and other racial discrimination. The measures went to the grassroots of the racial struggle in the country.

South Africa was now in a very important period of deep reform and nothing could stop the process. This needed people with strong willpower, faith and fearlessness, as embodied by the Prime Minister, Mr. F. W. Botha.

The country was also in the process of deep constitutional reform as never before in its 300 years of existence.

He saw education as one of the most important problems facing the country.

The Director-General of Cooperation and Development, Mr. J. H. T. Mills, said the measures to be published on Friday were:

- The Local Government and Community Councils Bill;
- The Co-operation and Development Amendment Bill;
- The Black Community Development Bill.

He said the population registration or passbook measure fell under the Department of Internal Affairs but had been prepared in close consultation with the Department of Co-operation and Development.

Dr. Koornhof's promise of far-reaching measures follows yesterday's statement by the former president of the Chamber of Mines, Mr. Dennis Eberedge, that the Government might be posed to take meaningful steps towards ending racial discrimination.
New deal for urban blacks

Plans to change status of community councils

Mercury Correspondent

JOHANNESBURG - Proposals for controversial new laws that will change the lives of millions of black South Africans will be submitted to Parliament by the Government tomorrow.

The proposals seek to change the status of black community councils and to amend the existing General Laws governing the lives of black workers.

They are contained in three draft laws which will be referred to interested parties for comment. After comment has been received, the legislation will be presented to Parliament in its final form next year.

The three laws are aimed at implementing the report of the District Commission which was published last year.

The legislation recommends a number of measures to improve the lot of workers who are currently living in urban areas and to change the system of education and training.

The changes are expected to lead to increased opportunities for the unemployed and to a better education for those already in work.

The Act also provides for the establishment of a District Commission to consider the needs of urban blacks and to make recommendations for the improvement of their living conditions.

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New draft job laws for blacks

By STEVEN FRIEDMAN
Labour Reporter

PROPOSALS for controversial and wide-ranging changes in the laws affecting the lives of millions of black South Africans will be released by the Government tomorrow.

The proposals seek to change the status of black community councils and to amend the maze of influx control laws governing the lives of black workers.

They are contained in three draft laws which will be released tomorrow and circulated to interested parties for comment. After comment has been received, the Bills will be presented to Parliament next year.

The three laws are aimed at implementing the report of the Rekert Commission which was published last year.

The commission recommended several measures to improve the lot of workers who are entitled by law to live in the cities while clamping down on influx control in an attempt to keep workers without these rights out of the cities.

It is expected that this policy of improving the lot of urban blacks while tightening up on influx control will be reflected in the new legislation.

Officials in the Department of Co-operation and Development have been working for most of this year in an attempt to translate the Rekert recommendations into law.

One feature that new laws will be a Black Community Development Act, which will seek to replace some of the laws and regulations governing the lives of blacks.

It is expected that many of these laws presently in the Statute Book will be repealed once the new legislation comes into force.

Some sources believe that the Government has decided to repeal Section 10 of the Black Urban Areas (Consolidation Act) which makes it an offence for workers to be in an urban area for longer than 72 hours without official permission.

Workers who are exempt from this stipulation are those who have been born in an urban area and those who have worked continuously for one employer in the area for 10 years or for a number of employers for 15 years.

These sources believe that Section 10 will be replaced by a stipulation that all black workers in an urban area must show that they have jobs and officially-approved housing.

This proposal would be consistent with the Rekert report. Government sources argue it would significantly improve the lot of urban blacks.

However, its critics argue that it would remove an important legal protection for black workers.

At present, workers who comply with the stipulations are legally entitled to remain in an urban area and critics of this idea say it would remove an entrenched legal right of blacks to live in the cities.

The new legislation will also make changes to the laws governing community councils.

Government spokesmen have said that the councils will have "more than municipal status" but that it is not clear whether this principle is contained in the new legislation.

Officials have declined to give any details of the proposed changes beyond saying that they intend to stick as close to the controversial Rekert recommendations "as is possible".

Although the new bills do not make specific reference to it, blacks, whites, coloureds, and Indians will eventually be issued a standard identity document — but blacks will still have to carry a separate document indicating whether they have the right to be in a particular area.

Although new black town councils could raise loans to finance their activities, a "revolving fund" would be established to assist them until they became more viable, an official said.
NEW HOPE SAYS SASH

HOPEs of becoming permanent residents of Johannesburg have been raised for hundreds, possibly thousands, of black contract workers, says Mrs. Sheena Duncan, director of the Johannesburg Advice Office of the Black Sash.

This also applies to many of the Municipal workers who were sacked as a result of their strike a few months ago, she added.

Mrs. Duncan was commenting on the granting of permanent residence rights to a Johannesburg gardener, who worked continuously as a contract worker for a single employer for the past 12 years.

In terms of the Black (Urban Areas) Consolidation Act any black who worked continuously for one employer for 10 years in an urban area, or for several employers in one urban area for 15 years, gets permanent residence rights.

But the right was taken away in 1968 when one-year contracts, the maximum permitted, were deemed to break continuous service for purposes of the act.

The case of the gardener, Mr. Khazamola Samuel Chauke, is the first exception which Mrs. Duncan has heard of in her long experience.

It was handled by the Johannesburg Legal Resources Centre (LRC).

After the municipal labour officer had turned down Mr. Chauke's application for permanent residence rights, in terms of Section 10 (1)(B) of the Black (Urban Areas) Consolidation Act, the LRC appealed to the Chief Commissioner for the Witwatersrand, Mr. F. A. van Heerden.

He overruled the municipal labour officer's decision and granted Mr. Chauke permanent residence rights. Mr. F. A. van Heerden said that he could not recall the case because he handled so many.

"Every case is being handled on its merit and there has definitely been no policy change," he said.

But a spokesman for the LRC said he was confident of his interpretation of the law that where an employer and an employee on contract both intended to maintain their relationship over a period of years and in fact did so, that employment was continuous and unaffected by the formalities of one-year contracts.

He said more such applications were being prepared. Mrs. Duncan said that the rejection of a similar application by the West Rand Administration Board indicated that no new instructions had been issued by the Chief Commissioner.
Another "new deal" from Dr K

THREE draft Bills which promise a major new deal for blacks — especially those in urban areas — are to be published in the Government Gazette today.

Explanatory information relating to the Local Government Bill, the Laws on Co-operation and Development Amendment Bill and the Black Community Development Bill, were released in Pretoria last night.

The Bills are primarily intended to update and to remove unnecessary and harmful discrimination appearing in the legislation reviewed in the Bills, give effect to the accepted recommendations of the Richter Commission, and to effect a certain measure of rationalisation of the legislation administered by the Department of Co-operation and Development.

The Bills provide for two councils with full municipal autonomy, under the overall control of the Minister and village councils, with varying degrees of responsibility, superseding the former community councils.

The Department emphasised that the Bill was based on principles embodied in the Transvaal Local Government Ordinance No 17 of 1939.

The Department says that following the system in the Transvaal, a director of local government, being an officer of the Department of Co-operation and Development, is to be entrusted with the responsibility of ensuring the effective implementation of the Bill on a country-wide basis, and generally to promote the advancement of local government in towns and rural areas.

In terms of the draft Bill, an existing community council automatically becomes a village council, save where the minister specifically declares such a council to be a town council.

The proposed laws on the Co-operation and Development Amendment Bill either repeal them in their entirety or...
Bills, give effect to the accepted recommendations of the Biekert Commission, and to effect a certain measure of rationalization of the legislation administered by the Department of Co-operation and Development.

Speaking at a Press conference the Minister of Co-operation and Development, Dr Piet Kornhof, said that the proposed laws on the Co-operation and Development Amendment Bill either repeal or amend Acts about 22 existing laws.

Amend

According to this draft bill, the black Administration Act, 1927, so as to further regulate the prohibition of acts intended to cause hostility between population groups.

The last of the three pieces of legislation — the Black Community Development Bill — provides for the development of urban and rural black communities outside the national states and to amend and consolidate different laws affecting them.

Under the Bill, some 36 existing laws are either to be repealed in their entirety or are to be amended.

It will provide for "influx control" machinery and also regulate the presence of disqualified persons in rural areas, outside the national states.
Hope for contract workers in new ruling on rights

By Sieg Hannis
Labour Editor

Hopes of becoming permanent residents of Johannesburg have been raised for hundreds, possibly thousands, of black contract workers, says Mrs Sheena Duncan, director of the Johannesburg advice office of the Black Sash.

This also applied to many of the municipal workers who were sacked as a result of their strike a few months ago, she told The Star.

Mrs Duncan was commenting on the granting of permanent residence rights to a Johannesburg gardener who worked continuously as a contract worker for a single employer for the past 12 years.

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He overruled the Municipal Labour Officer’s decision and granted Mr Chauke permanent residence rights.

Mr van Heerden told The Star today that he could not recall the case because he handled so many.

But he stressed that there had been no policy change in these matters as far as he was concerned.

“Every case is being handled on its merit and there has definitely been no policy change,” he said.

But a spokesman for the LRC said he was confident of his interpretation of the law that where an employer and an employee on contract both intended to maintain their relationship over a period of years, and in fact did so, that employment was continuous and unaffected by the formalities of one-year contracts.

He said more such applications were being prepared.

PERSONAL DECISION

Mrs Duncan said that the rejection of a similar application yesterday by the West Rand Administration Board indicated that no new instruction had been issued by the Chief Commissioner.

“The commissioner’s personal decision in individual cases is not good enough,” she said.

“One wants either a firm ruling from the commissioner or, failing that, that the matter should be tested in court.”

Nevertheless she intended to advise 200 or more similar contract workers on the books of the Black Sash to follow Mr Chauke’s example.
New deal legislation welcomed, slammed

Mixed reactions, from outright condemnation to strong acceptance, today greeted the far-reaching draft legislation on the future of urban blacks within hours of its publication.

Black consciousness groups, however, have already rejected it, but most experts on the highly complex subject of legislation affecting urban blacks and influx control — especially blacks — are still studying draft legislation of more than 200 pages.

Mr John Knoetze, chairman of the West Rand Administration Board, said the Bills, which were published today, provided a "wonderful opportunity" for the development of local authorities in black areas.

Mrs Sheila Duncan, head of the Black Sash office in Johannesburg, said the proposed legislation would put a total stop to black urbanisation. All loopholes allowing people to come into the cities would be closed.

The three Bills provide some benefits for black people. These include:

1. Increased mobility for blacks qualified to be in urban areas.
2. New categories of black people who can be in urban areas.
3. A qualified black person, in an urban area, can be joined by his family if suitable accommodation is available.
4. Far more autonomy for urban blacks with local authorities, with blacks being allowed to have fully-fledged city, town, and village councils.
5. Where previously unqualified blacks could only "stay" in an urban area for 72 hours, the Bill provides for such persons to "live" for 10 years in an area. "People staying in hotels are also classified as bona fide visitors."
6. Where "Verwoerdism" prevailed, it was not asked...
Uncertainty

As an indication of uncertainty, the Committee of Ministers, in their meeting of 25 February, requested additional information on the proposed legislation. The Committee noted that the proposed legislation was based on the assumption of a steady flow of refugees. The Committee expressed concern that the proposed legislation might not address the potential for a sudden increase in the number of refugees. The Committee also raised the issue of the availability of housing for refugees and the impact on the local community.

Dr. J. M. H. Miller, Secretary of the Ministry of Housing, explained that the proposed legislation was designed to ensure that refugees were adequately housed. He noted that the Ministry had been working with local authorities to identify suitable accommodation, and that additional resources would be allocated to support the housing needs of refugees.

The Committee also discussed the need for a quorum of representatives from the Committee of Ministers. It was agreed that a quorum of five members would be required for the Committee to proceed with its work. The Committee also considered the possibility of establishing a permanent committee to oversee the implementation of the proposed legislation.

The Committee decided to refer the matter to the Committee of Experts, which would be responsible for revising the proposed legislation and providing further advice to the Committee of Ministers.
Pass laws

(Continued from Page 1)

HAS BECOME

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tion would put a total stop to black urbanisation. All
loopholes allowing people to come into the cities
would be closed.

Mrs Helen Suzman, Opposition spokesman on
black affairs, said that from reports about the
Bills it seemed the fundamental point was that the
pass system remained.

SCIENTIFI

OF LIFEST

ARE ALRE

As long as blacks had to produce a document in
demand to any policeman to prove that they have a
right to be in an urban area, they were subject to the
system which had prevailed in the past.

ARE ALRE

CONTRADICTORY

THIS CAN

He saw the proposals as a very limited baim to the
country's mood, but not a cure.

THE PREV

The proposals were based on apartheid, he said, and asked: "What
about discrimination? What discrimination is not hurtful?"

Mr Mandla said: "It is
.../4

BECOME AVAILABLE FOR OTHER DEMANDING HEALTH PROBLEMS.

PLEASE ALLOW ME TO CORRECT A POSSIBLE MISCONCEPTION. THE FEAR MIGHT
ARISE THAT A HEART PROGRAMME CONSISTS ONLY OF "DON'T S AND DO-NOT S"
SOME SCEPTICS GO EVEN FURTHER BY UTERING WARNINGS THAT THE PROTECTION
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ARGUS CORRESPONDENT

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Koornhof
Bills ‘part
of total
strategy

By John Murray and
Lynda Laxton

Draft Bills published yes-
terday entrenched the
Government’s total strate-
gy of policy to refuse
sharings of political and
economic power with
‘blacks,’ says the South
African Council of Chur-
ch.

The Local Government
Bill, the Laws on Co-
operation, and Develop-
ment Amendment Bill
and the Black Community
Development Bill were an-
nounced by the Minister
of Co-operation and De-
velopment, Dr Plof Koorn-
hof.

SACC general secretary,
Bishop Desmond Tutu
said “The Bills represent
an attempt to improve the
conditions of so-called
‘qualified’ blacks allowed
on a relatively permanent
basis to remain in the
Republic.

DISQUALIFY

“At the same time they
don’t ensure that their numbers
are restricted,” the SACC
general secretary, comprised by the former
Union of South Africa as
a unitary state, and does
not recognize the right of
the Government to dis-
qualify any black people
born here from living in
the RSA.”

The Black Community
Development Bill was “an-
other ‘effort’ to try to
whitewash discriminatory
innovation,” experts
claimed today.

“The draft legislation
would do away with the
hated Urban Areas Con-
solidation Act, but trans-
fer its powers to the
Group Areas Act.

INQUISITIOUS

Mrs Sheena Duncan,
president of the Black
South, said: “This brings
all races under the con-
trol of the Group Areas
Act was not moving away
from discrimination, but
entrenching an iniquitous
Act.

Professor John Dugard,
director of the Centre for
Applied Legal Studies at
the University of the Wit-
watersrand, said there was no merg-
ing of the ‘present legisla-
tion for blacks with the
Group Areas Act is clearly
designed to present the
impression that the legis-
lation is not racist.”
Koornhof's strategy

To begin with, we must commend Dr Koornhof for placing his draft reform Bills before the public for thorough discussion before deciding on their final form and presenting them to Parliament.

This in itself is a most welcome change from traditional Nationalist practice. Dr Koornhof says he wants "community involvement" in assessing the Bills, he wants to open up a forum for public discussion so that all the issues involved can be thoroughly ventilated. How refreshing.

In other respects, too, the Koornhof proposals have some welcome features about them — not least being the fact that they amount to recognition at last that reform requires changes in the law and not just resounding speeches and promises.

They would undoubtedly lead to greater stability and security for the urban black population. And greater mobility, too, within prescribed areas which are apparently going to be considerably enlarged.

It will be easier for qualified workers to bring their families to live with them. So-called "disqualified" people will be able to stay in an urban area for 30 days at a time instead of the present, cruelly brief 72 hours: so relatives and others will be able to do some reasonable visiting — and job-hunting.

Against this is the severe tightening up of the influx control regulations. As with speeding, they are to be enforced by the big stick of fearful fines. We doubt whether it will work: nowhere in the Third World has anyone been able to stop desperate people from migrating towards the cities. All that will happen is that there will be heavier punishment and more suffering.

But, what is the purpose of it all?

Unquestionably it all forms part of a new Nationalist experiment in socio-political engineering. The old strategy of separate development, based on independent Bantustans, is not working. Something new has to be sought, and the new strategy is to try to forge an alliance with the emergent urban black middle-class and what might be called the black labour aristocracy.

The Wiehahn and Riekert Reports provide the basis for this. Dr Koornhof's Bills provide the legislative follow-through.

It is an attempt to limit the settled urban black population to a largely middle-class group, to separate it from the largely destitute black masses, and to try to win its allegiance by freeing it from the worst apartheid restrictions and allowing it to enjoy a rising standard of living in a growing free enterprise economy.

It is an interesting concept in the quest for continued white control. But two weaknesses suggest themselves.

The first: as black commentators have been quick to point out, is that this advancing black middle class will demand concomitant political advancement too — and that means a share in running the country, not just their own municipal affairs.

The other is that trying to cut off the destitute masses and thrust them away into rural backwaters hardly commends itself as a sensible strategy in a sub-continent where the pattern has been for revolutionaries to start their guerrilla wars in just such areas.

Two pretty fundamental deficiencies, we would say, in this blueprint for apartheid Mark III.
Blackout on 72-hour curfew

AS SECRETLY as the Government’s experiment on the 72-hour curfew law was carried out in Pretoria and Bloemfontein, so it ended — without a word being said — at the end of August.

And still no one is saying how the experiments were carried out or what the results were.

The only reply the Sunday Express got from the Department of Co-operation and Development — responsible for the experiment in the two cities — was that “the experiments ended in August but no results are available yet”.

A spokesman said changes in the pass system will be outlined to a meeting of editors. But he insisted the changes were not the result of the pass-law experiment.

There was no comment to other questions the Sunday Express put to the department.

By BARRY LEVY

These included whether or not arrests were being carried out against 72-hour curfew transgressors now that the experiment had ended.

In Pretoria a Sunday Express reporter, who visited the area to get a first-hand account of the method and progress of the experiment, was given the runaround from one Government department to the next.

At each of the many offices visited — from that of an Administration Board inspector to the deputy director’s office and a Press officer of the Department of Co-operation and Development — the Sunday Express was told:

“We have instructions from the relevant Minister but we have been told not to talk about the experiment until it is finished.”

This week again, the Sunday Express met with a similar response from officials in the two cities, who said the matter was “sub judice”.

Police pay out mother after arrest

A YOUNG Soweto mother has been paid R1 200 by the Minister of Police in an out-of-court settlement after being arrested in Hillbrow and locked in a cell with 12 other women.

Miss Angelene Ramovha, of Zone 1, Dapkhlo, told the Sunday Express she spent three days in a Hillbrow police cell before being told she could go home.

She was never charged and now, eight months later, still doesn’t know why she was plucked off the street in broad daylight.

Miss Ramovha was lucky. Her employers got in touch with the Legal Resources Centre and this week she received her cheque — for wrongful arrest and imprisonment.

“Some of the other women I was detained with were also released without being charged. I don’t think they got any money,” Miss Ramovha said.

Mr Geoff Budlender of the Legal Resources Centre said he had a number of similar cases pending against the police.

Miss Ramovha was born in Sophiatown in 1958 and qualifies under Section 10(1)(A) for the right to live and work in Johannesburg. When arrested last February she was pregnant.

In her claim against the Minister, she said in a statement: “After finishing my work as a domestic servant in Yeoville I was walking through Hillbrow to catch a bus home.

“Suddenly I saw a police van stop in front of me. One white woman, one black police-man and a white policewoman got out of the van and came to me.

“The policewoman asked me for my reference book, which I gave her. She then asked me whether I was employed, and I said yes.

“They gave me my reference book back, told me to get into the van and took me to the Hospital Hill police station.”

There she was questioned about her employer, had her fingerprints taken, and a policeman wrote down the “colour of my clothes”.

“I was then taken to a cell where there were 12 women. I didn’t know why I was locked up and I was scared.”

Miss Ramovha was arrested on Monday and released on Monday morning.

“We were fed two meals a day on bread and tea. There were no beds and we slept on dirty mats with smelly blankets.”

On Monday morning the “prisoners” were taken to the “Bantu Commissioner’s Court”, in Market Street.

“I don’t know the court number, but I was called into the accused box. I never saw a magistrate or commissioner. A policeman told me I had been found guilty and could go home.”

Miss Ramovha’s employers, who want to remain anonymous, suggested she take her case to the Legal Resources Centre.

Mr Budlender said that the police initially filed notice to defend Miss Ramovha’s action, but later withdrew and offered to pay her R1 200 for “wrongful arrest and imprisonment.”

Miss Ramovha is now the mother of a one-month-old son, Stefan, but she still cannot understand “why the police arrested me and locked me up for nothing.”

“I was paid some money though, so I think I was luckier than others,” she said.

Colonel Leon Miellet, of the Police Directorate of Public Relations, refused to comment on the allegation that Miss Ramovha was forced to share a tiny cell with 12 other women.

“I am not here to comment on wild allegations made to the Press,” he said. “As far as we are concerned the matter is closed.”
Tutu: Bills aim to limit urban blacks

Staff Reporter

THE SA Council of Churches concedes Dr Piel Roosnhoof's new draft legislation is an attempt to improve the conditions of "qualified" black people - but has warned that it aims to ensure that the number of so-called "qualified" blacks is restricted.

In a statement on behalf of the SACC, its general secretary, Bishop Desmond Tutu, said: "The Bills represent an attempt to improve the conditions of so-called 'qualified' black people who are allowed in terms of legislation to live on a relatively permanent basis in South Africa.

"At the same time, the proposed legislation ensures that the number of so-called 'qualified' black people is restricted," he said.

The limited improvements granted to a limited number of people by the new draft legislation was interpreted by the SACC in terms of the 'total strategy' concept.

The SACC rejected concessions meant to consolidate the refusal of the Government to share political and economic power with blacks.

"The SACC has not yet been in a position to study the full text of the new Bill. It has, however, taken account of the newspaper reports. From these reports it is to be inferred that the Bills aim at implementing the recommendations of the Rekert Commission.

"The Rekert Commission is a very efficient instrument to give a few blacks increased privileges while turning the screws on the bulk of the blacks."

The SACC regarded South Africa as a unitary state and did not recognise the right of the Government to disqualify from living in this country any black born in it.

It considered the Minister of Co-operation and Development's references to Abraham Lincoln and William Wilberforce, the slave emancipator, to be offensive to the people of South Africa.

The proposals implied that a growing number of blacks would be confined to impoverished rural areas and cut off from access to the common wealth built up by all South Africans over many decades, Bishop Tutu said.

"Concessions do not compensate for the removal of South African citizenship from virtually all South African blacks and the more stringent exclusion from towns of those who do not possess Section 10 rights."

Bishop Tutu said the rural poor constituted a huge majority of blacks, cut off from access to the common wealth built up during a century of mineral and industrial development; bearing too large a share of the endemic poverty and unemployment; with their condition aggravated by the continuing removal of blacks from "white" areas to "resettlement" areas in or alongside overpopulated homelands in which people were already starving."
By Sheena Duncan

They're still pass laws Call them what you like!

Yoosin's new Bills

(Original photo 1926)

INSIDE NAIL
claims are made that they are designed to remove
"hurtful discrimination."

Whether it is called a Book of Life, a Passport, a Docu-
ment or a Reference Book, the essential document remains a pass and is
described in the definitions of the Black Community De-
velopment Bill as the document 
"whereby the identity and
right to be at the place where he is, can be established".

Chapter 51 of Chapter VI says 
"Any person who fails with-
out reasonable cause or re-
fusing to answer a demand
to an authorized officer any
authority, permit, licence, 
certificate or other document
which such person is required
under this Act to hold or pos-
sess shall be guilty of an offence."

Many of the clauses in the
Bill are identical to, or very
similar to, those in existing
legislation. The powers given
the Minister are extensive.
The onus of proof continues to
rest with the black person. He
is presumed to be guilty until
he proves himself to be
innocent.

The powers of the Minister
to disestablish or abolish
townships and relocate the
people elsewhere remain.
His powers to force a local au-
thority to ensure accom-
mmodation and amenities are
made available for black peo-
ples whose families or who
are in the area still there, but in
the absence of any legal rights for blacks, which would enable them to insist that the
Minister exercises this pow-
er, is discretionary and subject to fluc-
tuations in Government pol-
icy.

In response to one 1978 Assurances that this policy is
now changed are welcome but no
guarantee against future
reversals.

The limited concession that
those black people who have
rights to remain permanently
in an urban area may move to
another town, provided that
they have a job and accom-
mmodation to go to, is not
enforced. This provision was introduced in amendments to the Black
Labour Regulations on Janu-
ary 13 this year and new legis-
lation was not required to
provide for it. Dr Koschier is
right when he claims that
it gives to black people the
same freedom of movement
as is enjoyed by white people.
Black people have to prove
that they have the necessary qualifications to make use of the
concession and that they
have a job and accommoda-
tion. White people do not have to prove any one of these
things.

In the experience of the Black Labour Office in Johannes-
burg, this concession is of value to those young single black people who were
born and have grown up in
small towns where there are
few employment opportuni-
ties. They can find lodgings
as single people with rela-
tives and friends once they
have an offer of employment.
But for family men wanting

The new Bill does not allow
any further urbanisation to
take place. The outsiders re-
main outsiders and the trend,
which has been evident in the
last two years and particular-
ly in the Rekert Commission
report that people who
live in the homelands will
be increasingly excluded from
participation in the central
economy and from sharing in
the benefits of economic
growth, is accelerated and
entrenched.

As recommended by the
Rekert Commission, controls
over black people are being
removed from the streets to
places of employment and
accommodation and these
controls will indeed be more
efficient than they have ever
been in the past. All black
people in white areas are
"disqualified persons" unless
they fall within certain
exempted classes.

In the townships they are
disqualified persons unless
they are "authorised" to be
there at all, apart from those
who may become holders of a
99-year lease, there is nothing
in the Bill to indicate who
will be authorised to remain
in a township, and nothing
which appears to confer any
legal rights on those who do
not already have a site or
residential permit to remain
there. There is only a pre-
sumption that those who are
exempted, and are therefore
allowed to be in white areas
outside the townships for em-
ployment purposes, are also
allowed to be in the townships
for residence purposes if they
have accommodation, pro-
vided that they are not com-
muters. "(Communities are
those people who travel to
white areas from homelands
on a daily basis)."

A right of leasehold "shall
be granted only to South Afri-
can citizens or to former
South African citizens who
are now citizens of indepen-
dent homelands and to their
descendants", provided that
they are lawfully resident in
the urban area and are "not,
required by any law or by any
bilateral agreement to return
to a national state on the
expiration of any period of
time". The Minister may ap-
prove the granting of a lease-
hold right to any person,
group or category of persons
in addition to the above.

Outside the townships all
black people are disqualified
unless they fall into the fol-
lowing exempted classes:

(a) People who are not for-
eigners and who are in lawful
employment and have
approved accommodation.
Until the new Labour Bill is
published we will not know how
a person is to obtain "lawful"
employment, but it is clear
from the provisions in this
Bill relating to the licensing of
recruiting agents and re-
recruiting only through official
employment bureaux that this
will remain under the stric-
test control.

(b) People who qualify in
terms of Section 101(1)(a) or
(b) at the time the Act comes
into force. These are the
people who have lived continu-
ously in one town since they

led to visit, or those in rural
areas who have the approval
of the owner of the land on
which the person they are
visiting is lawfully resident,
and foreigners who have been
given permission to visit. The
authorisation to visit must be
endorsed in "a document pre-
scribed for the purpose" (ie a
pass).

Permission to visit is not
required for a period visiting
a lawful resident in a town-
ship for less than 30 days in
any one calendar year, al-
though how this is to be moni-
tored is not explained.

A bona fide visitor is also a
guest of an officer in a hos-
thospital or asylum or a scholar
at an official educational insti-
tution, who is accommodated
in premises provided by the
institution. A courier is also a
bona fide visitor.

A visitor's permit may not
be refused to a dependent of
a person who is not domiciled
in a hospital or asylum or
is a scholar or student at an
official educational insti-
tution, who is accommodated
in premises provided by the
institution.

Any black person who is in
a white area and is not
exempted as above from the
discrimination referred to, is
sentenced on summary to 6
months' jail for a first off-
cence. The person who
employs him is liable to a
maximum fine of R50 or six
months' jail for a first off-
cence and for a second off-
cence to a maximum fine of
R500 and six months' jail
or imprisonment in any
white area. The person who
employs him is liable to a
maximum fine of R50 or six
months' jail for a first off-
cence. The person who even
knowing him is in a white
area does not employ him
is liable to a maximum fine
of R50 and six months' jail.

The onus of proving himself
innocent is on the accused.

The court convicting a per-
son who is found guilty of
"unlawfully occupying" may
suspend the penalties on con-
tdition he is re-patriated to his
home or renders such com-
munity service as may be
determined, or is enrolled to
be trained as an artisan for a
period stipulated by the court.

If the person is convicted for
a second time then the court
may sentence him to serve a
motor vehicle to commit the
offence the vehicle may be
declared forfeit to the State.

This is not a flagrant of
Bills ‘could increase’ race tension

Political Correspondent

THE chairman of the Progressive Federal Party federal executive, Dr Alex Borane, said last night that proposals new regulations for urban blacks could increase racial tension.

He said in a statement that the draft legislation proposed by the Minister of Co-operation and Development, Dr Piet Koornhof, was good in parts — some obnoxious provisions were being removed but influx control was retained.

Dr Borane also noted that blacks in the Western Cape were still excluded from buying houses on leasehold, one of the major ways blacks in other areas could now qualify for permanent urban residence.

Dr Koornhof’s draft bills showed some tinkering with the framework of regulations on urban blacks but the government had yet to show concrete evidence of a fundamental departure from Verwoerdian apartheid.

Influx control, although modified, would still be in operation, problems created by the production of documents on demand had not been fully dealt with and blacks were still excluded from owning freehold land in urban areas.

“I am also not convinced that using the Group Areas Act to control the residence of blacks in urban areas will facilitate sound relations between white and black. Indeed, it can only exacerbate existing tension,” he said.

On the other hand, the bills represented a belated recognition of the permanence of blacks in urban areas and generally appeared to stabilize the position of blacks living in recognized townships.

They also removed some of the more obnoxious present provisions allowing for harassment of black citizens and gave a more meaningful form of local self-government to black municipalities.

“Tto what extent the spirit of the new bills will be carried into practice depends very much on the action of police and other officials,” Dr Borane stated.

(News by P. Acott, 77 Berg Street, Cape Town)
Staff Reporter

Sash: Dr K’s Bills mean tougher curbs

HEAVIER restrictions will be imposed on most blacks if three draft Bills prepared by the Government become law, according to the Black Sash.

Details of the Black Community Development Bill, the Local Government Bill and the Law on Co-operation and Development Bill were released last month by Dr Piet Koornhof, Minister of Co-operation and Development.

Dr Koornhof said they were a genuine attempt to remove hurtful and unnecessary discrimination in the statutes and invited ideas for improving them.

In a letter to his department the Black Sash has rejected the three Bills “because we believe that they do nothing to ease the restrictions on the vast majority of black people, that in fact even more onerous restrictions are to be imposed upon them.”

The letter says “While a small proportion of black people are to be marginally better off, this is to be at the expense of their Section 10 rights, which are to be exchanged for exemptions.”

“For as long as influx control is imposed and administered it will be necessary for those whom it controls to carry some form of identification and exemption.”

“Whether this is termed a reference book or a book of life or whatever, it remains a ‘dopen’, in the minds of its bearers, in the minds of those administering the law, and therefore in actuality.”

Software is now performing a significant part of any data processing system of its costs.

Currently 55 per cent is estimated to be going industry software. This figure is estimated to be higher.

The software most closely linked with the hardware are Operating Systems. This software is also typically bought ready-made, for the same reason as for hardware.

In the 1960’s companies still made their own utilities such as sorts and their own technical software for statistical and engineering applications. Such software is now also mostly bought ready-made, since the problems are simple and well understood.

In the 1970’s software has become available for such general tasks as payroll and financial accounting. These are now considered more or less as utilities and are therefore typically bought ready-made.

The final and most important level may be called Special Application Software. This consists of applications that are specific to a particular business. Through its high level of integration this software is extremely complex and ready made packages are therefore more difficult to apply.

Special Application Software (SAS) has several important characteristics:

- it is typically closely linked to the “nuts and bolts” of a business e.g. customer handling, production control
- it is highly integrated and changes are difficult to make
- it must serve the decision making needs of the organisation and must therefore be able to grow with the organisation.
Prediction of outrage at new influx law

By Drew Forrest

The response of urban blacks to proposed new laws on influx control would be one of "utter frustration, anger and outrage", the Black Sash has said.

Three draft bills — the Local Government Bill, the Laws on Co-operation and Development Amendment Bill and the Black Community Development Bill — were recently published by the Department of Co-operation and Development.

They deal with local government for black townships in white areas, changes in the Administration Board, system and controls on the movement of blacks and their presence in white areas.

In a letter responding to a Government request for public comment, the Sash "totally rejects" the Bills saying the restrictions imposed by them would be "even more onerous" than those currently in force.

The marginal improvements proposed by the Bills would be offset by their abrogation of legally enforceable residence rights.

There was a further danger that most of the Press and the public had accepted that controls would be liberalised by the Bills.

But the administration of the laws would show them to be "no less restrictive and in some instances more so," the letter states, and the reaction of blacks would inevitably be one of "utter frustration, anger and outrage."
Churches condemn 'key law'

THE Provincial Council law granting officials the right to demand keys to enter the quarters of domestic workers was this week condemned by leaders of 26 Congregational churches representing 13,000 churchgoers in the Western Cape at a meeting in Rondebosch.

The law was passed at the last session of the Cape Provincial Council but has not yet been gazetted.

The law requires house holders and flat-dwellers to keep a register of servants and a key to the servants' quarters which may be demanded at any time between midnight and 8 am by police or municipal officials in the areas where the legislation applies.

A statement issued after the meeting read: "The Peninsula regional council of the United Congregational Church of Southern Africa strongly deplores the recent legislation of the Provincial Council compelling home and flat-owners to have duplicate keys to the rooms of their domestic employees available on demand to policemen and other officials. "It condemns this as an invasion of the ordinary human rights of privacy and as a measure that will exacerbate race relations in our society.""
Pass raid police propositioned me, says claimant

Police on pass raids frequently arrest black people even when their passes were completely in order, a church official told the Johannesburg Magistrate's Court yesterday.

Miss Joyce Mohlehe, secretary of the Catholic League Association, said police unjustifiably arrested, manhandled, "propositioned," and insulted her, in a pass raid on January 18.

She is suing the Minister of Police, Mr. L. M. Grange, for a total of R2,000 for false arrest, pain and suffering, and criminal injuries.

She described the raid and her subsequent three-hour detention after she had come from Soweto to Johannesburg to visit the Catholic Diocese office at St. Mary's Cathedral.

'Grabbed'

She said she produced her pass on demand by a black policeman. He paged through it and said he was arresting her. She asked him to accompany her to the cathedral office, a few blocks away, but he refused.

A white policeman then grabbed her by the back of the neck and shouted: "Gaan jy, kaffer" (Go on you kaffer) and pushed her into a police van.

The van stopped for several more arrests, then went on to Hillbrow police station, where she and 10 others were fingerprinted and had their personal particulars noted.

One policeman touched her breasts and "propositioned" her saying, if you don't agree, you're going to be locked up the entire weekend.

'Too late!'

"I asked him, is that the way it's done here?" and stopped him," Miss Mohlehe added.

Police repeatedly refused to contact the cathedral. She said, and "told lies; it was too late, because, the detention papers have been filled in.

Three hours later a plain-clothes supervisor released her.

Mr. Geoff Budlender appeared for Miss Mohlehe, Mr. J. B. van Zyl for the Minister.
What will Dr Piet's reforms really mean for blacks?

Dr Piet Koornhof, the Minister of Co-operation and Development, has announced three Bills which he says are an attempt to remove racial discrimination in the lives of blacks.

He has noted his belief that influx control is necessary to maintain order and stability in urban areas and to prevent problems associated with squatting. But he describes his proposed legislation as a process of reform, and as part of his declared war on the "dumps."

The Black Community Development Bill is the key to what is planned. It retains aspects of current law, and introduces new elements if left unaltered, which will mean in practice.

BENJAMIN PORGUND, in The Star, said that SHEENA DUNCAN of the Black Sash, cuts through the "mass and much of the legalese" to assess it.

These are the pros and cons:

PROS

1. Good intentions: Dr Koornhof says the new system "may not be perfect," but it is still a genuine attempt to get rid of harmful discrimination as far as possible. It is part of a genuine attempt.

2. Invited to submit representations: two weeks are allowed on all three Bills before they are placed before Parliament for enactment.

3. The Bills are on the agenda, though some men who already qualify are believed to be "in the tens of thousands," but see li No 2 under "Con."

4. The 72-hour notice for influx rural blacks being allowed to visit cities without permission is extended by a week (but see li No 2 under "Con."

5. It will be easier for wives and children of some men who are "already qualified to be in cities to visit their own menfolk" (but see li No 2 under "Con."

6. Greater freedom of movement will be possible for those who qualify to be in cities to "live as they like" (but see li No 2 under "Con."

CONS

1. Disqualified workers are to be "in the tens of thousands," but see li No 2 under "Con."

2. Rural blacks are to visit city townships for a maximum of 30 days a year, and are dependent on "suitable and adequate housing" being available. The law of proving that the 30-day limit has not been exceeded rests on the person concerned.

3. Those who harbour illegal dwellers are also to be required to pay the costs of repatriating the illegals to their homelands, together with their dependants and household effects — plus the costs of their detention.

4. The costs of proving that a person had no intention of giving work or accommodation to a disqualified person rests on the accused.

5. The criminal penalty imposed on a disqualified person can be suspended if the court orders his repatriation to a homeland, or orders him to do compulsory "community service." (The details of which are not specified), or orders him to take up an artisan for however long the court determines.

6. Cars used in the transport of illegals (presumably whether to bring them into the cities, or even to drop them off at a bus stop after work) can be impounded and sold as an offence. Hence, in effect, a fine running into several thousands is payable.

7. Wives and children of qualified workers — those who will be in the cities — will be able to live with their menfolk if "approved accommodation" is available for them. (The current housing shortage in Soweto is estimated at 30,000.)

8. The legal movement into the cities of unqualified blacks or those living outside the control areas will be regulated by the availability of jobs and suitable accommodation. Thus, as present, will be subject to authorisation by official labour bureaux.

9. Qualified people will have to carry a document to prove they are to be in the cities. They will have to produce this document on demand and show the official. Unless there is a change in the law, the penalty they will as at present be subject to instant arrest and prosecution if they cannot prove their right to be where they are.

10. A disqualified person can be ordered to return to his homestead, or to a place where he qualifies to be, or to "such other place" which may be decreed. Money belonging to him can be seized to help defray the costs of repatriating him, his dependants and household effects.

11. The language in the 47 pages of the Bill is complex and often tangled. One crucial sentence dealing with penalties, for example, runs to 288 words. Even experts on influx control are uncertain about all the ramifications of the Bill.

In sum, the minister retains his vast discretionary powers to make regulations as he sees fit.

12. Those who pre- sent qualify to be in the cities will retain their rights. But the Bill does not say anything to in- clude their children born after the new law comes into effect, nor does it say anything about those who are currently working towards qualifying as urban residents through fulfilling the 10- or 15-year requirements.

13. Police and designated officials can at any time of the day or night enter anyone's premises, whether in black or white sub- urb, to check on illegals. They can demand and search any persons, document or thing."

CONCLUSIONS

1. The situation of blacks who already qualify to be in the cities is barely altered. There is no mention of the improvement for them. The new freedom being given to them does not create any more geographical space in which they can move. Even this, however, is still subject, as at present, to compliance with registration procedures for work and accommodation.

2. The right of some men to have their wives and children with them is likely, in a number of city areas, to be meaningless for at least the next few years because of the housing shortage. Without such "suitable accommodation," the wives and children will not be allowed into the cities.

3. Life is going to be tougher for those in the rural areas who want to get to the cities. The penalties for their failure to get permission will be greater.

4. There will be greater pressure through the use of dis- cared penalties, to discourage blacks in the rural areas from work or accommodation to illegals.

5. The reference book, or pass, or any "dumps," will disappear. But it will simply be replaced by another document.

6. Legal sanctions against offenders will continue to apply to blacks who will continue, as matters stand, to be liable to arrest. It seems that pass arrests will continue on a large scale. As the higher penalties deter more people from seeking to evade the laws, in 1978, a total of 272,887 people — 22% of the 1,277,077 people were arrested under influx control laws.

7. The present influx control measures are not materially changed by the new laws. The present rigid control over blacks remains.

8. The minister and officials will continue to have the same vast powers to make regulations as they see fit.

9. Those who present qualify to be in the cities will retain their...
Charges withdrawn against Langa boy

Staff Reporter

CHARGES against a 15-year-old youth who appeared before the Langa Commissioner's Court for being in the Cape Peninsula illegally and for not having his identification with him were withdrawn yesterday.


He told the court he was born in Cape Town and his mother qualifies to be in the area.

The court withdrew both charges after it was established that the youth was under age, was not required to carry a reference book, and also qualified to be in the Peninsula.

Mr W. Fourie presided. Mr D. Magogoni appeared for the State. Ms L. Goldberg appeared for the youth.
Vaalwater's bitter taste of its own ideolog.

THE people of the Vaalwater, arguably the most Right-wing constituency in the country, are beginning to find apartheid hard to accept as influx control wrenches homw with their lives — and those of their black labours ROB MINTUES vented the heart of the area, the drupe of Vaalwater.

The removals have driven up the availability of white labour for white traders and businesses on the farms.

And the local labour force has been harnessed up on the farms, with many men of "agricultural" labour from nearby farming areas.

Locals describe the local authority's "hospitality" towards the influx control as "inadequate".

As the influx control cells move in, the black men move out, leaving their homes and businesses deserted.

Some businesses have been forced to close down, and others are struggling to survive.

The influx control has taken a heavy toll on the local economy, as businesses are forced to close or reduce their operations.

The authorities have been accused of "incompetence" and "inadequate" planning to deal with the influx control.

The Vaalwater residents have expressed their frustration and anger at the influx control, and have called for better planning and execution.

The influx control has caused a lot of hardship and suffering for the local people, and the authorities have been criticized for their handling of the situation.

The Vaalwater residents are determined to fight against the influx control, and are calling for better planning and execution of the policy.
Doubts over black rights in new Bill

By STEVEN FRIEDMAN Labour Reporter

LAWYERS claim that the Department of Co-Operation and Development is seeking to prevent black workers from testing their influx control rights in the Supreme Court.

The disagreement between the lawyers and the department arises from the proposed Black Community Development Bill, released recently by the Minister of Co-Operation and Development, Dr Piet Koorhof.

Lawyers say they believe Section 62 of the Bill drastically curtails the rights of blacks to appeal to the Supreme Court against official influx control decisions.

They say this could also prevent workers going to the Supreme Court for a "declaration of rights"—such as in the recent Komani case, which established the right of a man qualified to live in the cities to have his wife living with him.

But yesterday a senior legal official in the department demurred emphatically that the Bill was intended to curtail these rights, or could have that effect.

"Section 62 changes nothing...The Supreme Court has an inherent right to hear any matter, and the Bill does not alter that," he said.

However, lawyers who insist that an appeal is precluded, fear this will place blacks "at the mercy of officials only because they are very often successful only because officials can challenge their decision could be contradicted..." the Supreme Court.

Section 62 of the proposed Bill lays down which national authorities will be competent to hear certain cases.

The Bill, when it becomes law, will lay down procedures for influx control. Any contraventions will be heard by a Commissioner, who is a senior department official. Any civil matter connected with the new law will be heard in a Commissioner's Court, "irrespective of whether or not the matter concerned is ordinarily beyond the jurisdiction of such a court."

There are two exceptions: cases dealing with 59-year leases may also be heard by a magistrate's court, and existing procedures in the Black Administration Act still apply and override the new section.

This Act applies mainly to civil cases between blacks, and establishes a special appeal court within the department, which can hear appeals against decisions of the Commissioner's Courts.

Appeals to the Supreme Court against these decisions will be permitted only if the department's own Appeal Court for Commissioners' Courts agrees.

According to several senior legal officials, the effect of this will be to bar appeals by blacks to the Supreme Court in influx control cases.

One said that it appeared that appeals could still be lodged with the Appeal Court, for Commissioners' Courts, but these bodies had the power to refuse leave to appeal to the Supreme Court.

Prof Nico Olivier, NEC, Progressive Federal Party's research director, said lawyers' interpretations appeared to be contradicted by the fact that the provisions of the Black Administration Act applied to the Supreme Court.

However, he added that the entire clause seems to be self-contradictory, and that an "interpretive" interpretation could well be correct.
It's no new deal

SENIOR lawyers are convinced that Section 62 of the Black Community Development Bill will drastically curtail the rights of blacks to appeal to the Supreme Court against official decisions in influx control cases. And that the effect will also be to prevent blacks from going to the Supreme Court for any declaration of rights.

The possibility of these inroads into rights of legal access, however, denied by a senior legal man in the Department of Co-operation and Development. He says the Bill is not intended to do this.

The assurance is welcome. But in view of the assertions made by leading lawyers, what is obviously needed is a rewording of Section 62 to remove any ambiguity. What is also still needed is clarity on exactly what the clause is supposed to bring about.

That is one aspect of the Bill. Going far further, what is also required is an explanation of how Dr Koornhof has conceivably been able to view and describe the Bill as a whole as offering meaningful and positive progress to blacks.

That it does anything but this emerged in the assessment which we published last week. The conclusions we set out have now been underlined by Chief Gatsha Buthelezi in written memoranda to Dr Koornhof.

The hope must be that Dr Koornhof will heed the objections and withdraw the Bill.
A lifetime’s struggle against the system

In a tiny two-roomed house in Langa, there lives a woman whose life’s story remains a legacy to the struggle against the system of pass laws.

When it first found without a permit, Mrs. Sibenga admitted she ran after arrest: "I cannot remember how many times I was arrested, but it went on for years," she said.

In-active member of the ANC Women’s League, Mrs. Sibenga addressed protest meetings held by women from all over the Western Cape.

"We had representatives coming from as far afield as Westerber to discuss the regulations suffered by women," said Mrs. Sibenga.

"I asked the women why we must be made to carry papers while other women carry identity documents. People laws are not good. I said. We won't be able to move about as we want to."

She said she was today a non-Minor woman; a woman in an area where women's rights were enforceable.

She was born in the area and has lived here continuously.

"She may prove she has lived in the prescribed area since the prescribed area since the prescribed area was introduced to her area or for 15 years.

By permission,

She is the unmarried daughter of a man and woman qualified to be in the area in terms of the law.

She caused the area after the date on which the permit system was imposed and was granted permission for a particular reason to work on a smallholder's farm, to remain in the area as long as she continue wanted to work for the same employer.

Mrs. Sibenga arrived on Cape Town in 1937. She lived in Somerset West with her brother while her hus-

band lived in a compound attached to a factory. She was not allowed to live with him until they moved to Langa in 1943.

"I joined the Vigilance Association Ban and fought for better living conditions for my people," she said.

"More and more discriminatory laws were being introduced by everyone. It was against the government to live in the area and the National Government and to organise things,"

We wanted an end to all violence and discrimination which only compels them to live in poor conditions, the rejection of segregation.

I walked into the white waiting room at the railway station with five other women and we were all arrested and held in prison for a month. Charges against us, our friends and colleagues were arrested in the Cape and throughout the country, but the charges were dropped.

I was eventually deported to the Transkei in 1958 where she returned for a month. She returned to Cape Town and was sent to Kroonst to represent her people at the feature congress where the Freedom Charter was adopted by South Africans at all ages.

Back in Cape Town, the early morning"bats" at her door continued and Mrs. Sibenga was again arrested not for carrying a pass.

"This case eventually went to the High Court in Pretoria and while this was in progress I was arrested and taken to Pretoria on a charge of high treason.

I was tried with people like Nelson Mandela, Walter Sisulu and Victor Sisulu. All the organizers of the anti-apartheid campaign were arrested in 1962 and every one of them was hundred people were arrested."

At the end of the trial in 1959, she heard that the High Court in Bloemfontein

had ruled that she did qualify to remain in the Cape but was still required to carry a pass. She refused and the judge continued: "I was in prison in 1959 while all our organisations were banned," she said. "I again refused to take a pass when

I was released and they didn't arrest me again."

Five years ago, she suffered a stroke and was paralysed from the top down. Despite a crying need for a disability grant, she walked without it for as long as she could not apply for a pass."

- Confined to a wheelchair, 70-year-old Anne Sibenga still refuses to carry a pass.

The Cape Times, Friday, November 28, 1969
After Voel Wille Kani’s Section 10 qualified man won the right to have his wife live with him in an urban area (EM August 29), there were fears that legislation could be promulgated to clamp down on further influx control cases. Now Section 10 of the proposed Black Community Development Act is set to do just this, severely curtailing the right of appeal to the Supreme Court.

In terms of the proposed legislation, these cases will now be heard in the commissioners’ courts. Litigants will have no other option, says a leading lawyer. At present, the commissioners’ courts hear civil disputes between blacks, but have no jurisdiction regarding clarification of Section 10 rights.

In accordance with the proposed legislation, Section 10 cases will now automatically be heard in the commissioners’ courts. If the litigant wishes to appeal, he can do so only in a special commissioners’ appeal court and has no right of further appeal. Only under certain circumstances can a case be taken to the Appellate Division and then only if the special appeal court gives permission. However, this is subject to the court’s discretion.

The special appeal court now becomes the highest court of appeal in influx control matters, although it is a much lower body than the Supreme Court and is viewed as being “technically inferior.” In addition it is manned by civil servants appointed by the Minister of Co-operation and Development. As a result of this severe curtailment of litigants’ rights, it is expected that the professional legal bodies will react vociferously.
THE recent draft legislation affecting black people was published specifically to elicit comment and recommendations. The Minister of Co-operation and Development, Dr Koornhof, said last night:

"Regarding the draft legislation affecting black people, which was recently published by my Department in the Government Gazette, I notice that criticisms have been expressed in the Press to the effect that the Supreme Court of South Africa would be eliminated in respect of certain matters which may result from the implementation of the proposed legislation," he said.

"I wish to give an unequivocal assurance that it is not the intention to eliminate the jurisdiction of the Supreme Court in any way whatever, and if the legislation should have such an effect, the matter will be rectified beyond any doubt." — Baga.
TWICE in a week the Government has made clear that Section 62 of the Black Community Development Bill is not intended to do what leading lawyers say it will do eliminate the access of blacks to the Supreme Court in challenging influx control laws.

Reinforcing what a senior lawyer in the Department of Cooperation and Development said in mid-week, the Minister, Dr Piet Koornhof, has now given "an unequivocal assurance" that the Bill is not supposed to do this, and that if the legislation should have such an effect the matter will be rectified beyond any doubt.

Good. But unfortunately it does not end there — because lawyers maintain that there is still another serious effect built into Section 62 placing all contraventions of influx control laws within the jurisdiction of the Department of Cooperation and Development courts run by "commissioners" — that is, the people previously called "Bantu Commissioners".

At present, blacks appear in these courts. It seems that the intention is to make non-black-offenders against influx control also go before them — such as employees charged with giving work or accommodation to "disqualified" blacks and hence facing fines of up to R50 and/or six months' imprisonment.

In a curious way this could be a praiseworthy development: blacks appearing in the commissioners' courts and whites in the magistrates' courts, everyone will go before the commissioners.

It could be hailed as a move towards non-racialism.

But there is a catch. The commissioners are officials of the Department of Cooperation and Development. They receive instructions from the Department and may carry out policy. When they do

...courts they apply the same laws which they administer.

That amounts to administrative-judicial incest.

Instead of perpetuating and extending this unhealthy system, as Section 62 proposes to do, it would be preferable to have evidence of moves away from it.

Fortunately there is still time for this. Dr Koornhof has again stressed, as he did when he announced the Bill a month ago, that it has been published specifically to elicit comment and recommendations.

Section 62 alone, as we note, contains highly undesirable provisions whether through design or sloppy wording. But it goes well beyond this as we have previously pointed out, the Bill as a whole is anything but the reformist measure claimed for it upon its presentation.

What concessions it offers to city blacks by way of extending the geographical area in which they can move freely are far outweighed by its retrogressive features notably the greater penalties for transgressors, plus the continuing reliance on some form of an identity document, backed by sanctions, to enforce influx control.

Can any of this, as with Section 62's effect on access to the Supreme Court, be attributed to poor draftsmanship which will soon be remedied?

That sort of emphatic assurance from Dr Koornhof would indeed be welcome.

Can it, however, be given?
Dr Piet’s deal — down comes guillotine.

THE Department of Co-operation and Development has refused all applications for extensions to the November 14 deadline for submitting comment on the three complex and controversial draft Bills which, according to the Minister, Dr Koornhof, herald a “new deal” for Blacks.

There are growing anger and resentment among these organisations over the two weeks allowed by the department for comment to be submitted and widespread suspicion that it is an attempt by the Government to frustrate comment on some of the most complex legislation to be drafted in years.

A senior spokesman for the Department of Co-operation and Development told the Sunday Express that any proposals received between now and the beginning of the parliamentary session would “rest in the lap of the gods”.

“We have considered all comment received to date, but the time is approaching when we will have to finalise legislation for our target date — January 23,” he said.

Organisations still working on memoranda on the three Bills include the Urban Foundation, the South African Institute of Race Relations, the Legal Resources Centre and the law faculty of Potchefstroom University.

While it is recognised that the Bills contain positive and negative aspects, there is a widely held view that, on balance, they represent a retrogressive step in trying to eliminate the maze of restrictions that affect the everyday lives of Blacks.

Professor Nic Olivier, director of research for the Progressive Federal Party, told the Sunday Express the deadline for comment set by the department was “absurd and totally unrealistic”.

“I worked flat-out on these Bills from the time of receiving the Government Gazette and it took me well over two weeks to complete my study.”

“In the absence of any official explanation I can only think that it is an attempt to forestall detailed study and proper consideration of these Bills.”

Director of the South African Institute of Race Relations, John Rees, who was refused an extension of the original deadline, said it was “very sad” that such a short time had been allowed to study such far-reaching measures.

“I very much doubt that it will be possible to submit our comments before January 15,” he said. “Nevertheless, we plan to submit our proposals.”

The Sunday Express also learned that the Urban Foundation is involved in preparing a wide range of Black opinion on the draft Bills, and has lost no time in appointing a committee to study the proposed legislation when the drafts were published at the end of October.

It was reliably learnt that the foundation considers the period allowed for comment to be so unfair and unrealistic as to be indefensible.

Meanwhile, a spokesman for the Department of Community Development assured the Sunday Express that all late comments received by this Thursday had been considered.

“We have received a lot of comment, but most of the late comment has been a repetition of comment received earlier,” he said.

“We are doing the best we can to accommodate all the comment we receive, but we also have a problem. Our target date is January 23 and you can appreciate that there is a lot of work in processing the comment and making the necessary adjustments to the legislation.”

Judging by the amount of comment we have received, two weeks was not such an unrealistic period.”

The spokesman said much of the comment had been accepted and the final legislation would appear in a considerably different form to the draft Bills.

The spokesman made it clear, however, that the influx control system would remain until the Government advised to the contrary.

Olivier’s probe warns trouble coming on Act.

Political Correspondent.

THE controversial Group Areas Act is likely to come under intensified attack since its linking to the restriction on the presence and employment of Blacks in the cities in terms of the Black Community Development Bill — the chief component of the Government’s “new deal” for Blacks.

This is one conclusion to be drawn from a detailed study of the draft Bill conducted by Professor Nic Olivier, head of the Progressive Federal Party’s research division.

Professor Olivier claims in his report that, if applied, the Bill will increase feelings of insecurity and instability among urban Blacks: “It could even lead to a far greater degree of harassment than at present, thereby seriously exacerbating the racial situation.”

When the draft Bill, along with two others affecting Blacks, was published at the end of October the Minister of Co-operation and Development, Dr Koornhof, presented them as part of the Government’s process of reform and implementation of his declared war on the “dumpos.”

It was an attempt, the minister said, to remove hurtful discrimination in the lives of Blacks.

According to Professor Olivier’s report, however, the more objectionable aspects of policy governing Blacks in towns have been retained and, in certain respects, made worse.

“Fundamentally, the Bill is a rewrite of the Black (Urban Areas) Consolidation Act,” he said.

Professor Olivier said in an interview with the Sunday Express one disturbing feature of the Bill was the way it used the Group Areas Act as a new weapon to restrict the presence and employment of Blacks in towns. It did not merely regulate the residential separation of Blacks, as in the past.

“Using the Group Areas Act in this way seems to me to run counter to the basic concept underlying the Act and constitutes an unwarranted extension of the application of the Act and its basic objective and philosophy.”

“The use of the Group Areas Act in this way also runs counter to the stated change in Government policy regarding the permanence of Blacks in urban areas,” he said.

Prof Olivier said the Group Areas Act had been used to broaden the definition of unlawful occupation by Blacks in towns and linking it to the Black Community Development Bill amounted to discrimination against Blacks, which was not the intention of the Rickert Report.
Bills aim to take race out of labour

By David Breier
Pretoria Bureau

Three draft Bills to desegregate labour bureaux and abolish race and sex discrimination in industrial training were published in the Government Gazette today.

The Bills are based on recommendations of the Wiehahn and Reekert reports, published over the past two years. They have been published to enable the public to comment on them.

If necessary they will be amended before the Bills are laid before Parliament. Public comment should be in by January 10. The three Bills are:

1. The Manpower Training Bill, which aims to consolidate all existing acts dealing with training.

These are the Apprenticeship Act, the Black Employees’ In-Service Training Act, the In-Service Training Act (for whites, coloured people and Indians) and the Training of Artisans Act (for adults). The Bill will be completely non-discriminatory and will apply to all forms of industrial training.

It will set up a National Training Board to replace the Apprenticeship Board. The board will have much wider powers and will deal with all aspects of industrial training and not only apprenticeships.

It will include representatives from employers, employees and the Government and will co-ordinate training schemes.

GUIDANCE

2. The Guidance and Employment Bill will establish guidance and employment centres for all population groups.

This Bill will also control private employment offices and will cover the old Registration for Employment Act for white, coloured and Indian people and the Black Labour Act.

3. The Wage Amendment Bill, which aims to streamline and rationalise the workings of the Wage Board.

The board will no longer have to go through the red tape of putting determinations before Parliament, although its wage determinations will be open to inspection.

IMPROVEMENTS

It involves improvements in administrative procedures without introducing fundamental changes.

More radical legislation is expected to be introduced at the next parliamentary session.

The Government is also expected to put clamps on the rights of trade unions to obtain support from outside the country. Neighbouring countries supplying labour to South Africa may be obliged to sign an undertaking to withdraw any workers who take part in illegal strikes.

Unemployment insurance benefits for blacks will be more widely accessible in the New Year.

This has been announced by Dr P. J. van der Merwe, Deputy Director General of the Department of Manpower Utilisation.

He said this move came after one of the recommendations of the Rieckert Commission, which suggested that labour bureaux of the administration boards should deal with the payment of these benefits.

However, in Johannesburg it has been decided for administrative reasons to retain the existing arrangements for unemployment insurance.

The Department of Manpower Utilisation, at 15 Market Street, will continue to deal with applications for benefit by men and women who register for employment at the labour bureaux in New Canada andolly Street.
Y, 28 May 1980

For written reply

Influx control and identity documents

15(810) 28/5/80 (206)

Mrs H SUZMAN asked the Minister of Co-operation and Development:

(1) How many persons were (a) tried and (b) convicted of offences relating to influx control and identity documents at the Commissioner's Court in Market Street, Ferreirasdorp, Johannesburg, during 1979?

(2) what was the average daily number of such cases heard by this court during that year?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) (a) 35,912
    (b) 29,861
(2) 143
The MINISTER OF CO-OPERATION
AND DEVELOPMENT

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Note: The table provides a summary of employment statistics for various categories and countries.
Dr A L BORAIN asked the
Minister of Co-operation and Development.

(1) How many (a) South African and (b) foreign Black workers were registered as at 30 June 1979 in each category of labour defined in the regulations promulgated in terms of the Black Labour Act.

(2) how many of the foreign workers in each category were from (a) Transkei and (b) Bophuthatswana.

(3) (a) what were the countries of origin of the other foreign workers and (b) how many in each category of labour were from each of these countries?

### Table: MINISTER OF CO-OPERATION AND DEVELOPMENT

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### Table: Other Categories

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695 **MONDAY, 5 MAY 1980**

696
Influx control / identity documents: 500 Mr P A MYBURGH asked the Minister of Co-operation and Development:

1. What was the number of Black males and females, respectively, arrested in the Cape Peninsula in each week during the period 17 February to 15 March 1980 for offences relating to influx control and identity documents?

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<tr>
<th>Week</th>
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<th>Females</th>
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<tr>
<td>18-25 February 1980</td>
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<td>89</td>
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<tr>
<td>25-29 February 1980</td>
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<td>187</td>
</tr>
<tr>
<td>10-14 March 1980</td>
<td>74</td>
<td>202</td>
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</table>

2. How many of these males and females, respectively, were (a) charged with and (b) convicted of such offences?

(a) 18-24 February 1980

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<th>Week</th>
<th>Males</th>
<th>Females</th>
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<td>3-7 March 1980</td>
<td>70</td>
<td>187</td>
</tr>
<tr>
<td>10-14 March 1980</td>
<td>74</td>
<td>202</td>
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(b) 18-24 February 1980

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<th>Females</th>
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<td>3-7 March 1980</td>
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<td>10-14 March 1980</td>
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</table>
Mr P A MYBURGH asked the Minister of Co-operation and Development:

1. What was the number of Black males and females, respectively, arrested in the Cape Peninsula in each week during the period 17 February to 15 March 1980 for offences relating to influx control and identity documents?

<table>
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<th>Date</th>
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<th>Females</th>
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<tr>
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<td>202</td>
</tr>
</tbody>
</table>

(2) how many of these males and females, respectively, were (a) charged with and (b) convicted of such offences?

<table>
<thead>
<tr>
<th>Date</th>
<th>Males</th>
<th>Females</th>
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</table>

(b) 18-24 February 1980 | 60    | 89      |
| 25-29 February 1980    | 59    | 77      |
| 3-7 March 1980         | 65    | 179     |
| 10-14 March 1980       | 69    | 191     |
How many males and females, respectively, were registered at labour bureaux as work-seekers in terms of the Black Labour Regulations as at 31 December 1979?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

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29 MAY 1980

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<th>West Rand</th>
<th>East Rand</th>
<th>Highveld</th>
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<td>110</td>
<td>270</td>
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</table>
Mrs H. SUZMAN asked the Minister of Co-operation and Development:

1. How many persons were referred to each aid centre in the Republic during 1979?

2. How many of the persons referred to each aid centre were (a) not subsequently prosecuted, (b) assisted to find employment in the Administration Board area concerned and (c) returned to Black states?

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<th>Location</th>
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<th>(2) (b)</th>
<th>(2) (c)</th>
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</table>
Foreign Blacks in Republic illegally

Mrs H SUZMAN asked the Minister of Co-operation and Development:

(1) (a) How many foreign Blacks were convicted during 1979 of being in the Republic illegally and (b) what was the country of origin of each of them,

(2) how many of them were (i) cautioned and discharged, (ii) fined, (iii) imprisoned because they were unable to pay the fine and (iv) deported,

(3) what was the total amount paid in fines?

The Minister of Co-operation and Development:

The information required is not readily available and can only be obtained at unwarrented expense.
Mrs H. SUZMAN asked the Minister of Co-operation and Development

(1) How many Black (a) males and (b) females were arrested for offences relating to reference books and influx control in each of the main urban centres of the Republic in 1979 by officers of Administration Boards?

(2) What was the total number of such arrests in the Republic in that year?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

<table>
<thead>
<tr>
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</table>

(2) 83 397
Identity documents/influx control

Mr. D. J. N. MALEOMES asked the Minister of Police (206)

Whether any Black males and females, respectively, have been arrested during 1980 in or adjacent to the precincts of (a) the Red Cross Children's Hospital and (b) other hospitals in the Cape Peninsula on charges relating to identity documents and influx control, if so, how many in each month?

The MINISTER OF POLICE

(a) and (b) Statistics as required by the hon. member are not kept
Identity documents/influx control

548 Mrs H SUZMAN asked the Minister of Co-operation and Development:

(1) Whether Peninsula Administration Board officials recently searched Blacks in Constantia, Cape for identity documents, if so, when.

(2) how many persons were arrested for offences relating to identity documents and influx control as a result of these searches.

(3) how many of those arrested were (a) charged and (b) convicted?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) Yes Inspectors of the Administration Board Western Cape carried out inspections in the Constantia area during February and March 1980, and requested the production of identity documents by Blacks found in the area.

(2) 54

(3) (a) 48
(b) 48
Identity documents/influx control

Mrs H. SUZMAN asked the Minister of Co-operation and Development

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(2) 54

(3) (a) 48

(b) 48
22 APRIL 1980

(1) How many Black (a) males and (b) females were arrested for offences relating to reference books and influx control in each of the main urban centres of the Republic in 1979 by officers of his Department?

(2) What was the total number of such arrests in the Republic in that year?

The MINISTER OF CO-OPERATION AND DEVELOPMENT.

(1)(a) and (b) Officers of the Department of Co-operation and Development are not charged with arresting persons for offences relating to reference books and influx control.
Mr H E J Van Rensburg asked the Minister of Police:

How many Black (a) males and (b) females were arrested for offences relating to reference books and influx control in (i) Randburg, (ii) Sandton and (iii) each northern suburb of Johannesburg during 1979?

The MINISTER OF POLICE

(a), (b) and (iii) Statistics in respect of suburbs are not kept. The following is a reflection of the number of arrests in connection with reference books and influx control carried out by the Police attached to the Police Stations serving the northern suburbs:

<table>
<thead>
<tr>
<th>Suburb</th>
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<tr>
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<td>6</td>
</tr>
<tr>
<td>Alexandra</td>
<td>103</td>
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</tr>
</tbody>
</table>
Reference books/influx control

424 Mr H E J Van Rensburg asked the Minister of Police:

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<td>Parkview</td>
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<td>Bramley</td>
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<td>6</td>
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<tr>
<td>Alexandra</td>
<td>103</td>
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</table>
asked the Minister of Co-operation and Development

(1) How many unregistered Blacks working in the urban areas were registered in (a) Randburg, (b) Sandton and (c) the northern suburbs of Johannesburg during the moratorium that was granted in August, September and October 1979;

(2) (a) how many such applications for registration were refused and (b) what were the reasons for refusal in each case;

(3) whether any steps were taken against unsuccessful applicants, if so, what steps in respect of each applicant.

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) (a) 1 647
    (b) 3 123
    (c) 17 800

(2) (a) and (b) The information required is not readily available and can only be obtained at unwarranted expense.

(3) They were instructed to leave the area.
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(c) 17 800

(2) (a) and (b) The information required is not readily available and can only be obtained at unwarranted expense

(3) They were instructed to leave the area.
Influx control/identity documents

395 Mrs H. SUZMAN asked the Minister of Co-operation and Development:

(1) How many Black males and females, respectively, were (a) tried for and (b) convicted of offences relating to influx control and identity documents in the Lange commissioner's court in 1979?

(2) What was the average daily number of such cases heard by this court in that year?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

<table>
<thead>
<tr>
<th></th>
<th>Males</th>
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<tr>
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<tr>
<td>(2)</td>
<td>32</td>
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</tbody>
</table>
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(b) convicted of offences relating
to influx control and identity docu-
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1979;

(2) what was the average daily num-
ber of such cases heard by this court
that year?

The MINISTER OF CO-OPERATION
AND DEVELOPMENT

<table>
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<th>Males</th>
<th>Females</th>
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<tr>
<td>(1) a</td>
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<td>4 355</td>
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<td>(b)</td>
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<td>2 970</td>
</tr>
<tr>
<td>(2)</td>
<td>32</td>
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</table>
Influx control/identity documents:
7(374) 14 5 80 (261) (206)
360 Mrs H SUZMAN asked the Minister of Co-operation and Development:

(1) What amount was derived by the Cape Peninsula Administration Board during 1979 from fines imposed for offences relating to influx control and identity documents,

(2) (a) what part of this amount was paid by employers in respect of illegal employment of Blacks and (b) how many employers were convicted of this offence?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) R351 028

(2) (a) R105 380
(b) 1 177

It should be pointed out that the Administration Board Western Cape took over the functions of the Cape Peninsula Administration Board as from 1 April 1979. The abovementioned details however, are in respect of the area of the former Cape Peninsula Administration Board.
Influx control/identity documents

73/394 19380 (201)/206

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It should be pointed out that the Administration Board Western Cape took over the functions of the Cape Peninsula Administration Board as from 1 April 1979. The abovementioned details however, are in respect of the area of the former Cape Peninsula Administration Board.
Curfew regulations

The MINISTER OF POLICE replied to
Question 1 by Mr D J Daling

Whether any persons were prosecuted
under curfew regulations in the S-land
municipal area during the period 1 Jul,
1978 to 30 June 1979, if so how many?

MARCH 1980

Reply:
Yes, 57
Curtew regulations

The DEPUTY MINISTER OF CO-
OPERATION replied to Question 5 by Mr.
D. J. Dalling

Question:

Whether consideration has been given to
the abolition or limitation of the application
of the existing curfew regulations, if so,
with what result. If not, (a) why not and (b)
for what purpose are such regulations
retained?

Reply.

Yes The Commission of Inquiry into
Legislation Affecting the Utilization of

Manpower (excluding the Legislation ad-
ministered by the Departments of Labour
and of Mines) has recommended that
curfew regulations be repealed and the
Government has accepted this recommen-
dation wide item 10 on page 8 of the White
Paper on the Report of the said Commis-
sion. The matter is at present the subject of
investigation and discussion with a view to
establishing the effects in practice should
the recommendations be implemented.
MONDAY 1

MONDAY 3, March 1979

Ref: 27. Mr. H. SUZMAN asked the Minister of Police:

1. How many Black (a) males and (b) females were arrested for offences relating to reference books and under control in each of the main urban areas of the Republic in 1979?

2. What was the total number of such arrests in the Republic in that year?

The MINISTER OF POLICE:

<table>
<thead>
<tr>
<th>City</th>
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</thead>
<tbody>
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<tr>
<td>East Rand</td>
<td>6753</td>
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These figures only represent the number of persons arrested by the South African Police.
Corruption:
2 board officials in court

TWO more Administration Board officials appeared in Athlone Magistrate's Court today, bringing to four the number facing allegations of corruption at Crossroads.

Mr Christian George Ferrera, 33, of Argyle Street, Goodwood; and Mr William Pepper, 42, of Pinetown Street, Langa, were not asked to plead and no evidence was led.

Bail of R500 each was granted on condition the two men do not talk to State witnesses or enter Athlone, Guguletu, Langa, Crossroads and Nyanga.

Mr Ferrera was ordered to report to the Goodwood police station between 8 pm and 8 pm daily and Mr Pepper was ordered to report to the Langa police station at the same time.

All officials were released on bail of R500 each in the Athlone Magistrate's Court 14/8/80.

$500

500
Why were these women treated so?

This is a very sad story. I was a schoolgirl walking home one afternoon. As usual, I said hello to all the Bantu and non-whites that I passed. I saw two beautifully dressed women at the bus stop and I said hello to which they smilingly replied. About three seconds later a van drew up. Three officials got out and chased the two Bantu women.

The women screamed and tried to run away. The officials tripped the women, hitting them and scolding at them for their passes. I, horrified by this, crossed the road to ask what the women had done wrong.

One of the officials told me that it had nothing to do with me. I replied that I was a South African and I loved all the races of my country. He told me that they had no passes. I replied that there was absolutely no need to treat fellow humans like this.

I replied that I would never do such a thing. The two colleagues got into the van while I tried to explain that the 'passengers' also had feelings to which I replied that I knew little about them. This man was not only rude to the very unfortunate women, but showed no respect to me as a fellow white citizen of my country. What gives him the right to think that he can treat me or anyone else like this? I thought 'brutality' had ceased. Obviously not.

Jennie Masey (15)

Constantia

A copy of this letter was given to Brigader J H van der Westwoude, chairman of the Administration Board (Western Cape). After investigating the matter, Brigader van der Westwoude said, 'A senior official of the Board is at present investigating. The officials concerned have been traced.'

At present every endeavour is being made to trace the two women and to get their statements — so far without success.

'The other woman provided an address at which she is unknown. The investigation continues.'

Brigader van der Westwoude said that he could assure the public that all allegations of this sort would be investigated and the necessary steps taken.

— Editor
Fraud in camp census alleged

THE Crossroads census, which was taken last year to determine which were legal residents of the camp was done 'to try to control a serious situation', an Athlone magistrate heard today.

Mr C M Theron, chief inspector of the Administration Board based in Langa, was giving evidence in the trial of Mr Zanemvula Pahle.

Mr Pahle, 31, of Zone 29, Room 776, Langa, pleaded not guilty today to 21 counts of fraud by pretending to people that he was able to obtain the necessary validation for their travel documents or reference books, which would enable them to reside legally in Crossroads, and inducing them to give him their document or book with a sum of money.

ALTERNATIVE

He also pleaded not guilty to an alternative charge of theft by false pretences. The amount of money involved is R711.

Mr Theron said he was in charge of the census which took place at the Nyolo School in Crossroads from July 2 to July 12 last year, following the dispensation by the Minister of Co-operation and Development, Dr P J G Kooiman.

(Proceeding)
Travel document fraud alleged

A CROSSROADS resident told an Athlone magistrate today she was under the impression that, as she was in hospital at the time of the Crossroads census, she would have to pay to be registered.

Mrs Nancy Hora was giving evidence in the trial of Mr Zane Myra Fikile, 31, of Langa, who has pleaded not guilty to 20 counts of fraud, alternatively theft by false pretences.

Mrs Hora said she missed being registered in the Crossroads census because she was in hospital. While she waited to see whether there would be another census Mr Fikile came to her house.

He asked her whether her name had been "fixed" and when she said it had not he told her to give him her travel document and money to have it done.

NO STAMP

A travel document handed in as an exhibit was identified by Mrs Hora as her own. She said there was no stamp on it since she left it with Mr Fikile.

A schedule of the duties and whereabouts of Administration Board inspectors involved in the census was handed in as an exhibit by Mr C. Theron, chief inspector of the Administration Board in Langa.

Mr Theron indicated on the schedule which inspectors appeared in court this week in connection with allegations of corruption.

Mr M. E. Kohl was on the panel. Mr B. Pillay appeared for the State.

Mr Fikile (Pro secutors)
A CROSSROADS woman who was in Transkei 'reaping measles' when the census was taken last year gave evidence in the trial of Mr Zanevula Fikile in the Athlone Magistrate's Court yesterday.

Mr Fikile, 31, of Zone 29, Room 776, Langa, pleaded not guilty to 20 counts of fraud, alternatively theft by false pretences.

Mrs N Nonyondia said when she returned from Transkei, she heard there had been a census which she had missed. She approached Mr Nqobongwana for whom she had voted, and he told her to ask her boyfriend why he had not registered her when he registered himself.

Before she was able to do this Mr Fikile came to her home, she said, and asked her whether she had been registered.

Mr Fikile said 'I doubt whether you will succeed in getting registered, unless we can come to an agreement.'

He told her to give him her reference book and R10, which she did. Later she also gave him the books and some money belonging to her two lodgers who were away at the time.

She and her lodgers, after not hearing from Mr Fikile, went with other Crossroads residents to Cape Town to lay a complaint.

Mrs Nonyondia said she was shown a reference book and identified Mr Fikile from the photograph.

The trial was postponed to May 12. Mr Fikile is in custody.
Political Staff

HOUSE OF ASSEMBLY — The National Manpower Commission (NMCC) has hinted that it will recommend that the Government scrap the coloured labour preference policy in the Western Cape.

In the commission’s first report, tabled in Parliament yesterday, the chairman, Dr Henricus Reyniers, suggests that a separate labour policy for the Western Cape could be regarded as superfluous in terms of the system of controlling the movement of manpower outlined in the report of the Reikert Commission last year.

A key recommendation of the Reikert Commission, which inquired into manpower legislation, was a revision of the pass laws to make the availability of jobs and accommodation the criteria for controlling the influx of workers to the urban areas.

The policy of preferential jobs for coloured and white workers in effect controls the number of blacks legally able to live and work in the Western Cape.

Dr Reyniers says in the report that representations had been made to the NMCC concerning the desirability of the continued existence of the Western Cape as a coloured preference area.

Theron Commission, which supported the policy, and the Government’s reaction, which stated that efforts were constantly being made to apply it strictly in the public and private sectors.

However, Dr Reyniers says “Since the appearance of the Reikert Commission report and the Government’s White Paper on this commission there have been questions from various sources about the desirability of the existing policy regarding manpower in the Western Cape.”

“The essential question is whether this policy can be reconciled with certain policy statements by the Government and whether the system of control over the geographical mobility of manpower as recommended by the Reikert Commission does not in any case make a separate policy in regard to the Western Cape superfluous.”

He says the commission decided at its first meeting in November that the matter merited urgent attention, and instructed its executive committee to give it consideration.

The Western Cape is the only area in the country where job preference on racial grounds is enforced.

The report also said there has been a noticeable decline in the number of registered unemployed since 1979, reported Sapa.

The number of registered unemployed in all four population groups increased in the period 1974 to 1978, but this trend was reversed in the beginning of 1979 in the case of whites, coloureds and Asians and later in the year in the case of blacks.

The total number of registered unemployed persons was 165,513 in September, 1979, as against 172,189 in December of the same year.

Dr Reyniers also said that the educational level of the economically active population is improving.

This process, says the report, will be accelerated by the great increase in the numbers of lower primary and higher primary pupils — particularly coloured and blacks — owing to the work of the Department of Education and Training since 1976.

FOOTNOTE: Temporary legislation would be introduced this season after the second part of the Wuhahn Commission report was tabled in Parliament during the next week or two, the Minister of Manpower Utilisation, Mr Fanie Botha, announced yesterday.

Speaking in committee on his vote, Mr Botha said he would have liked to introduce more comprehensive legislation but this would have to wait until the remainder of the commission’s reports were handed to him next year.

He had already received the second part of the report, but it still had to be translated. The report will be accompanied by a White Paper.
Influx control could cause nursing crisis

By Bob Kennaugh and Langa Skosana

Many Soweto nurses, occupational therapists and others are being forced to return to their homelands because of the stricter application of influx control.

The Star has been told that those who came from the homelands but were trained in Transvaal hospitals are having difficulty in getting their work permits extended.

Hundreds of nurses, occupational therapists, social workers and others who have been trained at provincial hospitals and have lived in Soweto and elsewhere for some time, are unwilling to return to their homelands.

Previously the skilled workers applied for and were granted work permits to remain in urban areas.

RETURN

Nurses and paramedics who come from the homelands but were trained in Transvaal hospitals are having difficulty in getting their work permits extended.

According to The Star, for example, two of the 200 applications from students who want to train as nurses. Most of the applications include some of the best students, come from the homelands.

A problem that is aggravating the situation is that experienced nurses and paramedics are being attracted to the provincial centres for better paid jobs in the private sector.

SURPLUS

Although there is a surplus of black nurses in urban areas, medical men and women, including pharmacists, have been left in the provincial hospitals.

Staff was transferred from the Pretoria University Teaching Hospital to the provincial hospitals.

A task force was established last week to look into the situation.

The task force is looking into the situation and has been appointed to look into the influx control problem.

They referred The Star to the Department of Health, Welfare and Population Development for comment on the influx control policy.
This policy should have been scrapped long ago

A LENGTHY report compiled over a period of two years by Professor S P Cilliers and Professor Simon Bekker calls for the scrapping of the Coloured Labour Preference Policy in the Western Cape (The Argus April 18).

We find it even more encouraging that this research was undertaken because of a request by the Department of Cooperation and Development.

We can only urge the Government to heed this advice and that of so many other organisations and community leaders including Professor E Theron.

This coloured labour preference policy has been a basic evil responsible over the last quarter of a century for much extra hardship experienced by Africans in the Western Cape. Because of the new houses were not built for people regarded as 'temporary squatters', and the recent homeownership scheme available elsewhere was withheld from Africans here, in spite of the costly improvements made at their own expense by many.

This is the policy that over the years has given additional momentum to the ongoing and massive pass arrest campaign and that denied an amnesty for 'illegal' workers here when it was granted in other urban areas last year; and this is the policy that has so substantially added to the frustrations of well-qualified Africans born and bred in the area, in their pursuit of worthwhile employment.

Now there is an in-depth report flowing from two years' research by two eminent sociologists calling for the repeal of this restrictive and crippling policy. 'May the Government at last be poised to take this most important step.'

D WILSON
Chairman, Cape Western Region,
SA Institute of Race Relations
Mowbray
CALL ON WEST
CAPE REJECTED

Parliamentary Staff

The Prime Minister Mr. P.W. Botha, in his reply rejected opposition calls to scrap Labour restrictions in the Western Cape but indicated that the Government would consider alternatives. In the short term, the Labour restrictions
would continue. While this was debated in the House, debate on the Western Cape Labour restrictions was
very hot.

But not all the members of the commission had
been in the House for its debates.

The Western Cape Labour commissioner had reported that the Western Cape was a region where restrictions should be
released, but the committee had abstained from making any recommendations.

But the Labour restrictions were continued by the
Government. The committee was advised to keep
the restrictions as is in the same order that the
previous restrictions were kept.

The whole question of Labour restrictions in the
Western Cape had a bearing on social conditions.
JOHANNESBURG — Urban blacks are still not being allowed to move from one urban area to another to take up employment despite an announcement last year by the Minister of Co-operation and Development that they were already allowed to do so.

A West Rand Administration Board official yesterday confirmed that his office has received no instructions to allow urban blacks to move in this way.

A Black Bench representative yesterday said the Minister was once again making promises and not acting on them.

The Rotkoff Commission recommended last year that blacks who were qualified to live in the cities under Section 10 of the Black Areas Act be allowed to take up job offers in other cities.

A West Rand Administration Board official said yesterday the application had been turned down because the main push was to ensure that blacks who were not allowed to move to another Administration Board area to take up a job were already well established in that area.

A West Rand Administration Board official also said that since the commission's report was made, the freedom of movement of blacks had not been introduced.

It appears that the Government has no time to implement the recommendations of the Rotkoff Commission which make life more difficult for blacks, such as the R63 tax for employment, and is not prepared to introduce any of the improvements the commission recommended," he said.

Attempts to contact Dr. Koornhof yesterday were unsuccessful — DBC.
Block on black labour stays 2/30

By STEVEN FRIEDMAN
Labour Reporter

URBAN blacks are still not being allowed to move from one urban area to another to take up employment — despite an announcement last year by the Minister of Co-operation and Development, Dr. Piet Koornhof, that they were "already" allowed to do so.

A West Rand Administration Board official confirmed yesterday that his office had received no instructions to allow urban blacks to move in this way.

The Reekert Commission recommended last year that blacks who were qualified to live in the cities under Section 10 of the Black Urban Areas Act be allowed to take up job offers in other cities.

Until then, blacks with Section 10 rights were not allowed to move from one Administration Board area to another.

Dr Koornhof told the Transvaal congress of the National Party last year that some of the Reekert recommendations, including the suggestion that urban blacks be allowed this freedom of movement, were "already being implemented".

However, a man with Section 10 rights to live in Soweto has been refused permission to take up a job in Johannesburg. He has approved accommodation and a firm job offer in Johannesburg.
Board creating criminals, says employer

By Sieg Heinig

A Johannesburg woman who was forced to dismiss an "illegal" servant has waited in vain for about a month for a replacement through the West Rand Administration Board.

"Either the authorities are not doing their job or they are lying about the extent of unemployed," said Mrs Biller of Fairland.

After dismissing her servant, she called the Pollo Street office of the board to get a new servant as well as two waitresses for her coffee bar in Randburg's Cresta Centre.

"Not one of the 'thousand unemployed' turned up," she said.

Mrs Biller said she needed the servant for her aged husband who was recovering from an operation, was blind in one eye and had 30 percent vision in the other.

She found a reliable and intelligent woman with good references, one she could trust to take care of her husband all day while she was at her coffee bar.

But the board gave her only one month to keep the registered woman.

An appeal to the Commissioner of the Department of Co-operation and Development failed — in spite of newspaper reports that the rules allowed for registration on compassionate grounds.

Even a doctor's letter made no difference.

The dismissed servant, a mother of a young child, came from Brits where she earned no more than R25 a month when she was not unemployed. "This is what drove her to Johannesburg," Mrs Biller said.

"The authorities have created yet another criminal." Mrs Biller said.

Her husband now is in the care of a coloured woman from Mrs Biller's parental farm in the Cape.

The two jobs for waitresses have been filled by women obtained by word of mouth.

And Mrs Biller sees no point in approaching the West Rand Administration Board for work seekers to fill a registered vacancy for a maid in her business.

Anybody who wants the job can telephone her at 6787799 during office hours.

A spokesman for the board said: "There is unemployment in the Johannesburg area. "These kinds of jobs are normally filled very easily. Possibly lack of public transport discouraged the aged of the third wave from applying for these jobs."

The Chief Commissioner for the Witwatersrand, Mr P A van Heerden, said he dealt with cases of registration of unemployed workers on compassionate grounds daily.

Before becoming aware of the servant's dismissal, he visited Mrs Biller through The Star, to approach her personally to see what could be done.

Mr van Heerden referred Mrs Biller's claim that the authorities had created yet another criminal.

"We acted in terms of the law," he said.
Influx control is worse—Suzman

Political Reporter
THE ASSEMBLY — The impact of influx control had become infinitely worse since Dr Piet Koornhof had declared war on the "doppa" and the Riekkert Commission had issued its report.

This was said in the Assembly today by Mrs Helen Suzman, Opposition spokesman on Co-operation and Development, when she spoke during the debate on that department's Budget Vote in Parliament.

She urged the Minister, Dr Koornhof, to move faster to implement promises which had been made. She had come to Cape Town this year with high hopes, but this session of Parliament had been a great disappointment.

Dr Koornhof had declared war on the pass laws — the doppa — from the safe distance of Palm Springs in the United States, but appeared to have lost the battle in Pretoria and Bloemfontein when the experiment to suspend the 72-hour provison was still-born.

The Government had rejected the Riekkert Commission recommendation that the 72-hour limitation on the presence of rural blacks in urban areas be repealed.

Instead it eagerly seized on the recommendation that penalties applicable to employers who unlawfully gave jobs to blacks should be considerably increased.

She outlined various other recommendations made by the commission which had not been implemented despite Ministerial promises.

Last year the police had arrested 99,660 males and 20,290 females for offences related to reference books and influx control in the 11 main urban areas of the country.
Suzman slams influx controls

THE ASSEMBLY — Many of the major recommendations of the Rieker Commission accepted in a government white paper nearly a year ago were today still unimplemented and remained a source of irritation to blacks. Mrs Helen Suzman (FDP Houghton) said yesterday.

Mrs Suzman expressed "great disappointment" that her high hopes that this parliamentary session would see the repeal of discriminatory legislation were wrong.

Speaking during the Co-operation and Development vote, she said since the Minister of Co-operation and Development, Dr Piet Koornhof, declared war on pass books, the impact of influx control had become infinitely worse.

She said while the government refused to repeal the 72-hour curfew, it had seized on the Rieker Commission's recommendation to increase the penalty on employers who illegally employed blacks.

The penalty rose to a maximum fine of R500 for the first offence and a R5000 minimum fine for subsequent offences.

"It is my contention that the Rieker Commission never intended that the punitive provision of harsh fines on employers should be introduced without the scrapping of the 72-hour curfew. And I cannot conceive the commission intended the punitive provisions on employers should operate while the penalties imposed on black workers unlawfully in employment continued to operate.

The Rieker Commission recommended these be abolished," said Mrs Suzman.

The recommendations to repeal Section 31, the general curfew law, had also not been implemented. Mrs Suzman said last year 20 777 arrests were made in terms of this law.

"The curfew is a major irritation to adult blacks as are raids on premises occupied by domestic employees. And these have been stepped up too," she said.

"There have been no laws repealed this session, despite Rieker, despite the white paper, despite ministerial promises."

Mrs Suzman said Dr Koornhof's private war on passbooks appeared to have been lost in Pretoria and Bloemfontein where the experiment to suspend the 72-hour provision in Section 10 (1) — the core of pass laws — was still-born.

The Rieker Commission had recommended the 72-hour limitation on the presence of blacks in urban areas be repealed and that influx control for blacks be based exclusively on the availability of work and approved housing.

"Will the Minister make another whistle-stop tour of the United States after this session and explain the true position to his enthusiastic audiences there?"

"The casualties in the Minister's war against the dompas comes to many thousands more if you add to these police arrest figures, the arrests made by administration board officials," said Mrs Suzman — PS.
Stop mouthing, start moving, Suzman urges

HOUSE OF ASSEMBLY
The impact of influx control had become infinitely worse since the Minister of Co-operation and Development, Dr. Pet. Koomhof, 'declared war on the 'dompas'," Mrs. Helen Suzman (FPP, Transvaal) said yesterday.

Influx control and the pass laws were the greatest single cause of racial hostility among blacks, and people did not need the belated report of the Child Commission to know that discrimination and separate development, plus inequality of opportunity and hopelessly inadequate facilities in urban townships had created the climate in which the Soweto unrest had come to the boil, she said.

Mrs. Suzman was opening the debate on the Department of Co-operation and Development's Budget allocations.

"Since the arrest there have been all those reports and inquests," she said, "but the effect on those promises has proved very much more difficult than merely mouthing them.

"I want to urge the Minister to move with more than all deliberate speed to implement those promises.

"The war the Minister declared on the pass laws in Washington appears to have been lost in Bloemfontein and Pretoria when the experiment to suspend the 72-hour provision that makes up the core of the pass laws was stillborn.

"The Reekert Commission had recommended the repeal of the 72-hour limitation on the presence in urban areas of blacks who did not qualify, and that influx control for blacks should be based exclusively on the availability of work and housing.

"The Government, in its White Paper, had "taken note" of evidence to the commission that the 72-hour provision "expressly discriminates against blacks, leads to large-scale arrests and short-term imprisonment, creates considerable urban relations problems and comes nowhere near completely effective control of the unlawful entry of blacks into the urban areas".

"The Government had rejected the idea of repealing the provision, but had immediately seized on a recommendation by the commission that penalties on employers who illegally employed blacks should be considerably increased.

"It is my contention that Reekert never intended that the punitive provision of harsh penalties on employers should be introduced without the pari-passu implementation of the positive provision of scrapping the 72-hour limitation.

"Mrs. Suzman said that 94,000 illegal black workers had been saved from instant dismissal from their jobs in white areas by the moratorium last year, but asked what would happen when the one-year contract they entered during the moratorium expired in a few months time.

"As far as I know, many of those 94,000 who lost or left their jobs since then have been endorsed out.

"Domestic workers were especially vulnerable as they did not have fixed hours, minimum wages or other protection normally given to all workers.

"Meanwhile, pass arrests go on ad nauseam," Mrs. Suzman said.

"Last year, 99,600 black men and 29,200 black women were arrested for offences relating to reference books and influx control in the 11 main urban areas.

"The casualties in the Minister's war against the dompas are very high indeed. The Minister is committed to getting rid of the 'dompas'. If he wants to make a name for himself in the history of South Africa, let him get on with the job of abolishing these laws.

"New documents embodying the same restrictions on mobility would be worthless.

"There is only one humane way in which control can be exercised over influx control and that is to improve standards of living in the rural areas by providing job opportunities in the homelands and to ensure that the wages paid to labourers on the 'white farms' bear the same relationship to wages in the industrial areas.

"Recommendations of the Reekert Commission had also not been implemented despite the Government's broad acceptance of the commission's report and Ministerial promises.

"High on the list of priorities to which the Government should give urgent attention was the monumental housing shortage in black urban areas.

"The commission had estimated this at about 114,000 houses and 126,000 hostel beds, and the Urban Foundation estimated the shortage in Soweto alone as 32,000.

"The cost of providing those houses would amount to R764 million, but only R59 million had been allocated since 1979.

"Last year only 220 houses had been built in Soweto and only 362 were planned for the year.

"The main problem seems to be the lack of serviced land. Some R230 million in private finance could be obtained for housing if serviced land were available.

"Someone has to provide in infrastructure, and it is my contention that it is the State which should do this."

"Mrs. Suzman asked the Government to write off the R63 million owed by the Rand Administration Board to the Department of Community Development, saying this would free thousands of homes for purchase under the 99-year leasehold scheme.

"So far only 221 leaseholds have been registered and 652 were in the pipeline. The home ownership scheme would be given much greater impetus if replaced by leasehold title.

"Much valuable time has already been lost that should have been used in the last two or three years to offset the intense dissatisfaction that is felt by urban blacks with their lots," Mrs. Suzman said. - Sapa
Tutu slams Botha’s 12-point strategy

HAMMANSKRAAL — The Prime Minister, Mr P W Botha’s 12-point strategy was really a “slightly disguised apartheid” for it was a reformulation of National Party principles, the general secretary of the South African Council of Churches, Bishop Desmond Tutu, said here yesterday.

Addressing the SACCC’s annual conference, he said the government was aware of international pressure against the “blatantly unjust and racist ordering of society and so we are perceiving a change of tactics.”

He said: “There is going to be a move away from racial discrimination as evidenced by the registration of black unions and the lifting of job reservation determinations.

“South Africa is being asked to believe she is facing a total onslaught from outside — communists from the East and liberal-inspired from the West.

“The way to counteract this is by the total strategy which is outlined in the Prime Minister’s 12-point plan.

“We are being turned into little Nats to perpetuate white minority rule because anyone opposing this is labelled a traitor who has no patriotism and is part of the total onslaught.

“We are really being asked to protect exploitative capitalism and assist in our own oppression and exploitation.”

Bishop Tutu said the government was prepared to give many and substantial privileges and concessions to certain blacks in the urban areas who were being co-opted to form “a buffer between the white capitalist haves and the black have-nots.”

Those who did not qualify to remain in the “core community” would be condemned to the outer darkness.

He said the Riebert Commission report which appeared to represent a significant step forward in liberalising influx control was now seen as in fact “an evil instrument of injustice and oppression.

“It has relegated and is relegating many to starvation and death in the unproductive homelands Is it the final solution to the political crisis of South Africa?”

“Blacks who don’t qualify must go and starve and die in resettlement camps.

“Quite callously, huge concentrations of human beings are being moved from pillar to post just to satisfy an ideological blueprint. The church must do more than just talk. The survival of South Africa is at stake.”

Bishop Tutu said the church must oppose total strategy with all the fibre of its being for the sake of South Africa — SAPA.
Parliamentary Staff

A NATIONALIST MP, Mr A T van der Walt, called on the Government in the Assembly yesterday to consider lifting its coloured labour preference policy for the Western Cape and waiving the work permit system as applicable to black people in Cape Town.

Speaking in the budget debate on the Co-operation and Development Vote, Mr van der Walt (NP, Bellville) said he questioned the reasoning behind the coloured labour preference policy as it discriminated against blacks who were in the region legally.

His viewpoint seemed to clash with a hardline stand taken by another Cape Nationalist MP, Mr J T Albertyn (NP, False Bay), who vigorously defended the present system and called for a tightening of controls.

"GAP"

The Minister of Co-operation and Development, Dr Piet Koornhof, praised both speakers for their "positive" contributions to the debate. He said the Government was making progress towards improving influx control and making it "more humane".

Earlier, Mr van der Walt had said there was a tremendous gap between Government policy and what was happening in practice.

The crux of the problem in the Cape Peninsula was the presence of about 100 000 illegal black people.

Mr van der Walt asked the Minister whether the Government had a plan to deal with this problem and what would be done about it.

The answer to this question would depend, firstly, on the lifting of the coloured labour preference policy secondly, it would depend on a form of home ownership and, thirdly, on an improvement in the quality of life of the legal black community.

"SYMBOLIC"

Mr van der Walt asked the Minister to consider seriously a 1979 request of the Cape Community Council to waive the work permit system as applicable in Cape Town.

Mr Albertyn said the Western Cape had become symbolic of the white people's homeland in South Africa and was the only region in which blacks were in the minority.

Because of this, National Party congresses had passed resolutions for the protection of the whites in the Western Cape and for making it a white-coloured labour preference area.

The Cape National Party would, therefore, find it very difficult even to consider granting leasehold rights to blacks in the Western Cape or lifting the labour preference policy.

Mr Albertyn suggested that those black people who did have legal status in the area had a duty to help rid it of blacks who were there illegally.
'Legal blacks must help oust illegals'

The Cape National Party would find it very difficult even to consider granting basic benefits to blacks in the Western Cape, or even in other parts of the country, unless the blacks were already in their proper places, said Mr T Albertyn.

On 4 July, the blacks who were there with official status had a duty to help to rid the area of those who were there illegally, he said.
'70% of W Cape illegals employe'

Mr A T van der Waal (NP, Brakpan) said about 70,000 black workers illegally in the Western Cape were employed out of a total of about 100,000. The vast number of illegal blacks lowered the quality of life of the legal blacks, he said, and black people lived in worse conditions in the Western Cape than anywhere else in the country. He equated this situation demanded Dr Kemp of the 'tinerant' illiterates (200).
Govt firm on race separation

THE ASSEMBLY — The government was committed to scrapping "hurtful and unnecessary discrimination" — but separate group areas, separate schools and sovereign ethnic governments remained non-negotiable in terms of National Party policy, Dr Piet Koornhof, Minister of Co-operation and Development, said yesterday.

Speaking during the debate on his vote yesterday, Dr Koornhof hit out at critics who said the government's reform initiatives had ground to a halt.

South Africa was undergoing a process of "profound reform" and anyone who said the initiatives of last year had become bogged down did not know what was happening around him, he said.

Dr Koornhof said that the government believed all groups should have their own residential areas, and separate education, which he said could be defended because of different cultures and needs.

However, he could not go into detail because other departments were involved.

"I also do not want to create false hopes among the broad black population," he said.

"However, all recommendations will be carried out as soon as possible."

In a wide ranging 90-minute speech, Dr Koornhof:

- Announced administrative changes that would lessen the amount payable by blacks on the 98-year lease plan.
- Said the experiment under way in Bloemfontein and Pretoria to scrap the 72-hour restriction on "illegal" blacks in urban areas would be evaluated after six months, and the government would take a decision on the matter.
- Limited strongly that the government was planning a system of dual citizenship within a future confederation of states.
- Made it clear that homelands would have to take independence before a confederation of states could come into being.
- Repeated that the government was trying to find a "more effective, humane and non-discriminatory" method of influx control.
- Said the government was considering an umbrella body to govern a constellation of states in which urban blacks would not only have representation but a direct say.
- Dr Koornhof said the process of change would be an ongoing thing.

PS. See also page 7.
By HELEN ZILLE
Political Correspondent

The Government was committed to scrapping "unjustified and unnecessary discrimination" in its policies. The Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday that the Government was considering an umbrella body to govern a constellation of states in which the black and white population would have a direct say. The Government was still being prevented from moving between different urban areas. The Fickert report had recommended this be stopped, and the Government had accepted it.

In reply, Dr Koornhof said: "Please be patient, and be a little positive. You can accept that we have honourable goals."

Changes would be made within the framework of the Prime Minister's 12-point plan and separate schools, group areas and autonomous ethnic authorities would be non-negotiable. Repeatedly, the Government was trying to find a "more effective, humane and non-discriminatory" method of influx control.

Mrs Helen Suzman (PPP) (Houghton) asked why urban black areas were still being prevented from moving between different urban areas. She had received the report of the Durandt Committee investigating the removal of "unjustified and unnecessary discrimination", but could not reveal details yet.

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Govt is looking for a 'humane' passbook

THE CO-OPERATION VOTE

WITHHELD TO COOPERATE IN IMPLEMENTATION OF NATIONAL PARTY PLAN

The Government is looking for an identification system for blacks without the humiliating elements of the passbook system, the Minister of Co-operation and Development Dr Piet Koorhof, said yesterday.

In a surprise move, the Prime Minister indicated that the Government was ready to cooperate with the National Party in the implementation of its plan.

"We are ready to cooperate in the implementation of the National Party's plan," Koorhof said.

This announcement was a significant breakthrough in the ongoing negotiations between the two parties.

Koorhof said the Government was preparing a new identification system that would be more humane and less intrusive than the current passbook system.

"We are working on a new system that will be more humane," he said.

The new system would be introduced gradually, starting with a pilot project in selected areas.

The Government promised to consult widely with the public and other stakeholders before finalising the details of the new system.

The announcement was welcomed by the National Party, which had been calling for a more humane approach to the issue.

"This is a welcome development," said National Party leader, Mr. X. "We have been calling for a more humane approach to the issue of identification for blacks."

The two parties agreed to meet again in the near future to finalise the details of the new system and to ensure its successful implementation.

The announcement was also welcomed by civil society groups, which had been campaigning for a more humane approach to the issue.

"This is a significant step forward," said Ms. Y, a leader of a civil society group. "We have been calling for a more humane approach to the issue for a long time."

The two parties also agreed to work together to address other issues affecting black South Africans, including poverty, unemployment, and access to education.

The Government promised to introduce new policies and programmes to address these issues.

The announcement was a significant breakthrough in the ongoing negotiations between the two parties.

Mr. Z, a member of the Government, said: "This is a significant step forward, and we are committed to working together to address the challenges facing black South Africans."
**130,000 pass offences**

THE ASSEMBLY — While violent crimes were on the increase, the police spent most of their time arresting people for petty statutory crimes, such as pass offences. Mrs Helen Suzman (FDP, Houghton) said yesterday.

Speaking during the police vote she said people who would be regarded as respectable law abiding citizens in most other countries were being turned into statutory criminals because their papers were not in order.

The 1979 police report showed police had acted against almost 130,000 people over registration and production of documents.

On the other hand out of 1,151 reported rapes in Soweto only 555 — about half — were brought to trial.

Of 648 reported murders between July 1978 and 1979, only 151 — less than a quarter — were brought to trial.

**Monday's business**

THE ASSEMBLY — Monday's business Resumption committee stage. Appropriation Bill (Prisons vote followed by Industries, Commerce and Consumer Affairs vote). — SAPA.
Harsher influx law aimed at foreign blacks

By STEVEN FRIEDMAN

Labour Reporter

A RECENT Government regulation which tightens the influx control is aimed only at foreign blacks according to the Department of Co-operation and Development. The department has conceded that blacks qualified to live in the urban areas have been affected and has said the regulations would be changed to prevent this.

Late last year regulations in the Government Gazette laid down that black workers with temporary identification certificates could not be registered in jobs or recruited for them.

These certificates are issued to blacks who are awaiting their reference books and could previously be used for recruitment and registration.

The Black Sash said at the time the new regulation would make it more difficult for thousands of people to be registered in work and observ-

ers saw the move as a tightening up of influx control.

Departmental spokesmen said later the regulations were not being applied because it was being redefined.

But the Rand Daily Mail reported that it was, in fact, being applied in black rural areas and was making it more difficult for people in those areas to find work.

In response to questions put to it by the "Mail", the department said that at the weekend the regulations had been changed "due to irregularities which took place with foreign workers".

A departmental spokesman said the term "foreign workers" referred to blacks from neighbouring states only, not those from independent homelands.

All labour offices have been told not to apply the notice after it had been discovered that blacks with urban residence rights were also affected.

A notice amending the regulations would be gazetted "in due course" and would have the effect of "eliminating the possibility of illegal foreign blacks using the temporary identification certificates".

It seemed that the influx control aimed at blacks would be tightened up, but it would be done in a way that would not affect the right of blacks to work.

African workers were being encouraged to return to their homelands.

Porto was seen as a signal of the need for more qualified doctors.
Crossroads woman jailed

CAPE TOWN — The chairman of the Crossroads Women's Committee, Mrs Regina Ntongana, was sent to prison for 494 days — about 16 months — yesterday after being convicted of 121 counts of fraud.

Ntongana, 42, originally pleaded not guilty in the Ali-bone Magistrate's Court to 124 counts of fraud by pretending to various people she was legally able to obtain the valid stamps in travel documents or reference books to enable them to live in Crossroads legally.

It was alleged that Ntongana induced the people to give her a total of R1 512 and four bottles of brandy.

Yesterday, after 14 complainants had given evidence, Ntongana changed her plea on the remaining counts to one of guilty.

In mitigation of sentence, Mr. H. Pollard, for Ntongana, said she tried, in her position of chairman of the committee and as a social worker in the community, to help those people in Crossroads who had missed a census last year to get the necessary endorsements. — Sapa
More than 200 men and women who were arrested in the Johannesburg area during a police sweep at the weekend appeared in the Johannesburg Magistrates' Court today.

They faced charges varying from trespass, drinking in public, failing to produce their reference books and failing to produce special permits to remain in the city until midnight on Saturday.

Most pleaded not guilty but some pleaded guilty to the charges.

A hearing for those who pleaded not guilty was postponed to May 28 and bail was set at a maximum of R30 each. Those who pleaded guilty were fined amounts from R10 (or 10 days) to R30 (or 28 days imprisonment).

Nearly 2,000 people were arrested in the sweep, which covered the Witwatersrand, and 48 of these had been held for serious crimes, a police spokesman said today.
Police swoop mostly netted pass offenders

Crime Reporter

Most of the people arrested by police during the weekend crime prevention sweep on the Witwatersrand were "pass offenders."

Although 48 people were arrested for "serious crimes," 792 were caught for trespassing and nearly 850 for other offences under influx control regulations.

Police say that the operation was a success because it has cleared the affected areas of the criminal element.

Some serious crimes were prevented by the presence of the police — nearly 1,000 policemen were involved — and useful information has been gathered for the compilation of a map giving statistics about crime on the Witwatersrand, a spokesman has said.
Man dies in pass raid
MPC weeps in court plea on maid's baby

Staff Reporter

A MEMBER of the Transvaal Provincial Council, Mrs. Pat van Harenburg, burst into tears in the Randburg Magistrate's Court yesterday when she was pleading in mitigation of sentence for allowing her domestic help to live on her premises.

The court adjourned when Mrs. Van Harenburg found she could not continue with her statement, dealing with the domestic help's plight and what she called the humanity of apartheid.

When the court resumed the magistrate, Mr. B. van der Merwe, told her: 'I do not want to hear any more of your statement. The court is here to deal with the facts of the case and emotional factors cannot be taken into account.'

She was found guilty and discharged.

In an interview afterwards, Mrs. Van Harenburg said she had intended to tell the court she would erect a fence rather than pay a fine if sentenced.

She had pleaded guilty to a charge under the Public Health and Housing Act for allowing the two-year-old child to live on her premises.

Mrs. Van Harenburg outlined the reasons for the domestic help Mrs. George Ntsimane kept in her home.

She said Mrs. Ntsimane was burdened with a horse in Raphathalt's ward.

Mrs. Ntsimane told her husband that she was pregnant and would be returning to her village.

But shortly afterwards her house was partly destroyed in a storm and she asked Mrs. Van Harenburg if she could stay on in her employment keeping the baby with her after its birth.

On February 5 this year Mrs. Ntsimane phoned and told her an inspector from the West Rand Administration Board had found the baby on the property and a summons had been issued against Mrs. Van Harenburg.

A police officer continued to her the following day that babies were not allowed to stay with their mothers in restricted areas.

Mr. A. C. Gev van Pittius, a farming inspector, told the court he was doing a routine check that day which included looking for babies kept illegal with their mothers.

Mrs. Van Harenburg asked him whether she was endorsing a child back to its homeland or keeping it illegally and whether there was anywhere to accommodate it or to feed it.

Mr. Gev van Pittius replied that this was not part of his job.

Interviewed after the hearing, Mrs. Van Harenburg said that at the end of the statement she was unable to complete her sentence. She had intended telling the court that if she were found guilty and sentenced she would elect to serve a prison sentence.

This is an example of the vicious and inhuman system of apartheid at its very worst.

I am no longer prepared to merely criticise the system that deliberately separates our coloured husbands and wives in a small way as a humble white Christian mother. I am going to stand to a humble, black Christian mother, irrespective of the colour question, for the cause of decency for the sake of my country and for the sake of our children, she said.

A black mother was told she would have to send her two-month-old baby to her homeland if she wanted to continue in her employment. And questions concerning the baby's welfare no longer appear to concern the architects of the evil that is apartheid, she said.
The baby that made the councillor a criminal

Mrs Grace Ntsimane, her son Thopo, and Mrs Pat van Rensburg

By Linda Shaw

Mrs Pat van Rensburg, MP and mother of four, could never be described as criminal — but she became one to help her friend keep her baby.

The birth of a baby in the van Rensburg household caused excitement two months ago. For a friend as loved as Mrs Grace Ntsimane, babysitting was for Mrs van Rensburg a pleasure, not a chore.

But this baby was black, and no amount of tears would convince authorities that the child should be with its mother.

"I chose to ignore the document I had been forced to sign denouncing my maid the right to keep her child," said the councillor.

When officials of the West Rand Administration Board arrived with documents ordering the child's removal, Mrs van Rensburg knew it was time to make a stand. She packed her bags, summoned her husband back from Parliament, and headed for the court.

"I will not pay a fine to support this inhuman system," she said.

"If you choose to find me guilty for supporting my friend, then put me in jail!"

A Randburg magistrate found Mrs van Rensburg guilty and let her go.

But for a tiny two-month-old baby the fear is always there.
Selective influx control makes the chief see red

Mercury Reporter
ULUNDI—Chief Gatsha Buthelezi said last night that as long as the influx control system applied to Africans only, he could not accept it.

Discussing a motion which claimed that a reply from the Department of Co-operation and Development, Dr Piet Koornhof, in Cape Town on May 16

The chief said, 'When the doors are kept open for all other race groups which came from other countries and influx control is only applied to us, who are indigenous to this country, then I see red.'

In his aide-memoire, the Chief Minister said influx control, associated as it was with the hated reference book, was the most keenly felt bit of discrimination which blacks experienced.

It was urgently necessary to relieve the burden that influx control regulations created for the least-sophisticated and most-deprived section of the population.

'Increased mobility of workers at whatever level should be accompanied by rights to move with their families,' the chief said.

'This approach should be accompanied by subsidised State systems of transportation.'

The process of increasing vertical mobility can be further assisted by scrapping Group Areas Act regulations which inhibit the development of the black trading and entrepreneurial class.'

Chief Buthelezi felt that a point in the history of South Africa had been reached where such deviations from traditional apartheid policies as he had suggested should be introduced immediately.

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University.
Apartheid's ultimate labour system

At a time when slick words about change are falling so easily from so many lips, our Labour Correspondent has unearthed details of a new labour system being evolved in the Ciskei that should make those words stick in every South African's throat. Because the system must surely represent the ultimate in any institutionalised form of human exploitation.

The system is very simple. We pay lip service to the principle of free enterprise but don't permit its concomitant, which is a free labour market. Black workers are not allowed to sell their labour where they choose. The pass laws and influx control system regulate their presence in the "white" areas, and thousands are swept up in periodic police raids to be endorsed out to the tribal homelands.

The fact that there is no work in these tribal homelands makes no difference. That is where the system requires that they be sent.

The result is that massive concentrations of unemployed people have landed up there. All the homelands are suffering from this choking problem, but none more so than the Ciskei - which happens also to be receiving most of the blacks being cleared out of the Western Cape in accordance with yet another separate development decree. As one top Ciskei official says, from the air, the whole homeland looks like "one vast settlement", and for these multitudes the Ciskei Department of Manpower Development has been able to create jobs for 0,000%. 

Thus separate development has turned the homeland into a vast labour reservoir. And now the system is being refined to pipe this labour from the reservoir to where it is needed in "white" South Africa. Details of each work-seeker will be kept in a Ciskei Government computer, and when the requisition orders come they will be called up and dispatched as required - with warnings that if they don't give satisfactory service they may be punished on their return and a black mark entered against their record in the computer.

This is Dickens in the computer age. Ordinary South Africans may find it horrifying, but the point they must grasp is that it is the logical culmination and ultimate perfection of the system of separate development.
SQUATTERS FLEE AS BOARD INSPECTORS CALL

The Administration Board inspectors today issued notices to about 18 residents of the squatter camp above Hout Bay harbour to appear in court on charges of being illegally in the Peninsula.

Mrs. Michelle and inspectors had promised to demolish all the shacks in the camp, it was about 9 am.

"How can they do that? Our husbands are at sea and we have no place to go," she said.

"We're suffering. We have children. What must we do?"

Mrs. Michelle said her husband was served with a summons, and the people were warned that if they stayed they would be taken "Guilty" fines.

A senior Administration Board inspector said that despite the warnings they had been issued three times to apply for their tickets to the peninsula.

The people served with notices were due to appear in Court on Wednesday. Administrative Court of Appeal.

Sister Ann Andrews, an Anglican nun, said "Yes, we will pay."

The people were being forced to pay R16. We have less than 40 men but we are making less profits than possible. Make less wages take up to the point where MAP equals the existing..."
200,000 pass arrests

Political Reporter

CAPE TOWN — More than 200,000 black people were arrested for offences relating to reference books and influx control in South Africa last year.

The South African Police last year arrested about 224,308 people for influx control offences, while administration board officers arrested 83,937.

This emerges from replies given by the Minister of Police, Mr. L. le Grange, and the Minister of Co-operation and Development, Dr. Koornhof, to questions tabled in Parliament by Mrs. Helen Suzman (PFP, Houghton).

Commenting on the figures released by the Ministers, Mrs. Suzman said it seemed that Dr. Koornhof's war against the pass laws had not had much of an impact yet.

Although there had been a slight drop compared with 1978 (when 224,308 people were arrested for influx control offences) Dr. Koornhof would have to do much more to be able to say he had won the first battle.
'Breach of census secrecy, a mystery'

By CHRIS MARAIS

A JOHANNESBURG family has been told that information they gave on census forms has been passed on to the West Rand Administration Board for investigation.

But after a thorough check by both the Department of Statistics and WRAB, officials have come to the conclusion that the family, who may not be named, were potential victims of a suspected blackmail attempt.

Early last week, the family submitted a signed statement to the Rand Daily Mail on the matter. They said they had an unregistered Rhodesian black living on their premises.

On May 21, three weeks after submitting their census form containing this information, three men claiming to be WRAB inspectors visited their premises.

The men, according to the statement, belligerently questioned the family maid about the "garden boy."

"During the course of the raid one of the men asked our maid where the "garden boy" was who had been included in our census form," the statement said.

That night a black man calling himself "Inspector Hlondwane" telephoned the family and said he and two white inspectors had visited their home after gaining information from their census form.

"He said he was just trying to save us from paying a fine and put the phone down," the statement said.

The 'Mail' approached the Department of Statistics and told them about the matter. Mr. André van der Walt, a spokesman for the department, said all personal information given on a census form was covered by a secrecy clause in the Census Act.

"Some people have filled in that they are professional thieves. Even information like this we cannot pass on to the authorities," he said.

He added that the incident was true as reported, it would be the first case of a breach of census secrecy since 1904.

He referred the 'Mail' to the department's chief statistician, Mr. Neville Gouws.

"I was told they simply did not operate like that and that they had not been given any census information," he said.

The Department of Statistics investigated further. They questioned the enumerator for the area as well as his area superintendent.

"The enumerator is an immigrant student who has only been in South Africa for two years. He did not even know that WRAB existed. I am satisfied that the information did not come from him," Mr. Gouws said.

"WRAB also checked their staff lists and found nobody called Hlondwane on them."

"It seems someone might have been trying to blackmail the family, perhaps later charging them a sum of money to have the case forgotten. The three men who visited them must have been impersonating WRAB inspectors."
Man on corruption charges

AN EMPLOYEE of a Cape Town stevedoring company, Mr Farrell Tabangana, appeared in the Magistrate's Court yesterday on charges of corruption involving R25 000.

Mr Tabangana, 40, of Block E, Langa, is alleged to have been paid money by stevedores to obtain documents to work in Cape Town.

He is alleged to have used the names and documents of legally registered people.

Some of the payments are alleged to have been made on a monthly basis since 1983 and individual amounts allegedly paid by stevedores to Mr Tabangana over the years range from R25 to R4 000.

He also faces alternative charges of fraud and theft.

Mr Tabangana was not asked to plead and no evidence was led. The case was postponed till July 17.

Mr B Carroll was the magistrate.

Mr N Jones prosecuted. Mr L Weiser, of Steefer Cohen and Steefer, appeared for Mr Tabangana.
Guguletu men appear in court

FORTY-TWO Guguletu contract workers appeared at the Langa Commissioner's Court yesterday charged with being in the area illegally under Section 10 (4) of the Urban Areas Consolidation Act.

The charges follow a strike by the workers at Table Bay Cold Storage in Paarden Eiland. The workers were dismissed and contracts for the migrant labourers were terminated.

Forty-two were arrested yesterday at 4:00 am at the Table Bay Cold Storage hostel in Guguletu.

One of the workers who appeared, Mr. Weseman Dikrama, pleaded not guilty to the charge. He said he did not regard his contract as being terminated and did not consider himself as being illegally in the area.

If the labour dispute can be settled, I am prepared to take my job again, he told the court.

A Cape Town police officer, Captain Steytor, told the court that if the men were released, they would intimidate people now employed in their places.

The commissioner, Mr. W. Fourie, said the evidence given by the police officer could not be disputed. He remanded the men till June 18.

Mr. J. J. Jansen presented. Mr. Lee Bozalek appeared for the men.
42 Cape meat strikers arrested

By STEPHEN EPIDOMA
Labour Reporter

FORTY-two black workers who are on strike at Table Bay Meat Store, in Cape Town, were arrested yesterday and have been charged with being in the area illegally.

The workers were arrested in a shop and at a house in the city and are being held without the option of bail.

They appeared in court yesterday evening and are due to appear again on Wednesday, according to the Western Province General Worker's Union.

The union fears that police plan to arrest all contract workers taking part in the Peninsula's general meat strike — about 200 at the end of the week.

The general strike, which was sparked by one at Table Bay over a demand that management recognize a worker committee, has also led to a boycott of red meat in the Cape Town area.

Earlier this week, police told the union's lawyers that two union organizers, Mr. David Lewis and Mrs. Diane Cooper, were not being detained under Section 30, the preventive detention clause of the Internal Security Act. Their detention orders were based on Section 21 of the General Fugitive Offender Act.

The arrest of the strikers drew strong reaction from the International Confederation of Free Trade Unions, which represents unions in most parts of the Western world.

The ICFTU said it viewed the arrests as "a gross violation of human rights" and would "protest the arrest of the strikers and the drilling of the police action generally.

The union issued a statement yesterday in which it alleged that the management at Table Bay was "fully aware" of the police action and had "approved" it.

A spokesman for the office of the Regional Director, the latter's managing director, said yesterday that Mr. Solberg was no longer prepared to discuss the situation and did not wish to comment further. "The situation is highly delicate," he said, "and we are prepared to meet with any representatives of the strikers to discuss a solution to the problem."
Strikers sent to homelands

SUNDAY POST.

Lilang (correspondent) JOHANNESBERG: Strikers in the Cape Town meat industry have been "deported" to their homelands, according to reports received by SUNDAY POST.

A spokesman for the Western Province General Workers' Union (WPGWU), to which the strikers belong, says they believe they have been taken to Worcester, and from there to the homelands. They were arrested last week, charged under the pass laws, and refused bail.

About 200 of the 500 strikers are contract workers. The union believes the authorities "are setting an example by deporting the 42 strikers".

And on Friday two more WPGWU organizers were detained. They are Mrs. Zora Schlieman

To Page 2
FORTY-TWO of the 800 Table Bay Cold Storage meat strikers charged with being in the Peninsula illegally were cautioned and told to return to their homelands when they appeared before a Langa Commissioner's Court yesterday.

One of the accused, Mr. Fumakhule Magwazi, told the court that the labour dispute had started when workers had not been allowed to elect a workers' committee.

"LOCKED"

Mr. Magwazi said on the morning of May 8 more than 800 workers were ordered by Mr. Sello, a senior employer at the firm, to leave the premises.

However, he said the following morning all workers reported for duty but found the doors locked.

He denied that they were expelled from work.
Strikers sent to homelands; unionists held

From Page 1

ment refused to disband the liaison committee. And this week workers at the Koo factory in East London downed tools for a few hours over the same issue. They returned to work after AFCWU committee members told the strikers negotiations with management had started.

The 17 meat firms in Cape Town affected by the strike refuse to meet worker representatives, arguing that the strikers are no longer employees.

But the workers, who have been on strike for two months, say they “stand firm in their demands and will not be stopped by police.”

The workers are demanding that Table Bay Cold Storage, where the strike began, and National Meat Supplies recognise worker-elected committees and that all of them are reinstated.

Cape Town University’s SRC has set up a Meat Workers Support Committee to collect money for the strikers by selling stickers. A committee spokesman said: “People can pay what they like for a sticker.”

In a show of solidarity with the strikers, the Cape Town coloured and African community is supporting a red meat boycott. The strikers have also called for a national boycott of red meat and red meat products. Johannesburg organisations supporting the boycott include the Soweto Civic Association, Azapo, the Transvaal Council on Sport and the Soweto Traders Association.

A union spokesman said around R20 000 has been received from people all over the country. The strike is costing the union R11 000 a week. The strikers are supporting themselves and their families on a mere R15 a week.

And in Durban churchgoers will today be asked from pulpits to aid workers fired from the Frame Group’s textile mills in New Germany, Natal, after the recent strike there.

A strongly-worded statement from the Christian agency Diakonia to its eight member churches in the greater Durban area, calls the dismissal of about 180 men and women from the mills “a very clear example of victimisation of those who struggle for justice.”

Many of the axed workers lost their hostels accommodation when they lost their jobs and must now return to labour bureaux in their homelands to find work.

Those who were fired after they returned to work were mostly union shop stewards, members of the workers liaison committee, and union members. The Frame Group does not recognise unions.
Registration not difficult - Wrab

By ZB MOLEFE

BLACKS, who employ blacks in the townships, need not have difficulties registering their workers, said a West Rand Administration Board (Wrab) official this week.

Mr E Steenhuisen, Wrab's director of labour, added: "This is provided they follow the legal procedures laid down."

He was reacting to the outcry from employers in the townships who, in a Sunday Post series focusing on blacks employed by their own people, complained that their greatest difficulty was registering their workers.

As a result, employers and their employees, agreed that mass exploitation of these workers is rife.

According to Mr Steenhuisen employers in the townships must satisfy the Co-operation and Development Commissioner that their employees have accommodation.

Accommodation is in a hostel or with township residents where the workers had obtained lodgers' permits.

Mr Steenhuisen, then pointed out: "These applications, if approved by the Commissioner, then come to the board."

Soweto's coal workers - a better deal ahead?

Employing blacks legally a problem - black firms

On the allegation by Soweto coal dealers that they could not get hostel accommodation for their workers from the rural areas because Wrab favoured white coal merchants' employees, Mr Steenhuisen said: "In that case, the board has no authority to grant accommodation to workers from outside its jurisdiction."

Sunday Post has learned that the problem of unregistered workers in the townships stems from two reasons.

Firstly, employers are not well-versed in the regulations. And secondly, the majority of these workers would in any case be endorsed out of the urban areas, if the authorities knew they were there.

This, in a way, explains the trade union's wish to organise workers working for their people in the townships.

Unions tight-lipped

Although most of the unions are tight-lipped about their intentions to organise township workers, Sunday Post learnt that moves in this direction are afoot.

There is also talk that the Department of Manpower Utilisation has been approached to give industrial councils jurisdiction over larger areas. In the case of cities like Johannesburg, this would include Soweto.
Pass law 'actions' more rigid—experts

By STEVEN FRIEDMAN
Labour Reporter

THE number of people acted against in terms of the pass laws is still much higher than official statistics indicate, experts said yesterday.

They were reacting to a report in the Sunday Times which said that Government officials had decided to "doctor" statistics on pass prosecutions in order to create a "more positive image". The report quoted minutes of a meeting of "top Bantu Administration officials" in 1974.

The report also quoted an internal code of practice for officials of Government Aid Centres, which indicated that these centres, which were ostensibly introduced to "educate" blacks about the pass laws, were being used to enforce the pass laws more rigidly and efficiently.

The report also indicates that the aid centres, which examine pass cases before they are referred to courts, are acting against blacks in ways which ensure that their cases do not come to court and thus escape the official statistics.

Experts consulted yesterday said they believed that the number of people acted against in terms of the pass laws was still much higher than official figures, which claim that the annual number of pass arrests has been dropping for several years.

Mrs Sheena Duncan, director of the Black Sash's Johannesburg advice office, said she was "not surprised" at the report. The office deals daily with complaints of people affected by the pass laws.

She said "The official figures have been decreasing for a long while, from our experience, the rigidity with which the pass laws are being enforced is increasing."

This has been the case since last year when recommendations of the Reukert Commission, such as the increased fine on employers of 'illegal' labour, were implemented.

Most sources agree that stricter control is being implemented more rigidly since the Reukert proposals came into effect, and though they stress that they have no documentary evidence, they believe that official figures still do not reflect this new rigidity.

They believe that many black people who fall foul of the pass laws are not prosecuted, but are simply acted against in other ways, particularly by being "endorsed out" to their homelands in the face of pressure...
Pass arrests stopped.

By MARKA SHORS

AS ANY elderly man has to be happened to Jacob andltul;Jacobgt; and Jimmy, two men had been arrested and taken to the police station for a night two rows ago.

The police had been called when the two men were found wandering around the farm, and were about to leave for their homes. But, after repeated efforts to persuade them to leave, the police took them to the police station.

The two men were charged with trespassing on the farm and were immediately released on bail.

They had been arrested as a result of an incident that occurred last week. The two men, who were known to be frequent visitors to the farm, had been found on the property without permission.

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FORTY-TWO meat workers who appeared in the Langa Commissioner's Court last week left the Peninsula under police escort last Thursday.

They were some of the 250 meat workers who went on strike last month. More than 450 of the workers are contract workers from the homelands.

The 42 workers were arrested for being in the Peninsula illegally. On passing sentence, the commissioner, Mr W Fourie, said the men should be sent back to the homelands.

A spokesman for the Western Province General Workers' Union said the workers who had been sent back to the homelands would be called back if the meat dispute could be settled.
Attorney asked for her certificate

Staff Reporter

AFTER appearing three times for a client before the same commissioner, a Johannesburg attorney was yesterday asked to produce her certificate of practice before the court could proceed.

Miss Debrah Decon is representing Mrs. Rebecca Seshoka who is charged with failing or refusing to produce her reference book on demand and being in the prescribed area of Johannesburg for more than 24 hours. She has pleaded not guilty to both charges.

The commissioner, Mr. J.J. Loubert, asked Miss Decon if she was authorized to proceed in that court and from which firm of attorneys she came. He also asked to see her admission certificate before she could proceed.

The court was adjourned while Miss Decon tried to contact the senior counsel for the Legal Resources Centre, Mr. Arthur Chaskalson.

After a delay the court resumed when Mr. Chaskalson and a member of the Transvaal Law Society, Mr. William Lane, conferred with the commissioner.

Mr. Rutha Mohgotheng, a Johannesburg attorney, said later that it was customary for a magistrate who doubted the credibility of an attorney to ask him or her to produce a certificate of practice.

"It is very unusual though, for a magistrate to ask for this document if the attorney has appeared before him on other occasions," Mr. Mohgotheng said.
Scrap influx control, says academic

By ARNOLD GEYER

BLACK unemployment in South Africa — estimated to be as high as 27%, by some economists — can be significantly reduced by scrapping influx control, says a University of Cape Town academic.

In the latest issue of Outlook, an independent journal dealing with religious and racial affairs, Dr. Ivo Gerson said abolishing influx control and other restrictions on the labour market was the obvious remedy for this serious problem.

He said restrictions on the entry of blacks into urban areas, coupled with the recruiting system in the homelands:

* Seriously aggravated measured black unemployment
* Tended to bring down wages of migrant workers in urban areas, as well as those of migrants in mining and on white-owned farms.
* Increased the ranchers' and white farmers' supply of migrant labour at the expense of urban employers.
* Largely and directly attributed to the exceptionally high unemployment among black women, who were virtually "locked into" the homelands unless they migrated illegally and
* Led to the confinement of blacks to poverty-stricken areas which in turn, caused high unemployment.

"In these very poor areas, employment at acceptable — or even liveable — wage rates are extremely scarce," he said.

Wages in the few jobs that existed here, such as in the homeland bureaucracy and industries, were artificially high. But even if they were market determined, the decrease in regional unemployment would probably be negligible.

In the meantime, as things stand, the black woman's best option is to try to eke out part of her living on the farm and to depend primarily on her migrant husband's earnings," Dr. Gerson said.

A great many black women would leave the homeland areas and take up employment in the urban areas if they were allowed to do so. And many of those living illegally in the urban areas would also be less inhibited in seeking jobs.

Dr. Gerson said influx control tended to raise wages of workers entitled to reside permanently in the urban areas.

This had two important effects:

* The low wages paid to migrants in urban areas, in mining and on white farms were likely to bring down the participation ratio of homeland-based men in wage employment.
* This made the legal residents obvious targets for lay-offs in times of recession.
Scrap influx control to cut unemployment, says academic

Own Correspondent

Johannesburg -- Black unemployment in South Africa estimated to be as high as 25 percent by some economists can be significantly reduced by scrapping influx control, says a University of Cape Town academic.

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- Seemingly aggravated black unemployment.
- Tended to bring down wages of migrant workers in urban areas, as well as those of migrants in mining and on white-owned farms.
- Increased the number of black women and white farmers' supply of migrant labour at the expense of urban employers.
- Contributed to exceptionally high unemployment among black women, who were virtually 'locked in' to the homelands unless they migrated illegally, and
- Led to the confinement of blacks to poverty stricken areas which, in turn, caused high unemployment.

"In these very poor areas, employment at acceptable, or even livable, wage rates is extremely scarce," he said.

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Assistance for pass offenders

By SUZETTE NXUMALO

THE Witwatersrand Council of Churches is to open an advice office for pass law offenders at the corner of Becker and President Streets, Johannesburg, from Monday, July 21.

The office will help people arrested for pass laws in Johannesburg and Soweto with free legal assistance. It will operate from 7.30 a.m. to 2.30 p.m. from Mondays to Fridays.

Stressing that the office would deal with pass law offenders only, Mr Tom Manthatha, an official of the South African Council of Churches said, "Many people are arrested for pass law offences and are found guilty because they do not know that everybody is entitled to be represented in court by a lawyer."

"People do not realise that they are entitled to ask for a postponement and refuse to answer any questions put to them in court until they have consulted a lawyer," he added.

Mr Manthatha also pointed out that many people did not know what bail is and that they could ask the commissioner to allow bail.

"Bail can simply be explained as a deposit which is paid to the court so that the arrested person can be released while he waits for the trial. It is only given if the arrested person asks for it. If the commissioner grants bail, the arrested person is told how much it is and released once it has been paid."

He stressed the need to keep the receipt after paying bail so that the money can be refunded after the trial.

"When the person has been released on bail, he can then come to our Becker Street offices so that we can help him to get a lawyer. Relatives or friends of the arrested person can also call at..."
Workers to
go 'home'
for permits

By STEVEN FRIEDMAN -
Labour Reporter

TENS of thousands of black
workers registered under last
year's moratorium for
"illegal" workers will have to
return home soon to renew
their one-year contracts.
The contracts of workers
registered in terms of the mora-
torium expire between next
week and October 31, and they
will have to return to the home-
lands to obtain permission to
continue working in the cities.
Employers who do not take
steps to renew contracts could
be fined R500.

However, a spokesman for
the West Rand Administration
Board said yesterday that he
did not expect problems with
the renewal of contracts.

About 50,000 workers were
registered on the Witwaters-
rand alone during the moratu-
rium which was introduced on
July 13 last year after legisla-
tion had increased the fine for
employers of "illega" labour
from R100 to R500.

It allowed employers to reg-
ister all black workers who had
been working for them "illega-
ly" for more than a year.
Those who had worked "illega-
ly" in the cities for more than
three years were also permitted
to register — if they had
jobs.

However, all workers who
were registered during the
period — which expired last
October 31 — were granted
contract-worker status only,
and their contracts must be
renewed every year.

A Black Sash spokesman said
yesterday this had meant that
workers who had registered
during the moratorium and who
had lost their jobs had forfeited
their right to remain in the
cities, and had been ensured
out to the homelands.

Officials had usually refused
to allow them the right to seek
other employment or transfer
to new jobs, she said.

It was not yet clear whether
all contracts would be renewed,
but she added: "We would be
very surprised if they weren't
— there would be a public
outry."

The WRAB spokesman yest-
day advised employers who
had registered workers during
the moratorium to check the
date on which the contracts
expired, and make arrange-
ments for their renewal.

Workers will have to call at
administration board offices
with their "F" cards. They will
then be issued with a "call-in"
card which should ensure that
they will be re-registered.

All workers must then return
to their homelands and report
to the local labour bureau for
permission to return to work in
the urban areas.

There is no stipulated time
that workers that must remain
in the homeland. "They can
return in two to three days if
they wish, but many may
decide to take their annual
leave," the spokesman said.

He expected all contracts to
be renewed.

In contrast to the hectic days
of last year's moratorium,
when WRAB and other admin-
istration boards had an extra
staff and kept offices open for
longer than normal, no special
arrangements will be made this
year.

"There is a bit of paper work
involved, but we don't expect
there will be any great prob-
lems. We are sure we will be
able to manage," the spokes-
man said.
Aid centre figures are not 'juggled'

BY MARTIN WELZ

The Department of Cooperation and Development has denied parts of a Sunday Times report that its internal documents suggest that top officials are juggling statistics on cases of offenders in order to avoid an unfavourable publicity about the number of prosecutions against blacks.

But the department's deputy secretary, Mr B S Poggez, has refuted the charge in an interview, saying that the department has been playing a role in ensuring that cases are brought to court.

Mr Poggez said that the department was not involved in any way in the manipulation of statistics to avoid an unfavourable publicity.

Assistance

Mr J Jankier, senior PPO for the department, said in a letter to the Sunday Times that the main aim of the aid centres was to assist blacks with problems that might arise while they were looking for work.

Mr Jankier also denied that the meeting of senior officials in Pretoria in February 1984 was held to discuss ways to keep black people in detention at the aid centres for longer than 30 hours without having to take them to court.

This procedure would have the effect of reducing the number of prosecutions referred in statistics.

Mr Jankier wrote: "According to my notes, the meeting took place to discuss which cases should be followed up and what the implications would be for the aid centres... I am not aware of any decision that was made." He added: "It should be noted that the minutes of the meeting show the purpose of the meeting was to discuss ways to keep black people in detention for longer than 30 hours and that such cases must appear before court." He further added that the minutes of the meeting show that the department was not involved in any way in the manipulation of statistics to avoid an unfavourable publicity.

Discrepancy

Officials also point out that a number of the official aide to a person may have been kept in detention at an aid centre and that the Sunday Times story is incorrect.

Officials also say that the department has been playing a role in ensuring that cases are brought to court.

Mr Poggez said that he was not at the meeting and refused to comment further.

Mr Poggez was unable to explain the discrepancy between the official aide and the figures which were referred to in the report.

According to the department, all the figures are based on the records kept by the aid centres and the figures are based on the records kept by the aid centres and the figures are based on the records kept by the aid centres.
Man is sentenced

A CROSSROADS man was today sentenced to nine months' imprisonment suspended for five years when he was found guilty by an Athlone magistrate on 16 counts of fraud relating to temporary residence permits.

Jeremiah Mfanyana Ndaba, 47, pleaded guilty to all counts.

Evidence was that between July 1 and September 30, last year, Ndaba stamped the reference books of 16 Crossroads residents for a fee ranging from R10 to R50.

He received a total of R345.

Ndaba is married and has four children. He had no previous convictions.
DR Piet Koornhof, Minister of Co-operation and Development, promised this week that changes were on the way to eliminate discrimination in regard to the passbook system.

That was the good news — but earlier this week, in a BBC TV interview with British commentator David Dimbleby, Dr Koornhof indicated that the very people who have to implement any changes in South Africa's discriminatory laws — the public service bureaucrats — may act as a brake on such changes.

Expresscope investigated.

It looked at how the current crucial experiments in Bloemfontein and Pretoria to do away with the 72-hour provision — a major foundation stone of the pass laws — had progressed. And it examined the way in which many bureaucrats respond to instructions from above that are intended to loosen some of the restrictive laws affecting Blacks.

72-hour influx control: officials are tight-lipped on experiment

AN IMPORTANT part of the Government's experiment into doing away with the 72-hour influx control has been quietly suspended in Bloemfontein but is still going ahead in Pretoria — shrouded in heavy secrecy.

This is what Expresscope discovered when it investigated the situation in the two cities this week.

The Sunday Express reporter who visited Pretoria to get a first-hand account of the method and the experiment's progress was sent on a run-around from one Government office to the next.

At each of the numerous offices visited, from that of an Administration Board inspector to the deputy director's office and a Press officer of the Department of Community Development, the Sunday Express was told...

...have instructions from the relevant Minister, but we have been told not to talk about the experiment until it is finished.

Expresscope encountered a similar reluctance to give information in Bloemfontein, but nevertheless made greater headway in finding out what was going on.

The probe found the experiment, implemented some time after it had been raised in Parliament by Dr Piet Koornhof in February this year, was carried out for a month and then abandoned because of unrest in the area.

Mr M P D Spies, chief director of the Southern Free State Administration Board in Bloemfontein, told the Sunday Express his department had been told by the Department of experiment.

One official said that checks were made on Blacks living or working illegally in the area, but whereas beforehand "illegal" Blacks would be arrested and endorsed out, they were now being counted and left alone.

The result of the experiment, the Sunday Express was told, would depend on a statistical analysis based on those who had been "counted".

As far as the Sunday Express was able to ascertain, no Black, living or working illegally in either Pretoria or Bloemfontein, had been arrested or endorsed out of those areas since February.

A spokesman for the Pretoria City Council said that although the council had at first been against the experiment it had changed its view as a re-
AND THE RED TAPE RINGING THEM

How these 'illegals' escaped being thrown out — legally

BY JEAN LE MAY

Political Reporter

In the past six weeks 51 people have been mercilessly threatened with extradition by West Rand Administration Board officers in every case the 14 black officers refusing registration were found by the Black Bash to be illegal.

Mrs Sheila Duncan of the Black Bash has described the actions of West Rand officials as 'totally unnecessary, unjustified and bullying.

The example of civil service officials acting contrary to the law and the stated policy of the Government was one of several topics on Empire House this week — after Dr Fred Kruisfeld had referred to a BBC interview in which bureaucrats were acting as a brake on change in the country.

The 'illegals', some of whom had been thrown out of their jobs, said they were being framed. They were all afraid of the Black Bash who were "publicised to be in Johannesburg."

"In some cases officials had asked ridiculous questions such as 'Why did you only have two rooms in your house?'' said Mrs Duncan.

Mrs Duncan could not dis-

describe the number of blacks because the Black Bash regarded them as confidential.

Mr Kruisfeld referred to the news of the arrests of blacks by the Black Bash as being 'deliberate carelessness'.

The Sunday Express reported last year, during a special Government investigation into the registration of illegal whites, that in spite of the mess- ing up police were still arresting blacks for being of Johannesburg illegal.

A very senior Government man, on being asked in question at the time, indicated that instructions were being ignored.

The Sunday Express has been assured many times at top level that no people are being arrested from their homes without other forms against their war. But there are numerous indica-

tions that this has been done.

The Sunday Express found the same kind of control at Basotho last year that many other people had been mixed there against their wishes.

A West Rand official ignored the new Government labour regulations and refused to allow a Port Elizabeth man, Mr. Motho Mohapi, to take up a job in Johannesburg to which he was legally entitled.

West Rand officials said that the new regulations were not being implemented or 'because forms have not been reissued'. Mr Mohapi was allowed to stay in Port Elizabeth.

A Department of Cooperation and Development official in Johannesburg said that he would be refused by the Black Bash if he did not return to his homeland. She had been there in breach of an agreement be-
Cooperation and development to lift the 72-hour influx control provision "in toto" during the course of the experiment.

Mr Spies added "In practice, this involves certain problems" He would not elaborate, except to say "I must be quite honest, if I give you details of the problems which lifting the 72-hour provisions entails - it could be misused."

Mr Spies said that Blacks, who were found to be living or working illegally in Bloemfontein, were neither being arrested nor endorsed out, but that employers were still being prosecuted if they were found employing unregistered Black workers.

He said the part of the experiment which involved the "counting" of illegal Blacks in Bloemfontein had to be suspended because of the current unrest, and remained suspended for the time being.

In Pretoria, only Government officials who were not prepared to have their names mentioned and who told us they had been instructed not to comment on the current results were prepared to give any information about the result of clarifications made by Mr Koornhof after his initial announcement in Parliament.

However, in Bloemfontein, acting Town Clerk Mr A Grobbelaar told the Sunday Express "I know absolutely nothing about the experiment."

Mr Grobbelaar has only been acting Town Clerk for the past three weeks, but he said "If I am not aware of the experiment then the council won't be aware of it - not even the mayor or the chairman of the management committee."

In the past two weeks Sunday Express inquiries to the Department of Community Development asking for clarification of the nature and method of conducting the experiment have also been met with a request to wait until the experiment is completed.

When approached by the Sunday Express this week the Opposition's spokeswoman on civil liberties, Mrs Helen Suzman, lambasted the secrecy around the experiment.

"The whole thing is shrouded in a sinister aura," she said. She called on the Department to "open up" and put the progress of the experiment "in full view of the public."
NO MORE NIGHTS ON COLD CONCRETE FOR THE MAN WHO LOST HIS PASS

Fana Makhanya

UNTIL this week Fana Makhanya was homeless, jobless and forced to spend his nights huddled under sacks and carpet underfelt on the floor of the Westgate bus terminus.

Now he's got a new chance in life through the kindness of a Sunday Express reader who saw an article on his plight.

Mr Ernest Page, a sales engineering consultant from Limbro Park, Johannesburg offered him a job as a gardener at his home.

He will be earning R35 to R40 a month and food and accommodation will be provided.

This is the first chance of legal employment that Mr Makhanya 51 has had since he lost his pass 10 years ago. No employer was prepared to take an "illegal" and he survived by selling bottles and cardboard boxes.

He could not afford to pay the back taxes demanded by the administration boards — about R20 — before he could be issued with a new pass and he refused to beg.

I am a man, I am too proud.

This week he said he now had what he wanted. The most important thing is to have food and a place to live.

A Sunday Express team first came across Mr Makhanya in the Westgate bus shelter where for the past three years he has slept on the concrete floor. He usually had a meagre meal of bread and milk just before bedding down for the night as soon as the commuters dispersed.

Mr Page has agreed to pay the back taxes of about R20 on his behalf — which Mr Makhanya will pay back over a period — and to put his papers in order.

Mr Page an Englishman who has been in this country for 23 years said he would personally teach Mr Makhanya gardening on his 2.5 ha plot in Limbro Park. Mr Makhanya cleaned toilets for a living before he lost his pass.

"I feel the arrangement will benefit both of us. By taking Mr Makhanya off the streets and teaching him a craft I will hopefully, earn his loyalty."
Erab ‘refused contract transfer cases’

Lebatho Reporter

THE East Rand Administration Board is refusing to allow many migrant workers who lose their jobs to register in other work by transferring their contract to a new employer, it was alleged yesterday.

It was also claimed that Erab was refusing to allow contract workers who had been involved in work stoppages to transfer their contracts, even if they had not been convicted of striking.

A senior Erab official refused to discuss these charges, referring all queries to Erab’s chairman, Mr Schalk van der Merwe, who was not available.

The West Rand Administration Board’s director of labour, Mr Armand Steenhuizen, said there had been no change in Wrab policy on contract workers.

The authorities have in the past allowed contract workers who lose their jobs before their contracts have expired to transfer those contracts to a new employer.

Late last year, the Department of Co-operation and Development announced that contract workers who came to Johannesburg from “white” rural areas would be able to transfer their contracts, but workers from the homelands would not.

According to the Black Sash, administration boards are allowing workers to transfer contracts only if their employer agrees. These workers must be transferred to the same category of job in the same administration board area.

It is understood that workers involved in a recent strike of the East Rand were refused the right to transfer to new jobs. Their lawyer was told that it was now policy to refuse to register workers involved in strikes.

The workers have not been convicted of striking.

A spokesman for the Industrial Aid Society said that it was becoming increasingly difficult for workers who had lost their jobs in the Erab’s area to transfer their contracts and thus gain new work.

“There seems to be a general clamp-down on the transfer of contracts,” she said. “In the case of work stoppages, the authorities simply believe the employer if he says there was a strike.”

The Black Sash reported yesterday that a heavy duty driver in the area who is a contract worker had been refused a job which had been offered to him after he had lost his job at the Putco bus company.

His prospective employer, who asked that his name not be revealed, said the Erab had told him that the man was in the area illegally.

The employer said that his company had now engaged a non-black worker “because we can’t face going through all that red tape.” He added: “It is far easier to take over contracts if the West Rand Board is involved.”
Wrab blames ‘sharks’ for demanding cash

By STEVEN FRIEDMAN
Labour Reporter

THE West Rand Administration Board yesterday warned black workers against people outside Wrab offices who ask for money in exchange for letting workers into the offices or helping them to register for work.

Mr C. J. Bezuidenhout, said "sharks" had been offering workers help with registration applications in exchange for money.

He stressed that workers were not obliged to pay to enter the offices or obtain help in registering.

Mr Bezuidenhout was announcing the result of an investigation into charges that a worker had been turned away from a Wrab office when she had arrived there to register.

The worker, Miss Merina Nhlabatsibali, claimed she had been told to pay R2 before entering the building.

Her allegations were reported to the Rand Daily Mail by her employer, Mrs A. E. Sangster.

On Thursday, another employer, Mrs Betty Nicol, reported a similar case in which a worker alleged she had been asked for R5 to enter Wrab's New Canada office.

Mr Bezuidenhout said Wrab's investigation into Miss Nhlabatsibali's case had established that the man who asked her for money was not an employee of the Board.

"There are obviously sharks hanging around outside our office who are taking advantage of people's ignorance. We have instructed our police to keep a lookout for them," he said.

He added, however, that this would be difficult "because as soon as they know we are watching, they will stop their activities."

Mr Bezuidenhout released the text of a statement by Miss Nhlabatsibali in which she said she had arrived at Wrab's Albert Street office to register and had been approached by a man who asked her for R3 to make things easier for her and to ensure that her documents were "fixed up."

Workers have also complained that junior clerks at Wrab offices obstruct workers when they arrive to register and these complaints have been supported by the Black Sash, which is compiling a dossier on these incidents.

Wrab's director of labour, Mr Armand Steenhuisen, has denied these allegations.
Finding a way through the maze of inflation control

THE Black Sash and the South African Council of Churches are asking the Durban and Pieter- naesburg to help blacks trapped in the maze of pass laws.

A number of lawyers have volunteered their services, said Mrs Sheena Duncan, vice-president of the South African Council of Churches.

"The purpose is to make people aware of what is legal and what is not," she said.

The police will also be on the second floor of the Palace Hotel at the corner of Bereen and Princhtown Streets in Johannesburg. It is under the supervision of the Commissioner of the Department of Co-operation and Development.

An office worker will be available to accept "bills of defects" after taking particulars.

He or she will then call one of the lawyers who will be on the roster to examine the document as being offered free of charge.

Your rights

But it often happens that people arrested under the pass laws have no chance to get help from outside.

If this happens to you, try the following:

1. Section 16 of the Black (Urban Areas) Consolidation Act, which defines a number of crimes and penalties.

2. The act provides for a "bill of defects", which is a document that must be submitted to the police in order to prove your case.

3. The law of evidence to the magistrate.

4. If you are arrested under Section 16, you have a reasonable opportunity to produce your pass book. If you were not given a reason for being arrested, you are allowed to ask the police what they are arresting you for. He must tell you when you appear in court.

New office for advice

The next thing you are allowed to do is to get a lawyer.

It is best to get a lawyer as soon as possible because he or she will have the legal procedures ready for you and look after your case.

The lawyer will be able to take you to the court magistrate in the court room.

There are two main laws under which people are arrested for pass offences:

1. Section 16 of the Black (Urban Areas) Consolidation Act

2. Section 10 of the Black (Urban Areas) Consolidation Act

Evidence

If you have been arrested under Section 16, you have a reasonable opportunity to produce your pass book. If you were not given a reason for being arrested, you have a right to ask the police for a copy of the warrant used against you.

If you are arrested under Section 10, you have a reasonable opportunity to produce your pass book, which is evidence to the magistrate.

Make sure you know your rights before you appear in court.
Industrial court to hear first test case

By STEVEN FRIEDMAN
Labour Reporter

The industrial court set up under the Government's new labour dispensation is to hear its first major test case today in Johannesburg.

The action has been brought by a black migrant worker who claims that his employer victimised him by not renewing his work contract.

One issue at stake is whether an employer's decision not to renew the contract of a migrant worker when it expires can be regarded as victimisation.

If the court does pronounce on the same, labour observers believe the case will be an important test of migrant workers' rights.

The industrial court was established after a recommendation by the Wiesbaden Commission, which argued that there was a need for a special court to hear labour cases. Its president is the commission's chairman, Professor N. Wiesehahn.

The court is regarded as an important part of Prof Wiesehahn's planned labour dispensation, because it aims to provide workers with a cheap and speedy forum for the processing of their grievances.

One of its chief functions is to hear claims of "unfair labour practices." It does not have to apply legal criteria only, but can also take into account the principle of "equity." Lawyers say this gives the court wider discretion than ordinary courts enjoy.

It can, however, hear only civil actions.

The case which the court will hear today has been brought by Mr. Steven Maponya against his former employer, an East Rand company, Precision Tools.

Mr. Maponya, an active member of the Metal and Allied Workers Union, is a migrant worker. Earlier this year his contract ran out and the company did not renew it.

Mr. Maponya claims that the company did not renew the contract because it wanted to end his trade union activities. He says that Precision Tools has therefore victimised him by not re-employing him.

The company has denied this, and is contesting the action.

Mr. Maponya is the first black worker to bring a test case to the industrial court and the case will be watched carefully by labour observers.

In order to bring his case to the court, Mr. Maponya first had to take it to the industrial council for the steel, engineering and metallurgical industries.

A regional committee of the council heard his case and reported that it could not reach a finding. The case was then referred to the court.

At the same time, Mr. Maponya's lawyers applied to the Minister of manpower Utilisation for an order instructing the company to reemploy Mr. Maponya until his case had been decided.

The Minister refused to do this—an action which was criticised by the MAWU. It said Mr. Maponya had been unemployed for several months and also refused to re-employ him under the new laws, but was unable to obtain protection from the authorities.

Date: 25-10-78

Degree/Diploma/Certificate for which you are registered (e.g. B.A., B.Sc.). B. Comm

Subject: Economics II
(to be copied from the heading on the Examination Paper)

Paper No: 1
(to be copied from the heading on the Examination Paper)

NOTE CAREFULLY

1. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering.

2. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.

3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.

4. Do not write in the left hand margin.

WARNING

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.

2. Candidates are not to communicate with other candidates or with any person except the invigilator.

3. No part of an answer book is to be torn out.

4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University.
BY STEVEN FRIEDMAN
Labour Reporter

THE industrial court yesterday began hearing its first major test case — brought by a migrant worker against his former employer — after legal representatives of the employer argued that the case should not come before the court.

The court's president, Mr. Benjamin Parsons, found, however, that it could hear the action.

In the case, which is being heard in Johannesburg, Mr. Stephen Maponya alleges that his former employers, Precision Tools, victimised him by refusing to renew his migrant service contract.

The company denies this and is contesting the action.

The industrial court was set up after a recommendation by the Witsahin Commission, and one of its functions is to hear cases in which workers allege they are victims of "unfair labour practices."

Mr. Maponya's action is the first case involving an alleged "unfair labour practice" which has come before the court. It is being watched with interest by labour observers who regard it as the new court's first major test case.

The case was first considered by the industrial council for the iron, steel and metalurgical industries. It reported that it could not determine whether a dispute existed between Mr. Maponya and the company.

However, it was revealed for the first time yesterday that the council's executive committee had also found unanimously that the company was within its rights when it did not renew Mr. Maponya's contract.

Industrial legislation stipulates that a dispute must be considered by an industrial council before it comes before the court.

If the industrial council is unable to resolve the dispute, it can be referred to the court.

In a day taken up with legal argument, counsel for Precision Tools, Mr. A. Trollip, argued that the matter had already been resolved by the council when it found unanimously that the company was within its rights and that a dispute did not exist.

There was thus no reason for the court to hear it.

The court also heard whether the action should be heard because the case had been discussed by a sub-committee of the industrial council and then by its executive committee, but not by the council as a whole.

Mr. J. Bracey, counsel for Mr. Maponya and the Metal and Allied Workers' Union, who have brought the action jointly, argued that an industrial council was not a judicial body and therefore did not have the right to find on the merits of a dispute.

If it had this right, a council could use it to "gang up" on applicants who were not prepared to settle matters and prevent them from being heard in court.

It could only try to settle disputes and refer them to the court if it was unable to do so. It had been unable to settle the dispute and therefore the court should decide on it.

He also argued that an industrial council could delegate its functions to a sub-committee and the fact that the executive committee had considered the case meant that the preliminary procedures had been observed.

The court accepted this argument and found that the matter could be heard.

Mr. B. J. Parsons, vice-president of the Industrial Court, is presiding. Mr. M. Brassay, instructed by Bell, Dewar and Hall, is acting for Mr. Maponya and the MAWU Mr. A. Trollip, instructed by Dumbait, Bostock and Company, is acting for Precision Tools.
Crucial labour issues before industrial court

By STEVEN FRIEDMAN

Labour Reporter

They allege Mr Maponya's contract was not renewed because the company wanted to end union activities at its plant.

In argument yesterday, Mr A Trollip, counsel for Precision Tools, argued that the Maponya case had no standing to bring the action together with Mr Maponya.

He cited a Supreme Court case, the "Bosman case", in which it was held that a union had no legal interest in a matter when one of its members had been victimised and thus had no legal standing in such cases.

Mr M Brasse's case for the Maponya and Mr M Maponya argued that this judgment did not mean a union had no standing in the industrial court - a "quasi-judicial tribunal".

He further contended that the Criminal Conclusions Act had "clearly contemplated" that trade unions could be parties to "unfair labour practices" cases before the industrial court.

If unions were not allowed to bring such cases to the court, workers would have to do so individually, at great difficulty and expense.

Mr Brasse's case for the Maponya and Mr Maponya contended that a union would be able to argue that it was understood between them and the employer that their contract would be renewed and that the employer's failure to do so could constitute victimisation.

Mr Trollip argued that an employer could not renew a migrant worker's contract without the permission of the authorities in the case of the Western Cape Administration Board.

The court, however, ordered the company to terminate Mr Maponya's contract, it being asked to do so that which was illegal without the permission of the Board.

He also argued that the company had a legal right to renew a contract.

Mr Brasse's case for the Maponya and Mr Maponya contended that the "call in" on which the employer can give a migrant worker automatically entitled the worker to be registered in a new contract.

By granting Mr Maponya such a call, the company could ensure its re-employment and Mr Maponya alleged that it was a misunderstanding between them and the company that this would take place when the contract ran out.

He also argued that there could be an "understanding" between the company and the employer or a "custom at a company" that a work contract would be renewed even if there was no legal obligation to do so.

The case is being heard by the court's vice president, Mr K. P. A. K. and Mr D. S. Hart in Sellowman's case.

Mr Brasse's case for the Maponya and Mr Maponya contended that the "call in" which the employer can give a migrant worker automatically entitled the worker to be registered in a new contract.
UNIVERSITY OF CAPE TOWN  
EXAMINATION ANSWER BOOK

Case findings vital to black worker rights

Be STEVEN EDUOMAN  
Labour Reporter

The industrial court adjudged a hearing whereby to consider an argument on two issues with far-reaching implications for the rights of black workers.

At issue are the rights of contract workers to allege in tort if their employers do not renew their contracts and the right of trade unions to bring industrial court actions on behalf of their members.

The case has been brought by the Metal and Allied Workers' Union and Mr. Stephen Mampeta, a former worker. They allege Mr. Mampeta was refused a new contract when it expired to renew his work contract.

The court finds it to be closely related to unions and employers. If and only if necessary on the facts of the case, it will be heard from September 11 to September 13.

The court has been asked to deliver its findings on the legal points, two weeks before that date. Pending the outcome in another employment case yesterday, both sides indicated that they would seek to change aspects of the case without appeal if the court's findings go against them.

Every candidate must enter in column (1) the number of each question answered (in the order in which it has been answered), leave columns (2) and (3) blank.

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NOTE CAREFULLY:

1. Enter a number in column (1) for each question answered.
2. Blue or black ink must be used underlining, emphasis or for which pencil may also be used.
3. Names must be printed on each page (e.g., graph paper) where sheets examination book(s) are used.
4. Do not write in the left-hand margin.

Any dishonesty will render the candidate liable to possible exclusion from the examination and to possible exclusion from the
Fourteen fined for pass offences at Langa

Staff Reporter

FOURTEEN people were each fined between R50 and R260 in two hours in the Langa Commissioner's court yesterday for being in the Peninsula illegally.

Ten of them were each fined R15 for not carrying identity documents. Three people were discharged and one case was remanded.

One woman, Nomathamba Mhlawu, with a five-month-old baby was told by the commissioner, Mr L van Wyk, "to look for another boyfriend to pay her fine"

She told the court that she came to the Cape Peninsula after her boyfriend had deserted her. She left the homelands because she was struggling to make a living.

According to the charge sheet Mhlawu failed to appear in court at an earlier date. She told the court she had to take her sick baby to hospital on that date.

The magistrate fined her R60 for being in the area illegally, R10 for not having an identification book and R10 for contempt of court.

Other sentences included:

- R50 (or 20 days) for being in the area illegally and for not having their identification documents with them. L Dyantyi, M Majubela, E Damane and E Mhetha.
- R75 (or 15 days) for being in the area illegally and not having identification. S Schuthu, V Ngalo and P Jabelu.
- R90 (or 30 days) for being in the area illegally. V Tya, N Siko and N Nkomo.

Mr D Stegeman prosecuted.
Old man Kehla is allowed his place in the sun

Mercury Reporter
KEHLA, the 91-year-old Umkomaas man who feared for his future in South Africa, has reason to smile again.

Mr Shadrack Membe, known as Kehla, was told he was living in South Africa illegally after he had reported the loss of his passbook to the police.

He was issued with a temporary permit which would have expired tomorrow and he was concerned he might be told to return to Mozambique, where he was born.

But yesterday the matter was cleared up when the Port Natal Administration Board registered Kehla and told him he would be allowed to stay and work in Umkomaas.

Mrs Cheryl Morrison, daughter of Kehla's employer, said yesterday that Kehla was overjoyed when he heard the news.

"He just keeps on smiling and saying "Thank you," she said."
**Key labour case in court today**

Labour Reporter

A case which will test a vital point of law affecting all contract workers will be heard in the Randburg Magistrate’s Court today.

The case has important implications for the rights of all migrant workers working on contracts.

At issue is whether an employer can unilaterally fire a contract worker and then end his contract if the worker has not been guilty of a breach of discipline or any of the other offences would ordinarily allow an employer to dismiss him.

Up to now, it has been the practice of many employers to unilaterally dismiss contract workers and simply pay them the notice and leave pay due to them under ordinary industrial law.

However, in this case, the court will be asked to order the employer to pay the worker the full pay he would have earned if he had completed his contract with the company.

It will be asked to rule on whether an employer has the right to end a migrant’s contract without the worker’s permission if the worker has not been guilty of any of the breaches of discipline which usually entitle an employer to fire him.

The case has been brought by Mr Richard Mopano, a shop steward of the Metal and Allied Workers Union, against Toyota Marketing, a branch of the giant Toyota motor company.

Mr Mopano alleges that he is a contract worker and that the company dismissed him without good reason and without consulting him.

He is asking the court to order the company to pay him the wages he would have earned if he had completed the contract he alleges he had with the company.

The company denies his charges and is contesting the case.

Legal sources say yesterday that the case was the first to test this aspect of contract workers’ rights. If Mr Mopano won his case, the labour practices of all employers who fired migrants without compensating them would be affected, they said.

The industrial court is still hearing the case of Mr Steven Mponya, another MAWU member, against a Witwatersrand company, Precision Tools.
Contract workers: argument postponed

BY STEVEN FRIEDMAN
Labour Reporter

A LEGAL argument which is expected to test a vital point of law affecting black contract workers was postponed indefinitely in the Randburg Magistrate's Court yesterday.

However, it is understood that it is likely to be resumed in early October.

A contract worker, Mr Richard Mojapelo, has brought an action against Toyota Marketing, a branch of the giant Toyota motor company.

The hearing was postponed yesterday because counsel for Toyota Marketing told the court that he and his clients had not had enough time to study documents served on the company by Mr Mojapelo's lawyers.

Mr Mojapelo, a shop steward of the Metal and Allied Workers' Union, claims that the company dismissed him by unilaterally ending his migrant labour contract without "good reason".

He is asking the court to order the company to pay him the wages he would have received if he had completed his service contract.

Toyota Marketing has denied his claims.

Mr Mojapelo's lawyers argue that an employer cannot unilaterally end a migrant worker's service contract unless the worker has committed a breach of discipline, or any other act which ordinarily would entitle an employer to dismiss a worker.

If the court upholds this argument, the decision could have significant implications for all contract workers and their employers.

Until now, it has been the practice of most employers who dismiss contract workers to pay them only the normal notice and leave pay due to them under industrial law.

However, Mr Mojapelo's counsel argues that an employer unilaterally terminating a contract should compensate the worker for the balance of the contract period unless he has "good reason" to dismiss the worker.

This is the first time the issue has been tested in the courts, according to legal sources.

Mr M. Ramaloo instructed by Sall Dower and Harri is representing Mr Mojapelo. Mr P. Hlalelani instructed by Hlalelani Van der Merwe and De Witt is appearing for Toyota Marketing.
Pass laws promise not kept

Political Reporter

Hundreds of black people are refused registration or are denied entry to Johannesburg every month, even though they have jobs and accommodation.

This was revealed today by Mrs. Sheena Duncan, director of the Black Sash advice office in Johannesburg, who warned of rising black anger over influx control.

"The pass laws have never been more rigidly enforced — and they have never been more efficient. Freedom of movement from one town to another was promised to qualified people with jobs and accommodation. Dr. Pieter Koenroidt, Minister of Co-operation and Development, had said that this was being put into effect.

But the West Rand Board did not seem to know this, said Mrs. Duncan.

"There is no escaping the suspicion that some officials enjoy demonstrating that 'I am the boss' and that they enjoy exercising power over those they control."
Influx control is stricter than ever. To stop workers coming from rural areas, the Government is...

Slamming the doors

EGOLI, the city of gold, is slamming its doors against an increasing number of migrant workers.

It’s part of the Government’s aim to prevent movement of black labour to urban areas. Having a one-year contract transferred from one employer to another, after having been dismissed from the first, is often impossible. Many are being refused the right to appeal against being "endowed out" of the area.

Migrants are refused registration for jobs not given to them by the labour bureau. Having a one-year contract transferred from one employer to another, after having been dismissed from the first, is often impossible. Many are being refused the right to appeal against being "endowed out" of the area.

The Black Sash Advice Office reports that this also happens to Johannesburg municipality’s workers who went on strike recently and were dismissed. Vacancy is registered under Black Sash’s Mrs Sheena Duncun. Many workers lose their books stamped with the 72-hour pass, when they go to the Sibby compound clamping office on the Rand to give a black woman the right to appeal against being "endowed out" of the area.

The Black Sash Advice Office reports that this also happens to Johannesburg municipality’s workers who went on strike recently and were dismissed. Vacancy is registered under Black Sash’s Mrs Sheena Duncun. Many workers lose their books stamped with the 72-hour pass, when they go to the Sibby compound clamping office on the Rand to give a black woman the right to appeal against being "endowed out" of the area.

Many, who have gone to appeal have lost their obstructive tactics. The clampdown on migrants being allowed to come to the city to find their own jobs started being enforced in Cape Town and Pretoria, three years ago. The enforcement of the controversial preference in Cape Town has led to a steep increase in the number of migrant workers from 30,000 in 1976 to 12,000 in 1979. Strictly speaking, in terms of the 1938 regulations for labour bureaux, no worker could leave his tribal labour bureau area to look for a job in another, but this is no longer the case. And they are still doing it, as well as domestic workers.

But, for other categories of migrant workers, officials have ended up being unhelpful.

SUMA’s Duncan says that about 10 per cent of the people coming into the city are black. They are black people who have found jobs, but have not registered. She says, "There is a great number of black people and the people are very unhappy.""This step means that migrant workers are not allowed to be registered one of the better jobs available to black people. It is estimated that officials are now returning three to four migrants, who are accepted, and dishing out the nasty job, refused any jobs, refused by "qualified" blacks, to contract labour. Those jobs include factory work, garbage collection, laboring and construction.

On the transfer of migrant workers, every worker is transferred from one employer to another, a spokesman for the Industrial Air Society, said "We’ve had a lot of people coming into the society with this problem."

Most of the complaints are from workers on the Rand.

Migrant workers’ contracts are usually transferred from one employer to another if a number of conditions are fulfilled. These are if the new job is a job category in the old job, if there is no job waiting for the migrant worker if the previous employer says he is prepared to have the contract transferred, if the worker has a housing permit and if the worker was dismissed through no fault of his own.

"But," says the IAS spokesman, "for the past month, there has been no longer been asking for letters from previous employers or the rector for a migrant worker’s employment before the contract was completed. She says an IAS official said the board was no longer doing this because of a moratorium on the Rand. When questioned as to how...

The Board’s refusal to transfer any contracts whatever, Erhard chairman Mr. S. J. van der Merwe said: "This is not the information which I have to investigate this..."

A job and a home

Mr van der Merwe added: "The Raskat Commission recommendet that workers must have a job and place to live in the white area if a migrant worker leaves his employment and he hasn’t got a place to stay, then he must go back (to a homeland)."

But Mrs Duncan says, "I believe the public has misunderstood Rekehr. I think the requirements of a job and approved accommodation only apply to qualified people if a migrant worker fulfills these requirements, but those in local laboratory available will not be allowed to take the job."

Mr van der Merwe implemented was a R150 fine on employers found employing "illegals" and this has had a noticeable effect on the labour market. "Employers are not prepared to pay the fine of R150 fine. No doubt, this will mean that the system is more efficient. It is essential that an employer of migrant is registered. But I don’t believe that those refused registration are returning to the Rand. However, without jobs, they are more visible than before.

Recently, in line with the Rekehr Commission’s recommendations, the Government relaxed some of its control on black people with special work rights. In terms of the new regulations, "approved" black people do not need to get a work permit, although they must time terminate or start a new one. The employer must now notify his local labour bureau when a worker leaves his job, or when the employee takes on new work.

And, by way of special concession, black people, with certain job rights, can move around the country as long as they have a job and approved accommodation in the areas they want to move.

These are the so-called "positive" aspects of the Rekehr Commission, which the Government is quick to publicise.

Locals preferred

But there are other aspects of the Rekehr Commission’s recommendations that migrant workers can be allowed to live in the areas if they have a job and approved accommodation, but only provided there is no "local" labour. Observers see this as an attempt to drive a wedge between the two races.

On the one hand, any black person who wants to co-opt the urban areas must find the division between blacks and whites difficult.

They reckon that the Government hopes to promote political stability by co-opting "qualified" blacks.

These economic divisions are also important to the maintenance of political divisions between the white work force, they say.

In the past two months, a large number of migrant workers have been going into central work areas, especially in areas where black people are registered.

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But Mrs Duncan says, "I believe the public has misunderstood Rekehr. I think the requirements of a job and approved accommodation only apply to qualified people if a migrant worker fulfills..."
they decline to give the organization as a whole, and attitudes toward problems and people. The many heads of organizations often disagree on how the organization is run, but they also agree that the organization is run poorly. The organization's leaders, therefore, are not likely to be open to suggestions for improvement, even though experts have recommended that the organization be restructured.

The organization is structured as a group of individuals who are responsible for certain tasks, but these tasks are not clearly defined. This lack of clarity makes it difficult for people to know what is expected of them. Furthermore, the organization's leaders have not made public the questions they are considering, so it is not clear how the organization will be restructured.

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Easing of township permit rule is welcomed

Political Reporter

Government officials are giving urgent attention to a Supreme Court judgment which could aid thousands of black wives and children who have been unable to get permits to live in urban townships.

The effect of the judgment appears to be that thousands of black wives and children who have been prevented from living with husbands and fathers in black townships will now be able to do so without restriction.

ESTIMATES

There are estimates by some observers that up to half of the illegal residents of townships such as Soweto could be affected by the judgment.

One interpretation also being placed on the judgment is that it will entitle youths over 18 to live without a permit in townships where they were born and have lived throughout their lives.

Senior officials in the Department of Co-operation and Development were not available for comment.

However, department sources indicated that urgent attention was being given to the judgment because it could have a drastic effect on the permit system.

CIVIL RIGHTS

The chairman of the West Rand Administration Board, Mr. John Knoetze, said today he would give immediate attention to the judgment.

This was obviously something which would have to be studied very carefully, he said. "It would be premature for me to comment on it at this stage."

He felt it was likely the Government would release a clarifying statement soon.

The judgment has meanwhile been welcomed by civil rights campaigners and opponents of the influx control system.

An appeal had been made after the Supreme Court dismissed a case contesting the ruling of the local administration board that Mrs. Nonceba Moriba Komani did not have the legal right to live with her husband, Mr. Veh Komani, of Guguletu, Cape Town.

The Appeal Court ruled that she was entitled to live in the area by virtue of the provisions of section 10(1)(c) of the Blacks' (Urban Areas) Consolidation Act.
Husband delighted by news

MR WILLIE KOMANI, 55, was delighted yesterday when he heard he had won his appeal case in Bloemfontein.

He thanked the Black Sash for helping him during the case. Mr Komani said many people had tried to discourage him while the case was going on and had said he was not going to win.

He said that during the case — which started in 1974 — it had been difficult to find accommodation. A person without a wife did not get a house in the Peninsula.

He has got three children and a two grandchildren. All the family have been living in a one-roomed shack.

The family has moved from place to place asking occupants of houses for permission to erect the shack in their yards.

"I am happy now because I am going to get a house to live in with my family," Mr Komani said.

He cannot remember when he married, but said the ceremony was in the Ciskei. He had arrived in the Peninsula in 1937 and had worked for an Epping firm for 20 years.

His wife, Mrs N Komani was out when the Cape Times visited the family in Guguletu.

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Dramatic verdict on blacks

SCORES of thousands of wives and children of men legally resident in black townships throughout the country — including thousands in the Western Cape — who have been prevented from living there except under permit, may from now on be able to live in the townships without restriction.
of the major problems facing African workers today is the economic depression that seems to be way off target.

One of the major problems facing African workers is the prohibition of the right to strike. The unions of some African workers have been frustrated and in some cases they have been defeated in the courts. The right to strike is not a guarantee of success, as the union of the skilled workers at the Barrie Ironworks is an example. The skilled workers have not been able to achieve any success through their strikes.

The idea behind the strike was that the workers, having already achieved some success through their union, would continue to strike until they were successful. However, their hopes were dashed when the unions were defeated in the courts.

The document also refers to the case of Mrs. Komman, who entered a protest in November, 1976, against the Board of Education's refusal to grant her a position as a teacher. The Board of Education refused to grant her a position, and Mrs. Komman's case was dismissed.

The document concludes that the case of Mrs. Komman is an example of the difficulties that African workers face in achieving their goals through the courts. The document suggests that African workers need to find other ways to achieve their goals, such as by organizing and lobbying for change through political means.
This would appear to be the legal effect of a judgment in the Appeal Court in Bloemfontein yesterday which declared ultra vires a regulation in terms of which certain permits are required for all persons living in black residential areas.

The judgment ends a five-year legal battle by a Gugulethu man, Mr Velu Wilhe Roman, 38, who began his fight for the right to live with his wife, Mrs Nortseba Mercy Meriba Roman, in the Peninsula in March 1978.

Mrs Sheena Duncan, director of the Black Sash Advice Office, Johannesburg, said last night: "This is the most exciting news we have ever had. It could affect literally scores of thousands of people."

"Nonsense"

"The judgment actually makes nonsense of the whole house permit system. It means in effect that no permits will be required except by persons who are not entitled under the law to reside," she said.

The issue involved section 10 (1) (e) of the Bantu (Urban Areas) Consolidation Act No 25 of 1945, as amended, and regulation 20 (1) of residential regulations published in 1953 and subsequently amended.

Mr Roman contended that his wife was entitled to remain in the Peninsula in terms of section 10 (1) (e), but the Peninsula Administration Board claimed that she was not, as her residence was unlawful in terms of the regulation.

However, the Appeal Court yesterday found ultra vires a provision in regulation 20 (1) that no person could live in a black residential area unless he was the holder of certain permits, or had first obtained a lodger's permit.

The Appeal Court ruled that the literal words of the regulation were inconsistent with the intention of the legislature as contained in Act 25 of 1919, and sought to impose an unauthorized prohibition on persons who had been born in and had continuously resided in a black area.

The Appeal Court ruled that the provision contained in regulation 20 (1) that no person could reside in a black area without the permits referred to was therefore ultra vires.

It had not been contended before the court that the regulation was valid insofar as it related to persons not qualifying in terms of residence and invalid for those who did qualify in these terms Prima facie, the Appeal Court judgment said, there appeared to be no substance in such an argument.

According to Mrs Duncan, the judgment, by specifically declaring the regulation to be ultra vires, would affect the position of scores of thousands of wives and children who for one reason or another had been unable to get permits to live in Soweto and other townships with their husbands or fathers.

These people — having been endorsed out of the black areas — were living illegally in Soweto and other townships. Mrs Duncan said these people would now be able to register with the employment authorities, seek passports and seek employment legally.

"It often happened that children were affected because their mothers did not possess the necessary qualifications to reside legally in the black townships where their husbands lived," she said.

Mrs Duncan said she expected that the Black Sash offices would be flooded with inquiries from people seeking to legalize their position before...
JUDGES RULE FOR GUGULETU WIFE

BLOEMFONTEIN — The Appeal Court here yesterday upheld the appeal of Mr Velile Willie Komani against the decision by the Cape Supreme Court of his claim that his wife was qualified and entitled to remain in the prescribed area of the Cape Peninsula.

The appeal was brought by Mr Komani of Guguletu in respect of his wife and guardian of Mrs Nonkululeko Nkomo (born Mkhuphe)

When Mr Justice P Schoek dismissed Mr Komani's claim against the Bantu Affairs Administration Board, Peninsula area, on November 18, 1978, he found that Mrs Komani did not have the legal right to live in the black residential area where her husband was entitled to live and in fact, resided, she could not be said to be "ordinarily resident" in the relevant prescribed area within the meaning of these words in section 10(1) (c) of the Bantu (Urban Areas) Consolidation Act No 25 of 1959.

Granted permission

Mr Komani lawfully entered the prescribed area in May 1974 and was granted permission to remain in the area until May 1, 1974. The permission was extended on three occasions but was not renewed or extended after January 31, 1975.

On March 17, 1975, the Administration Board was called on to concede that Mrs Komani was entitled to remain within the prescribed area by virtue of the provisions of section 10(1) (c).

The Chief Justice Mr Justice Botha, with the concurrence of Messrs Justice Britten and Mr Justice Miller, Mr Justice Joubert, and Mr Justice Gool (acting Judge of Appeal) ordered yesterday that the appeal be upheld with costs. Such costs to include counsel's fees, but not include out-of-pocket expenses actually incurred by counsel.

Order substituted

The order of the court is now set aside and the following substituted:

(a) It is declared that at April 1, 1975, plaintiff's wife was entitled to remain in the said area for more than 32 hours by virtue of the provisions of section 10(1) (c) of the Bantu (Urban Areas) Consolidation Act No 25 of 1959, as amended.

(b) The decision hereunder is to effect the plaintiff's costs, Mr Justice Botha said that the court is also entitled to order the defendant to pay the plaintiff's costs of the application in section 10(1) (c) of the said Act.

(c) The defendant is ordered to give the plaintiff's wife such assistance as is needed to enable her to remain in the area in accordance with the requirements of the Act.

Of more importance

However, on the Appeal Court, an issue of much more importance was raised. This was that regulation 30(1), of the Residential Regulations was ultra vires because of unenforceability and vagueness. Mr Justice Botha said that in referring to these subsections, he had not overlooked that the terms of Section 30 were inserted into the Act of 1939.

The 1939 Act had been amended on a number of occasions since it was replaced by Act 25 of 1959 which had materially changed the same principles on which the 1939 Act was based.

Child may remain

The judgment stated that the effect of section 30(1) (a) of Act 25 of 1959 was that a person born in a prescribed area who is an adult or continuous resident in such an area may remain in that area. The person must be a person born in that area or a continuous resident and be an adult or continuous resident of the area. The decision hereunder is to effect the plaintiff's costs, Mr Justice Botha said that the court is also entitled to order the defendant to pay the plaintiff's costs of the application in section 10(1) (c) of the said Act.

 Lodger's permit

Mr Justice Botha said the provision in regulation 30(1) that no person shall reside in the black residential area unless he is the holder of the permit referred to in subsection (2) of the Act, was therefore ultra vires, because Act 25 of 1959 did not extend to require people born in an area and who had resided there continuously to have a lodger's permit in order to be considered a resident in such an area. He had concluded that it had not been intended before the court that regulation 30(1) might be considered valid in part and invalid in other parts, that it would extend to a person falling within the terms of section 10(1) (a) of the Act and valid as it related to people not falling within the terms of section 10(1) (a).

Lawfully residing

Mr Justice Botha said he was of the opinion that a person residing in terms of section 10(1) (a) of the Act must be deemed to be lawfully residing in that area subject of course to such conditions as may validly be imposed.

If this view was correct, then the literal words of regulation 30(1) that no person other than the holder of a valid or residential permit shall reside in the black residential area unless he has obtained a permit, must hereunder referred to as the lodger's permit, were overlapping with the intention of the legislature as contained in Act 25 of 1959, and sought to impose a prohibition on people born in a black residential area who had continuously resided in such an area for the purpose of a prohibition which was unconstitutional.
BARNEY THOMBOTHE REPORTS ON OPPOSITE SIDES OF A HISTORY

Picture by DENIS FARRELL

'Her troubles began when she lost her pass'... 

Mrs. Catherine McEvoy...

ON TUESDAY, CHILDREN

HUSBAND

JEEVE

ORDERED TO

MOTHER

LEAVE

SUNDAY EXPRESS AUGUST 31
Koornhof under fire for his statement on influx control

THE Black Sash has criticized the statement by the Minister of Cooperation and Development, Dr. Koornhof, that the families of men legally living in black townships would no longer be able to join them.

"Although Dr. Koornhof might think otherwise, any statement he may make regarding this regulation is not the law," said Mrs. J. Nicholson, secretary of Durban Black Sash.

Mrs. Nicholson said that in spite of the judgment in the Appeal Court in Bloemfontein this week — which declared ultra vires the regulation requiring lodger's permits and site and residential permits for all persons living in black residential areas — each case would have to be judged on the facts.

Mrs. Nicholson said the Black Sash was surprised that Dr. Koornhof did not welcome the court's decision.

She said, "It's a professional practice. Christians and others have promised a new deal for blacks.

"However, once again, this has been shown up as total hypocrisy. The clear Government answer does not go far enough the slightest alteration to its totally unjustified influx control."
MIGRANT LABOUR, S.A. - Pass Laws

1-1-81 - 31-7-81
PASS LAWS

Total discrimination

South Africa moved a giant step nearer to becoming a totalitarian society on Wednesday with the issuance mid-week gazette of Internal Affairs Minister Chris Heunis' new bill providing for eventual fingerprinting of the entire population and the compulsory carrying of passports by all.

The new measure which the F.11 hopes will be subject to strong public criticism and at least, drastic parliamentary reaction, intends to ensure that 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 (Thus 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 police 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 PF's Helen Suzman. "They can only make infrequent control work if demand means just that," she told the PM.

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, ostensibly, 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-

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 asked 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 1934 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 1934 is still three years off.
Mrs. Thornton White Prize
For the best work in design work.

Miss M. F. J. Sandiland
A Brick Association Prize
For the student who has made best use of bricks in his design work.

J. G. Kirk
For the Book Prize.

R. Stubbs
For the Memorial Prize.

M. R. I. Neale
For the subscribers' prize in the Library.

National:

First: J. L. A.
Second: C. S. J.
Third: B. de.
Fourth: R. W. K.

For the certificate of the student who has completed the course in the Architectural Department of the School of Projection and Design.

George S. Price

For the subscribers' Memorial Prize for the dissent of Management. S. F. Rich.
Midnight raid lands lawyer in court

By RAY JOSEPH

A FORMER attorney, Mr. Andrew Cranko, has been summoned to appear in court after a midnight raid by five Port Natal Administration Board policemen this week.

A black woman and her year-old child were sleeping on his property.

Although the woman, who is registered to work and live at the home of Mr. Cranko at Dorbothian Brench in the North Coast, produced her reference book during the raid, Mr. Cranko still has to appear in Stanger Court on February 21.

He will have to explain to the court what Mrs. Mavis Ngoma - her name is incorrectly given in the summons and in the reference book - and her baby where doing there, unless he is prepared to pay a R5 admission of guilt.

The day after the raid Mr. Cranko, who has retired from practice, wrote to the PNAI pointing out that Mr. Ngoma had been living on his premises since March 1939 and was entitled to be accommodated there.

The next day the summons was vacated.

Mr. Cranko said that a senior inspector from the PNAI who lives across the road from him had "from time to time" told him to get a permit for the baby, Princess, to live at his home.

"He told me to get a permit or I would be prosecuted for accommodating the baby," Mr. Cranko said.

Mrs. Ngoma told how on the night of the raid she was asleep with her baby when she was awakened by a loud banging on her door about midnight.

"I was very scared and did not want to open up. But when they said they were from Port Natal I let them in.

"They looked round the room and shone a torch on Princess, who was sleeping in a corner. They asked for my pass and I showed it to them. They then gave me the warning for Mr. Cranko and left without even apologizing for waking me up," she said.

Mrs. Ngoma, who is unmarried, has two other children, aged seven and five, living with her elderly mother at Munnado.

Official phoned

"My mother is very old and cannot look after such a little baby. I must have Princess with me because she is still very small and I must feed her at all times."

Mr. Cranko said that after he had written to the PNAI after the raid he was phoned by an official and told that he had not "answered the warning properly and would have to pay the office an extra R5 for it."

When he went there the inspector said that, unfortunately, he had to give him a summons. He said he would hope the R5
admission of guilt if I applied for a licence for the baby.

"Later an inspector arrived at my house with the form and said that after I filled it in he would see what he could do.

"I asked him why I had been charged because of Ntveni. He said that as they did not know the child's name she was responsible as its mother. He was not changing her and it was only the child they were interested in.

"This is the second time I have run afoul of the Port Natal authorities. Once my gardener was charged with accommodating his wife at my place."

**Next move**

Mr Cranko said that he would now approach the Stanger public prosecutor to have the charge withdrawn, and if that failed he would go to court.

He said: "Obviously the officials of the Port Natal Administration Board have not heard of the trend by the Government to make things easier for blacks.

"I believe that P W Botha and Piet Koornhof really want to help blacks, but have fallen down by not informing the relevant inspectors at a local level."

Mr H J Venter, the PNA's director of employment services said that Mrs Nqoma was obviously "exempted as such but the baby is not. We will not refuse this permit if he applies for it."

He said that the reason for sending so many inspectors on the raid was because "we do not know what we will find in a room. Sometimes there is a whole cafeteria or shebeen and one inspector would not be enough."

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*Sunday Times*  
1/3/81  
206
Black contract workers

TO DR. A. L. BORAINE asked the
Minister of Co-operation and Development

JANUARY 1981

How many Black contract workers were
working in the Cape Peninsula in 1980?

The DEPUTY MINISTER OF CO-
OPERATION

17 591
Commission of Inquiry into Legislation Affecting the Utilization of Manpower

Mrs H SUZMAN asked the Minister of Co-operation and Development whether he intends to take any steps to implement the recommendations made by the Commission of Inquiry into Legislation affecting the Utilization of Manpower (excluding the Legislation administered by the Departments of Labour and Mines) in respect of influx control, the pass laws and curfew regulations, if so, what steps, if not, why not?

The DEPUTY MINISTER OF CO-OPERATION

The Black Labour Regulations were amended by Government Notice no R 1208 of 13 June 1980 in order to implement those accepted recommendations which could be given effect to by means of regulations under the Black Labour Act, 1964. Furthermore, legislation in relation to these matters are under consideration and in an advanced stage of finalisation.
Influx control exemption for some blacks?

By PATRICK LAURENCE
Southern Africa Editor

The Minister of Co-operation and Development already has the power to exempt 'any black or any group or category of blacks' from the provisions of the key influx control law, the Black (Urban Areas) Act.

The Urban Areas Act will be withdrawn and replaced by the Black Community Development Bill, which re-entitles the clause empowering the Minister to exempt blacks from influx control provisions (which contained heavier fines in the already published draft version).

It can be argued that exempted blacks will have to produce proof of their status, and that the difference between this and having to produce a reference book is negligible.

But the contention does not stand up if the exemption clause is used to give the black bourgeoisie — or selected sections of it — immunity from prosecution under the influx control laws and the proposed heavier fines.

But Dr Nithato Motlana, chairman of the Soweto Civic Association, was unimpressed.

"I am certainly not interested in exemptions. I am only interested in the blanket exemption from the pass laws of all South Africans, regardless of colour."

Partial exemption, he added, dovetailed blacks into buses and 'have-nots' and thereby exacerbated rather than relieved tensions:

Complete abolition of influx control has long been a key aim of black nationalists, who declared the pass laws to be "Enemy No. 1" decades ago. In his address Mr Mills made it clear that there was no prospect of absolute abolition.
Pass problems drive black ex-convicts back to crime.

By Carol Mathane

One of the many files stacked on Mr. Shimane Khumalo's desk at the Nico office is that of long-term prisoners who have been released from prison but no longer qualify to be in the urban areas.

Apart from helping ex-convicts to adapt to society, he also has to assist them with their applications to be allowed into the city.

Nico is the National Institute for the Rehabilitation of Criminal Offenders.

"When a man has served his prison sentence, one would expect he's paid his debt to society," he said.

"Unfortunately, it isn't so with many blacks. Most of the people who leave prison have lost their reference books. To qualify to be in urban areas, they have to prove they have been there for a number of years. If they cannot produce sufficient evidence, they are sent out to the homelands.

"A person who spends more than six months in jail may, on release, lose certain qualification rights. Sometimes appealing helps, but in most cases these people never know where and how to get documentary proof in the form of affidavits from their next-of-kin and references from past employers," he said.

Going through the files, one comes across many such cases. A 30-year-old man who was born in Sophiatown and started as a juvenile delinquent could not get his qualifications right.

When his parents were moved from Sophiatown, they were divorced and his mother married another man.

At 12, he left school and started stealing. He served his first jail sentence at 15. By then his stepfather had also left his mother. His mother died while he was in prison. When he was released in September last year, he had no home, no job and no reference book.

"At 30, he wants to start a new life. But a great deal will depend on the results of the appeal. Another case was that of a 40-year-old man who served a 20-year prison sentence. After his release, he had no pass, his wife had divorced him and he had no place to stay."

He has applied for a new reference book but until he obtains one, he cannot be employed. There are many more such cases at the Nico offices. Some ex-convicts don't even know about Nico and thus fall prey to toutage and organisations which rob people under the guise of helping them.

"Because the man cannot be employed he goes back to stealing, handbag snatching, robbing people on the street and in the tram."

"Because of the pressures, he becomes drunken and frustrated. He hits out at the next person, kills, rapes and is generally violent. He is a bitter man and whatever way he goes, society rejects him."

(continued)
Corporation Medals for the best student in each of the 2nd, 3rd and final years.

Second Year (Bronze Medal)
Miss C. Littlewort
T. J. Cumming
P. M. Salmon
D. P. Weeks
J. H. Rens
B. F. McClelland

Third Year (Silver Medal)
Miss N. C. Davidson

Fourth Year (Gold Medal)

Professor George Menzies Prize awarded on results of final examinations to the best male student in Engineering Surveying or Civil Engineering.

Afterwards, Mr. Sturman said that the Robert Cromie Memorial Prize had been established by Mr. Robert Cromie, a former student of the University, and that it was open to students in the School of Engineering. The prize was to be awarded annually to the student who had achieved the highest average in their final year of study in Engineering.

Chairman of the Board of Governors, Mr. Le Grange, said that the prize had been established in memory of Mr. Robert Cromie, who had been a prominent member of the engineering community and had contributed greatly to the development of the field.

The ceremony was attended by many members of the academic staff and students, who congratulated the recipient on their achievement. The prize was presented by the Chairman of the Board of Governors, Mr. Le Grange, and the recipient expressed their gratitude for the recognition and the support they had received from their peers and mentors.
Political Staff
THE ASSEMBLY. — The Minister of Police, Mr Louis le Grange, said in reply to a question tabled by Mrs Helen Suzman (PPP Houghton) yesterday, that 15,222 people had been prosecuted under the curfew laws between July 1, 1979 and June 30, 1980.

Afterwards, Mrs Suzman said the Rebec Commission had recommended the abolition of the curfew laws in June 1979 and the Government had unequivocally accepted that recommendation. "Yet nothing has been done to get rid of this medieval law."

"Even the draft Bill, which is part of Dr Koornhof's 'new deal', retains the curfew laws. No wonder blacks are increasingly disillusioned about reform," Mrs Suzman said.
Mr. H. E. J. Van der Merwe asked the Minister of Police:

To what persons were arrested under the new regulations in the (a) Randburg and (b) Sandton municipal areas during 1989?

The MINISTER OF POLICE

(a) 157
(b) 71
day in patrols operating from the (a) Riverina, (b) Graham, (c) Wynberg/Alexandra and (d) Lombardy East police station?

The MINISTER OF POLICE

(a) 6
(b) 24
(c) 6
(d) 8
(1) No
(2) Falls away
INFLUX CONTROL

New Passes for Old

...down to earth on influx control

...influx control scheme...
Langa trial: Komani finding ignored

Staff Reporter

Commissioner Mr L. van Wyk of the Langa Commissioner's Court yesterday ignored findings of an Appeal Court judgment on the Komani case when he found a 16-year-old woman guilty of illegally being in Cape Town.

He said that he would postpone sentencing for a month to save the woman, Virginia Yapi, and her husband time to apply again for permission to remain in the area.

In a case last year, the Appeal Court upheld the appeal of Mr Yapi, which he considered qualified to remain in the prescribed area of Cape Town in terms of Section 10 of the Bantu Urban Areas Act 25 of 1955.

It also set aside the requirement in terms of Regulation 28(1) that a lodger's permit be obtained before the person be granted permission to live in the urban area.

In finding Yapi guilty, Mr Van Wyk said Regulation 28(1) still applied.

"The law has not been repealed in spite of the Appeal Court decision and the requirements still apply as far as this court is concerned," he said.

At yesterday's hearing, Mr Harry Dixon, appearing for Yapi on the instruction of the Athlone Advice Office, argued that she had fulfilled all the requirements of Section 10 (1)(b).

She was required to prove that she was the wife of a man who was qualified to be in the area in terms of 10 (1)(b), that she lawfully entered the area and that she ordinarily resided with her husband in the prescribed area.

Mr Dixon argued that the Komani findings made it unnecessary only to consider whether the accused "ordinarily resides with her husband in the prescribed area.

Both Yapi and her husband, Mr Gilbert Yapi, said when cross-examined yesterday that they both resided at 1008 Nyanga East. They produced their marriage certificate to prove that they were married.

Mr Yapi, who has been lawfully in the area since 1956, resided at his work place during the week but considered

Under cross-examination, both agreed that they had been aware of this Mr Yapi and that he had been told that she would be given her rights should she produce a lodger's permit - a condition which Mr Dixon argued should no longer be upheld in view of the Komani findings.

"They told me it could take up to 20 years to get a house which would entitle her to a permit," he said.

The director of the Western Cape Administration Board, Mr G H Lawrence, produced a file on Mr Yapi which proved that he was entitled to be in the area and that he was known to reside at his place of work.

Sentence will be passed on March 16.

Professor George

Fourth Year

Third Year

Second Year

Corporation Medal

FACULTY OF ENGINEERING
Transkei woman's appeal succeeds

Staff Reporter

A TRANSKEI woman who came to Cape Town for hospital treatment and was fined for being in the area illegally last year appealed successfully in the Supreme Court against sentence.

Elene Mthethwa, 47, was fined R50 or 50 days in the Somerset West Magistrate's Court on April 15 last year for being in the Western Cape illegally.

Evidence was that she was referred to Groote Schuur Hospital by her doctor in Uitenhage for treatment.

She applied in Mellenbosch for a permit to remain for three months to enable her to have medical treatment but this was refused. She remained in Cape Town to be treated at Groote Schuur.

Convicted with her was her husband, Oupa Mthethwa, 47, who was fined R50 or 50 days for assisting his wife to be in the area illegally. He also was substantially appealed against sentence.

Mr Justice Van Heerden, with Mr Justice Williamson, concurred reduced their sentences to a caution and discharge.

Mr Justice Van Heerden said the case was pre-eminently one in which the magistrate's approach should have been tempered with compassion rather than see the offences as being committed with contempt for the law.

In the Somerset West Magistrate's Court, Mr F. Polglase, who appeared for the Mthethwas, compared the case to that of Mrs Alice Kohlakala, whose husband was fined R50 (or 50 days) for harbouring her in 1976.

His sentence was overruled on appeal to the Supreme Court. Miss Kohlakala also came to Cape Town for medical treatment.

Mr D. Wellen, instructed for Mr Potgieter of Morkel and De Villiers, appeared for the Mthethwas. Mr F. Trautmann appeared for the State.

*) H H Rhums

CIVIL ENGINEERING

Student in Land Surveying or
Examinations to the best make
Grade on Results of Final
Professor George Mondera Prize

B F McGregor

J H Reeves

D P Weeks

T J Cuming

P M Salomon

Fourth Year (Gold Medal)

Miss N C Davidson

Third Year (Silver Medal)

Miss C Littleworth

Second Year (Bronze Medal)

For the best student in each of the last 3rd and final years.

Corporation Medal
A WOMAN who has worked and lived in Cape Town for six years was found guilty of being in Cape Town illegally at the Langa Commissioner's Court yesterday.

Judith Meletane, 30, of Bruggebank, Brummervei风筝 Road, Constantia, was fined R60 (or 60 days) suspended on condition she obtained the necessary permission to be in the area within 14 days or left the prescribed area of Cape Town.

She pleaded guilty to contravening section 10 (4) of the Black Urban Areas Consolidation Act.

Counsel for the defense, Mr S. Kessler, instructed by the Athone Advocate Office, argued in mitigation that she had come to Cape Town from an impoverished area in Transkei to find work to support her children and extended family in Lady Frere.

He said that education costs were high and she sent R60 of the R71 she earned as a domestic in Constantia to her family. The money was used to educate her four children and her sister's two children.

The prosecutor, Mr J. Fourie, questioned Mr Kessler's statement that Lady Frere was an impoverished area. 'The statement amounted to hearsay,' he said.

He said that Miss Meletane had been in the Cape for six years 'without doing anything about legalising her stay and could have instigated' action against the father of her children for maintenance.

Mr L. van Wyk was on the Bench.

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A E & C I Prize

For the first year student obtaining the highest average mark.

G L Cragg
The Law

These two apart

The Law

Letters from children

Out of the mouths...
Stranded
strikers
struggle
for
their rights

Former Johannesburg municipal workers involved in last year’s strike, who are now stranded and penniless, may be the first people to challenge the authorities’ refus-
Mr Charles Njung, of the Legal Resources Centre, said that previously most people who had worked for more than 10 years on verbal contracts were not qualifying for Section 10 rights, whereas those who had been employed for more than 10 years before the formal contract system was introduced, were qualifying.

"Obviously this is a matter that will need to be clarified."

Several concerned organisations, believing that Act 62 is ambiguous, tried to secure a Supreme Court ruling on the issue. But each time, as court sections are about to be instituted, the Chief Commissioner for Co-operation and Development grants the individual his Section 10 rights — which allows blacks permanent residence in urban areas, jobs and eventually housing.

Section 10 rights of former council workers were generally misunderstood. The strike in July was called by workers who were not employed in the council's workshops, but those who were employed in the workshops had not received proper notice of the strike.

Miss Sheena Duncan, director of the Sash advise office, reiterated the migrant workers' rights to Section 10 rights.

"It is obvious that there is confusion on the part of officials."

"The city council has not acted properly."

Mr Duncan also claimed that the strike was called by the council workers last August because of the workers' dissatisfaction with the council's failure to act on their grievances.

"The management committee has done nothing to address the grievances which were the source of the strike in July, and this is both unfair and cynical."

"It will come as a surprise to many people to learn that the council's workers are not qualified to receive such benefits."

"The municipality has been told that the workers are not qualified to receive such benefits."

"The council has been advised to act on the workers' grievances."
Health programs in South Africa

2. Planning the Health System

In an overview of health programs in South Africa, it's important to note that questions about the programs, their coverage, and their effectiveness need to be considered in the context of the country's overall health system.

In the absence of better information, the effectiveness and impact of these programs can be questioned. The health system in South Africa is characterized by a lack of resources, inadequate data, and a complex political landscape.

The government has sought to improve health services through various programs, but progress has been slow due to funding constraints, bureaucratic inefficiencies, and a lack of political will.

In recent years, there has been an increased focus on primary health care, with initiatives aimed at improving access to health services in rural areas. However, challenges remain, particularly in terms of quality of care and equity of access.

Overall, the health system in South Africa faces significant challenges, but progress is being made through continued investment and reform efforts.
Domestic

fined for illegal residence

A woman who has worked as a domestic in Constantia for the past six years to support her four children and her family in an "impoverished area of Transkei" was found guilty today of being in the Cape illegally.

Judith Moletsane, 34, of Bridgebank, Brackenfell Road, Constantia, was fined R60 or 60 days by the Langa Commissioner's Court. The sentence was suspended on condition she obtained the necessary permission to be in the area within 14 days or left the prescribed area of the Cape.

GUilty PLEA

Moletsane pleaded guilty to contravening Section 10 (4) of the Black Urban Areas Consolidation Act. Her defence attorney, Mr S. Kesler, pleaded in mitigation that Moletsane had come to Cape Town from an impoverished area in Transkei to find work.

(Continued from Page 1)

to support her children and her extended family.

He said that she had left Lady Fiere in 1974 where she was unable to find work. She earned R71 a month as a domestic of which she sent back R60 to Transkei each month.

The money was used to educate her four children and her sister's two children. She also supported her grandmother who suffered from heart trouble and her grandfather who was unable to work because of poor health.

Mr. Kesler said education costs were high and Moletsane had been forced to come to the Cape to find work to feed her children.

The prosecutor, Mr. J. Fourie, submitted that Mr.

Domestic

Kesler's statement that Lady Fiere was an impoverished area was hearsay. He said she had been in the Cape for six years without doing anything about legalising her stay.

Mr. Fourie said that the accused was not married but had four children and submitted that she could have instituted action against the father of the children for maintenance.

He submitted that the case was no different from any other case.

Motelane's employer is due to appear in District Magistrate's Court on February 25 to face the charge of employing her illegally.

(Continued on Page 3, col 1)
Authorities 'stalling' on residential rights

A SPOKESMAN for the Athlone Advice Office in Cape Town said at the weekend that the authorities in the Cape Peninsula appeared to be slow in granting the rights implicit in the judgment of the Appeal Court in Bloemfontein last August which ended Mr Willie Komani's long legal battle for the right to live with his wife in Cape Town.

The impression we get is that the authorities are stalling on this till the proposed legislation for urban blacks has been introduced, she said.

The Appeal Court judgment effectively installs inside areas a regulation in terms of which coton permits were required for people living in black residential areas.

The Minister of Co-operation and Development Dr Piet Koornhof said afterwards that the judgment did not mean that there would be a large-scale influx of wives and children to urban areas.

Meanwhile, little has changed for Mrs Nomzana Komani who was in terms of the Appeal Court ruling, granted the right to stay in Cape Town.

Mrs Komani said in Gugulelu yesterday that the only thing that had changed was that she no longer lived in fear of being arrested for being in the Peninsula.

"No house had been allocated to the family and they were still staying in a one-room make-shift house in the township. And Mrs Komani still has no job."

Mrs Komani's husband lodged an appeal with the Appellate Division after Mr Justice P. Schoon of the Cape Supreme Court had dismissed Mr Komani's claim in November 1978 against the Peninsula Housing Affairs Administration Board ruling that his wife did not have the right to live in a black residential area where her husband resided.

Best classwork in Engineering

Awarded to the student with the highest marks in Engineering.

Sammy Sacks Memorial Prize

J H Evans

Civil Engineering

Student in Land Surveying or Experimental to the best male

Awarded on results of final

Professor George Waweru Prize

B F MacIntyre

J H Evans

D Weeks

I J Cumming

P M Salmon

Fourth Year (Gold Medal)

Miss N C Davidson

Third Year (Silver Medal)

Miss G L Littlewort

Second Year (Bronze Medal)

For the best student in each

Corporation Medals

Faculty of Engineering
Pass laws a key to dangerously overcrowded cells

A TOP Africaner constitutional expert has called for a drastic revision of pass laws and labour regulations governing Blacks.

He has also warned that, unless these restrictions are scrapped or applied on a sociological rather than political basis, the overcrowding and appalling conditions in South African prisons could become a national crisis.

Professor Marinus Wiechers, head of the Constitutional Law Faculty at the University of South Africa, was commenting on the shock figures released to the Hoërler Commission this week by the chief deputy Commissioner of Prisons, Lieutenant-General M C P Brits, who said South Africa's daily prison population had rocketed to 182 000 against available accommodation for 79 000.

General Brits warned that extraordinary efforts would have to be made to reduce the number of prisoners. The accommodation shortage, he said, had been apparent for 39 years.

White prisoners needed 40% more cells than were now available and Blacks 50%.

By the year 2000 South Africa would have a projected prison population of 170 000 and already the Prisons Department was understaffed by 10 000 people who, if recruited, would cost another R45-million a year in salaries.

By KITT KATZIN

He said there were large numbers of people detained in police cells. Unsentenced prisoners had to be accommodated, and many accused able to pay bail did not do so because court offices closed early.

A large number of cases involving influx control could be easily expedited.

Commenting on the figures and the reasons for the growing prison population, Professor Wiechers, regarded as one of South Africa's foremost constitutional lawyers, said that it was not generally known that 386 000 Blacks were arrested annually for offences under influx laws.

And in 1978/1979, 30 000 of these people — comprising 33% of the country's total prison population — were jailed.

"The moral of this sad story," said Professor Wiechers, "is quite simple. You cannot regulate socio-economic matters by making them crimes."

Referring to the political ideology in South Africa which led to the creation of these laws — the question of the so-called nonpermanence of Blacks in White areas — Professor Wiechers said that the sociological aspirations and commitments of Africans and Coloureds could no longer be governed by regulations which belonged to the statute books of conventional law and order.

It was because of the way these regulations were applied, that over 300 000 Blacks were arrested every year for offences under influx control regulations.

What was required, said Professor Wiechers, was a total review of the entire pass law system, labour regulations, and amendments to the Group Areas Act which merely disrupted the growth of sound socio-economic societies.

If these laws were not scrapped, they could be regulated in different ways as a means of eliminating the present basic ideology of setting aside unilateral living areas for people.

By allowing Blacks to become involved in joint decision-making at all levels of their socio-economic development, the Government's political philosophy would be automatically challenged. That could only be to the benefit of a more stable and secure socio-economic structure for all racial groups.

Talking about ways and means of reducing the prison population, Professor Wiechers called for the creation of relief and aid centres for people awaiting trial, a simplified system of granting bail, the creation of night courts, a more extensive parole system and social welfare services.
This is why PW won't face Slabbert on TV

Here are the things that Dr Slabbert believes the Prime Minister does not want to hear:

- That his lip-service to free enterprise is a dangerous sham and that he must come out into the open and state whether he stands for free enterprise or separate development.
- That he must spell out what he means by harmful discrimination and honour his commitment to get on and remove it instead of hiding behind an endless series of commissions and committees.
- That he must stop harping on the total onslaught from outside in an attempt to conceal the real onslaught which is from within the country's borders.
- That he must unravel the whole constellation of States enigma and explain to the electorate whether it is a political or economic concept.
- That he must get on and make overdue changes instead of hiding behind the President's Council — the credibility of which he has, in any case, finally destroyed by the admission that he would not listen to a recommendation from it to include Blacks on the President's Council.
Woman fights to stay in birthplace

By MIKE VAN NICKERK

A BLACK mother of four was yesterday granted a court order – to stop her being kicked out of the town where she was born.

At an urgent hearing in the lounge of the Cape Town home of the late Mr Justice P. W. Baker, a temporary order was granted allowing the woman to stay in her home town, Stellenbosch, until her case is heard in the Cape Supreme Court next month.

Mrs Harriet Myingizane, 50, who has lived all her life in Stellenbosch, was fighting to stay in the picturesque university town for the past 10 years.

Her battle seemed lost when she was arrested and appeared before a Stellenbosch magistrate for being in the area illegally.

She was found not guilty.

The woman, who has four children, was ordered to leave the area.

At yesterday's hearing, papers before the court outlined the history of Mrs Myingizane's case.

In 1980 she went to Transtel with her husband and their two children in search of work. They were arrested and her husband was a temporary order was granted allowing her to stay in the area.

Apart from her husband's family, whom she had never met before her visit, Mrs Myingizane knew no-one in Transtel.

She failed to obey the order to leave, and was arrested six times for being in the area illegally.

In 1982 she went to the administrative board to try to sort out the confusion over her residence in Stellenbosch. She was given a temporary permit to remain in the area but this was revoked some months later.

She continued to stay with her husband and children, living under the constant fear of eviction.

Then, last year, her problem was taken up by the Athlone Advice Office, a voluntary organization which assists blacks with reference book problems.

It was unsuccessful, and only after a number of letters were sent to the Cape Town administration board was the case referred to the Cape Supreme Court.

In the meantime, the woman continued to live in the area.

Last Wednesday, the woman was summoned urgently from work. He returned home to find his house about to be demolished through his wife in tears.

Despite Mr Myingizane's pleas for a few days' reprieve to move his things, the demolition was carried out and his wife was then given four days to leave the Western Cape and return to Transtel.

Yesterday the court granted a rule nisi allowing Mrs Myingizane to temporarily remain in the area and directed the administration board to show cause on March 10 why it should not enforce her reference book to permanently allow her to stay, restore her house and pay costs.
Wife fights to live with family

Staff Reporter

A STELLENBOSCH woman took legal action against the Western Cape Administration Board on Saturday to enable her to stay in the town in which she was born.

Yesterday Mrs Harriet Mhyangzane, 34, a mother of four, was staying with friends after her house had been demolished by the board last week. She was given four days to leave the area and go to Transkei.

After hearing an urgent application at his home on Saturday, Mr Justice Baker ruled that she be allowed to stay in Stellenbosch until March 18, by which time the board had to show cause why it should not endorse her reference book to allow her to stay permanently, restore the house and pay the costs.

According to papers before Mr Justice Baker, Mrs Mhyangzane — who has lived in Stellenbosch all her life — had been fighting for the past 10 years to stay in her home-town.

Last week the administration board gave her four days to leave the area and go to Transkei.

Her house was demolished in spite of the fact that her husband, Mr Tsha Mhyangzane, was still a legal resident of the area.

According to the papers, she went to Transkei in 1970 with her husband for a six-month stay with his parents. On her return, her reference book was cancelled and she was ordered to return to Transkei.

It was said Mrs Mhyangzane knew no-one in Transkei except her husband’s family. She did not obey the order and during the next few years, she was fined several times for being in the area illegally.

In 1972 she went to the administration board to try to sort out the confusion about her residence in Stellenbosch. She was given a temporary permit which was revoked a few months later.

She continued to live with her husband and four children while constantly fearing expulsion.

Last year her case was taken up by the Black Sash. Legal action was unsuccessful. Soon after she was arrested and appeared before a Stellenbosch magistrate for being in the area illegally.

She was found not guilty.

Her attorney tried several times unsuccessfully to get her reference book endorsed to show that she was in fact in the area legally. She was issued with a temporary permit.

Mrs Mhyangzane was represented by Mr. David Knight and Mr. Noel Wilks, instructed by Hilton Gardens of Malmesbury, Rezco, Richard and Chosenberg.
THE pass laws have for so long been one of the most visible and humiliating instruments of apartheid that one can readily understand the desire of blacks to get rid of every vestige of the hated system.

Thus as the Minister of Co-operation and Development, Dr Piet Koenhof, goes back to the drawing board to review his three draft Bills dealing with black mobility, the advice to him from Chief Gatsha Buthelezi is that he should withdraw influx control measures entirely.

Dr Koenhof has, equally understandably, indicated that the Government is not prepared simply to scrap influx control, though it is committed to removing 'harmful discrimination' and relaxing controls in line with the recommendations of the Biekert Commission.

It is apparent that if the matter is not to remain deadlocked at this level there is an obligation on all concerned to give serious consideration to the social and economic as well as the political implications of influx control, both in the short term and the long term.

That these three aspects of the problem are inseparable has already been implied by Chief Buthelezi, who said recently that the greatest threat to the security of South Africa was going to come from the vast throngs of unemployed and disowned living in squalor areas outside the cities. A similar warning has been voiced by the Urban Foundation, which has urged that the only effective means of control is a rapid programme of rural development that would induce people to remain in the rural areas.

It must be remembered that the whole pass-law system as it has developed over many years is not the problem itself, but an attempt to deal with an underlying problem of haphazard and uncontrolled urban growth that is today assuming runaway proportions in many parts of the world, particularly the developing countries.

The assumption that urban living is the answer to population growth in under-developed regions is being increasingly questioned. Sound agricultural investment, which has been singularly lacking in most developing countries, brings returns as much as three times higher than costly investment in other sectors of the economy, according to a recent Worldwatch Institute report.

Uncontrolled urban conglomerations are already showing signs of breakdown, with the poor in the towns having less to eat than their impoverished country cousins.

Laws alone will not halt the drift from the country to the towns, but those who are genuinely seeking solutions that are socially responsible as well as politically acceptable must acknowledge the complexity of the problem and realise that a sudden abolition of all forms of influx control is more likely to aggravate it than solve it.
Komani case

"S Mrs H. SUZMAN asked the Minister of Co-operation and Development (206) Whether steps were taken by her Department to draw the attention of commissioners and other officials concerned to the ruling of the Appellate Division in the Komani case on the validity of Regulation 20(1) under the Blacks (Urban Areas) Consolidation Act, if so, what steps, if not, why not?"

The DEPUTY MINISTER OF CO-OPERATION

Yes, by means of a Circular Minute to all Chief Commissioners and Administration Boards on 26 August 1980
FACULTY OF ENGINEERING

Corporation Medals
Miss C C Littlewort
Miss N C Davidson

Second Year (Bronze Medal)
P M Salmon
T J Cumming
D P Meeks
J H Rens
B F Macleod

Fourth Year (Gold Medal)

Professor George Menzies Prize
Awarded on results of final examinations to the best male student in Land Surveying or Civil Engineering.
J H Rens

A E & C I Prize
For the first year student obtaining the highest average mark.
L Menegaldo
Who says there's any change?

She is charged with being unlawfully in the area and not having her documents on her person when arrested.

She was picked up this morning, she says in response to the second charge.

On the second count she is charged R10 or 10 days.

The traffic continues.

Although it is difficult to obtain accurate figures, a survey conducted on November 12 last year by a volunteer worker for the Athlone Advice Office, showed that R2,683 worth of fines were handed out in one day. Many people, particularly women, cannot afford the fines and go to prison instead.

According to the Institute of Criminology at the University of Cape Town, the daily prison population in June 1979 was around 362 per 100,000 of the black population. It estimates that half of those sentenced during that period went to prison because of infringements of influx control laws.

The number of men tried in the Langa Court in 1979 was 3,614. The number of women, 4,385, of whom 2,670 were convicted. Figures tabulated in Parliament have revealed that in the same year the Administration Board (Western Cape) earned R51,029 from influx control and identity document offences.

The traffic continues.

A 17-year-old girl who says she came to Cape Town for medical treatment and is staying with her husband at the single quarters in Langa, gets R50 or 30 days.

A 23-year-old girl who says she arrived to stay in Crossroads in 1980 gets R60 or 60 days and R10 or 10 days for not having her documents on her when she was arrested.

A 28-year-old woman, who says she has been in the Peninsula for 12 years, and has never had a pass gets R100 or 60 days and R15 or 15 days for failing to get documents.

The incessant cry of a baby in the cells with its awaiting-trial mother is heard in the court room. It is uncaring. Mr van Wyk leans over to the portly prosecutor, Mr J J Fourie, and instructs him to transfer the woman's case immediately.

She comes into the court with her baby who is wrapped in a blanket. With quiet resignation, her face devoid of any emotion, she says she was picked up at the Nyanga bus stop this morning on her way to Groote Schuur Hospital. She arrived in Cape Town from the Transkei last Friday. Her husband is a migrant worker. She has been staying with him in the single quarters in Langa.

Why did she come to Cape Town, the magistrate asks To fetch money from her husband and to receive medical treatment for the baby. Why did she not take the baby to the hospital in Umtata. She stares at the magistrate for a long time before answering.

Finally she receives a suspended sentence of R30 or 30 days on the first count and leaves the area immediately. On the second count she is sentenced R10 or 10 days.

She leaves the dock and returns to the cells. At around 2:30 in the afternoon, she and her baby will be taken to Pellemoen Prison with all the others who cannot afford to pay the fine.

Her baby again begins to cry.

For those interested in visiting the Langa Commissioner Court, take Settlers Road with all the others who cannot afford to pay the fine.

DERRYN DEAVIN
Influx control is "stumbling block"

By Tom Duff
Political Reporter

Influx control is going to be an extremely difficult issue to resolve, says community council leader, Mr. Muphakhe Kumalo, who is one of two black members of a committee that is reviewing legislation affecting urban blacks.

The Minister of Co-operation and Development, Dr. Koornhof, has announced the names of men who will serve on a technical committee which will review three controversial Bills which were recently withdrawn for further study.

COMMITTEE

The Committee will be chaired by Mr. Justice E. M. Grosskopf, and its members include Mr. Isaac van der Walt MP, chairman of the Commission for Co-operation and Development; Mr. S. O. van der Merwe, chair of the National Commision, "chairman" Professor Nic Washain, Mr. Kumalo, lecturer in African languages at the University of the Witwatersrand, and chairman of the Khatlechong Community Council and the East Rand Community Council liaison committee and Mr. Ben Kloof, education and training manager of a large company.

Mr. Kumalo said today that for the first time, blacks were being drawn into the process of drafting legislation. The three Bills had been widely criticised. One of the most controversial aspects was the new, tougher form of influx control for which they provided.

The Bills are to be renewed with the purpose of bringing them in line with the recommendations of the Riokest report. And the Government's White Paper on the report, while also taking note of the comments made on the Bills by various organisations.
The percentage of GNP is a common rough measure of the resource share devoted to health care. The figures in the table following are cited more by way of illustration than for purposes of comparison. There are the endemic problems of comparability in definition, relative prices, coverage, and the costing basis which are ignored here. The highest shares, not unexpectedly, relate to the richest countries so that there appears to be a positive association with income level. Further discussion of the relationship will be found in other contributions to this conference, notably that by McGrath (1978).

Health care delivery systems can be categorised in a multitude of ways—public and private, curative and preventative, central, intermediate and local—but given the theme of this paper, a division by mode of finance is the most useful. This five-fold is necessary for distinguishing one system from another.

(1) Private medical practice on a fee-for-service basis places personal and direct relief. Price is established and paid by the patient or his/her employer. A further feature is the relatively high cost of health care delivery. The relative ease of the examination and treatment of the patient is increased, and the cost of the service is reduced. The fee-for-service system provides the patient with the assurance of good medical care, and the physician with the security of a steady income. The system is flexible and adaptable to individual needs. It is also subject to the vicissitudes of the market forces of supply and demand.

(2) Voluntary health insurance is essentially a form of risk pooling aimed at the reduction of uncertainty and thereby the mitigation of economic loss stemming from an untoward event. Its method is to shift risks by "transfers of income from the present to hazardous states in the future." The price is established by insurance companies based on the number of enrollees. The premium is determined by the probability of occurrence of the event and the cost of providing the care. The insurance company assumes the risk of the event and provides financial protection to the insured. The system is more stable and predictable than the fee-for-service system, and is subject to the regulations and standards set by insurance companies.

(3) National health insurance, on the other hand, is a form of prepaid health care. The government pays the medical care bills of the insured, and the insured pays a premium. The system is more equitable and accessible than the fee-for-service or voluntary insurance systems. It is also subject to the political and administrative control of the government.

(4) Public health care, whether through government hospitals or community health centres, is a form of health care delivery that is free to the insured. The system is more accessible and equitable than the fee-for-service or voluntary insurance systems. It is also subject to the political and administrative control of the government.

(5) Integrated health care delivery systems combine elements of the above systems. They are more flexible and adaptable to individual needs than the fee-for-service system, but are subject to the vicissitudes of the market forces of supply and demand.

One more significant feature of health insurance is that it is subsidised implicitly by the state in the form of contributions being deductible expenses for employers under company or corporation tax law. The wages and perquisites are paid by the state rather than the individual tax payers. This appears to universal health care as a desirable goal.

Reformers in favour of market solutions have hailed these arrangements as positive and innovative. They argue that HMOs will foster competition amongst themselves and other medical care delivery systems; that
Mr. H. J. VAN Rensburg asked the Minister of Police how many Black (men and women) were arrested for offences relating to randoons, bows and inflating control in the Randburg, the S. town and the other northern suburb of Johannesburg in 1950.

**The Minister of Police**

(1) (a) and (b) Statistics in respect of suburbs are not kept. The following is a reflection of the number of arrests in connection with reference books and inflating control carried out by the police attached to the Police Stations serving the northern suburbs.

<table>
<thead>
<tr>
<th>Suburb</th>
<th>(a)</th>
<th>(b)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Randburg</td>
<td>2,750</td>
<td>1,187</td>
</tr>
<tr>
<td>Hillbrow</td>
<td>3,430</td>
<td>1,045</td>
</tr>
<tr>
<td>Parkview</td>
<td>2,750</td>
<td>92</td>
</tr>
<tr>
<td>Lombardy East</td>
<td>180</td>
<td>62</td>
</tr>
<tr>
<td>Norwood</td>
<td>511</td>
<td>50</td>
</tr>
<tr>
<td>Bramley</td>
<td>77</td>
<td>-</td>
</tr>
<tr>
<td>Alexandra</td>
<td>668</td>
<td>167</td>
</tr>
<tr>
<td>Fordsfield</td>
<td>698</td>
<td>197</td>
</tr>
</tbody>
</table>
(1) How many Black (a) males and (b) females were arrested for offences relating to reference books and influx control in each of the main urban areas of the Republic in 1981?

(2) What was the total number of such arrests in the Republic in that year?

The MINISTER OF POLICE

<table>
<thead>
<tr>
<th>Area</th>
<th>(a)</th>
<th>(b)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pretoria</td>
<td>13270</td>
<td>848</td>
</tr>
<tr>
<td>Johannesburg</td>
<td>29606</td>
<td>6568</td>
</tr>
<tr>
<td>Soweto</td>
<td>142</td>
<td>37</td>
</tr>
<tr>
<td>Durban</td>
<td>592</td>
<td>320</td>
</tr>
<tr>
<td>Pietermaritzburg</td>
<td>12</td>
<td>—</td>
</tr>
<tr>
<td>East London</td>
<td>394</td>
<td>240</td>
</tr>
<tr>
<td>Port Elizabeth</td>
<td>111</td>
<td>—</td>
</tr>
<tr>
<td>Cape Peninsula</td>
<td>318</td>
<td>149</td>
</tr>
<tr>
<td>Bloemfontein</td>
<td>1551</td>
<td>989</td>
</tr>
<tr>
<td>West Rand</td>
<td>9355</td>
<td>957</td>
</tr>
<tr>
<td>East Rand</td>
<td>11164</td>
<td>—</td>
</tr>
</tbody>
</table>

66397 14653

FEBRUARY 1981

These figures only represent the number of persons arrested by the South African Police.
(1) What was the content of the circular minute of 26 August 1980 to all Chief Commissioners and Administration?

(2) Whether any directives contained in the circular minute have not been complied with if so what steps have been or are to be taken to ensure such compliance?

WEDNESDAY 25

Boards drawing attention to the ruling of the Appellate Division in the Komun case.

(1) In the circular minute of 26 August 1980 all Chief Commissioners were informed of the contents of the press statement made by me on 22 August 1980, and were advised that Regulation 20(1) of Chapter 2 of Government Notice R 1036 of 1968 was declared ultra vires by the ruling and that it would serve no purpose to promulgate any further fees payable in respect of lodgers permits. The Chief Commissioners were requested to inform the Administration Boards accordingly.

(2) Within the short time available it was not possible to ascertain the required detail needed for a reply.
(1) How many Black (a) male and (b) female were arrested for crimes in the areas listed in the table below in each of the main urban areas of the Republic in 1980?

<table>
<thead>
<tr>
<th>Area</th>
<th>Males</th>
<th>Females</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pretoria</td>
<td>174</td>
<td>30</td>
</tr>
<tr>
<td>Johannesburg</td>
<td>1,016</td>
<td>457</td>
</tr>
<tr>
<td>Soweto</td>
<td>23</td>
<td>1</td>
</tr>
<tr>
<td>Durban</td>
<td>2,874</td>
<td>1,466</td>
</tr>
<tr>
<td>Pietermaritzburg</td>
<td></td>
<td></td>
</tr>
<tr>
<td>East London</td>
<td>18</td>
<td>15</td>
</tr>
<tr>
<td>Port Elizabeth</td>
<td>29</td>
<td>65</td>
</tr>
<tr>
<td>Cape Peninsula</td>
<td>7,747</td>
<td>8,113</td>
</tr>
<tr>
<td>Bloemfontein</td>
<td>1,419</td>
<td>405</td>
</tr>
<tr>
<td>West Rand</td>
<td>5,660</td>
<td>3,178</td>
</tr>
<tr>
<td>East Rand</td>
<td>6,196</td>
<td>3,165</td>
</tr>
</tbody>
</table>

(2) What was the total number of such arrests in the Republic in that year?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

The above figures do not include arrests made by the South African Police.
Pass law probes down by half

From the 1978-79 year to the 1979-80 year, the number of police investigations of pass law infringements dropped by almost 50 per cent.

The decline in investigations was from 298,959 to 184,676 for curfew regulations, the registration and production of documents and infringements under the Blacks (Urban Areas) Consolidation Act.

In the previous year, police had investigated 294,500 infringements under the curfew regulations, 129,984 under the production of documents provisions and 345,713 in terms of the Blacks (Urban Areas) Consolidation Act.

In 1979-80, the pass law investigations constituted 24.1 per cent of the 635,941 infringements examined, whereas in the previous year they had constituted 27.6 per cent of the 1,071,868 infringements.

Mr Le Grange revealed the figures for the 1979-80 year in reply to a question in the House of Assembly by Mrs Helen Suzman (FFP). Houghton, who said afterwards that the figures were "still too high."

"However, I am very pleased to see the police seem to be devoting more time to investigating serious crime rather than statutory offences such as the pass laws."

"This is what the figures seem to imply," Mr Le Grange said.

In the previous year, 1,068,063 offences had been investigated.

The mean number of investigations of serious offences was roughly the same for both years but the investigation of infringement of statutory offences, such as pass laws, had dropped by 442,049, or by 41.2 per cent..."
FACULTY OF ENGINEERING

Corporation Medals
For the best student in each of the 2nd, 3rd and final years.

Second Year (Bronze Medal)
Miss G C Littlewort

Third Year (Silver Medal)
Miss N C Davidson

Fourth Year (Gold Medal)
P M Salmon
T J Cumming
D P Weeks
J H Rens
B F McCleland

Professor George Menzies Prize
Awarded on results of final examinations to the best male student in Land Surveying or Civil Engineering.
J H Rens

Sammy Sacks Memorial Prize
Awarded to the student with the best classwork in Engineering Drawing.
L Menegaldo

A E & C I Prize
For the first year student obtaining the highest average mark.
G L Cragg
Duncan: control

JOHNSTON'S - Mrs was compatible with the trend following the Black Friday report of shifting to "black" and "white" offices. "We're going to have to com- mercialize our hospitals with as many good medical staff as possible," she said.

"In fact, I urge them to employ more than one doctor in the hospital," she said. "It's not right to have only one doctor working in the hospital."

The employment of medical staff, however, is a matter of vigilance and training. "We must ensure that the hospital is properly managed," she said. "It's not a question of just having doctors on staff, but of ensuring that they are properly trained."
Inquiry on influx control

Argus Correspondent

JOHANNESBURG—Urban black councils might agree to enforce influx control if they were given meaningful powers, said Mr M B Kumalo, a member of the committee redrafting three Bills affecting urban blacks.

The committee, headed by Mr Justice J M Grobbelaar, held its first meeting today.

Mr Kumalo, a prominent East Rand community leader, said in an interview that influx control was one of the most difficult issues the committee would have to deal with.

He believed that influx control had been applied unfairly in the past. However, he added, it was clear he feared that large squatter shums would develop in urban areas if influx control was abolished.

Asked what he felt about black councils being used to help to enforce influx control, he said he believed they would 'face their responsibilities fully' if:

- They were made financially viable;
- They had powers and could take decisions which were binding.

He believed there were faults in the system of influx control proposed by the Riekert Commission.

Mr Kumalo said he would express the misgivings that 'many' black people have over the three Bills, which were withdrawn earlier this year after widespread criticism.
Due to the Yuleasian effect we tend to give more generously at Christmas time because although the difficulties of the poor can be presumed to be roughly constant throughout the year, we desire to feel good at Yuletide.

That altruism and charitable behaviour exists cannot be ignored. The blood transfusion services of the United Kingdom and to a significant extent the USA rest on little else. Even within a strict Pareto optimal framework redistribution can be shown to be justified. The important problem is to arrange society so that altruism and self-interest operate in the same direction.

The view of altruism as a duty has unfortunate side effects. "It fosters the belief that doing good is closely connected with - or even necessarily involves - self-sacrifice; which belief tends to discourage good action." It is an important insight of economic analysis that self-interest is not necessarily incompatible with serving the interests of others.

III The market for medicine

The previous section argued that in general the free market provides the most efficient allocation mechanism for medical services. Equity provides no basis for policy. Though there can be no doubt that the market for medical services does present problems, the difficulties are related to price rather than income. Even in Western societies, where incomes are relatively high patients have problems paying for health services. Technically this is not difficult to understand. Though the problem appears to be one of poverty (lack of income) it is essentially one of demand and supply. In a system of socialised medicine, society itself appears in the market as supplier as well as demander. There seems to be no equilibrating mechanism. On the supply side voters are cost minimisers.

On the demand for health care, for more than health care, A market or the Section was roughly as in the case of medical insurance. Two people believed to have been blackmailed by the police had gone to "illegal" practising outside the United States, were arrested and later released. The practice of medicine in the United States is a matter of self-regulation and is not subject to the same kind of governmental oversight as in other countries. The two people had been blackmailed by a police officer who claimed to have information about their activities.

A police officer had threatened to in a case in which a man was found to have blackmailed a fellow policeman with false information about his activities. The officer had been arrested and later released. The practice of medicine in the United States is a matter of self-regulation and is not subject to the same kind of governmental oversight as in other countries. The two people had been blackmailed by a police officer who claimed to have information about their activities.

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"Removing influx control would reduce crime"

By Charles H. Druke

"When there was a mass influx of Blacks into the city of Johannesburg late last year, I was very concerned," said Mr. John Grey, a prominent business leader in the city. Grey went on to explain that the influx control measures were necessary to prevent crime and disorder in the city. He also mentioned that the influx control measures had been successful in reducing crime rates in other cities where they had been implemented.

"I believe that the influx control measures are essential to maintain law and order," said Mr. Grey. "Without these measures, the city would be in chaos." Grey went on to say that the influx control measures had been implemented in a fair and impartial manner, and that they were necessary to protect the rights of all residents in the city.

The influx control measures have been met with some resistance from some residents, who believe that they are being treated unfairly. However, Mr. Grey believes that these measures are necessary to maintain law and order in the city.

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The influx control measures have been met with some resistance from some residents, who believe that they are being treated unfairly. However, Mr. Grey believes that these measures are necessary to maintain law and order in the city.
POLICE have uncovered another reference book racket — and two people have been detained.

Yesterday police announced that they had launched an intensive investigation and other people were being sought.

According to police, about 300 people in and around Johannesburg have forged reference books — bought at about R300.

The amount involved could be as high as R50,000, according to estimates. Various administration boards are involved in the investigations.

The culprits are believed to have been operating from Johannesburg.
Dismay over C. Heald number of pass law arrests

MRS JOYCE HARRIS, president of the Black Sash, has reacted with shock and dismay at the announcement that 81,050 Africans were arrested last year for pass law offences.

"Pass laws turn people into criminals. They are designed to fit them with white ideology. They control African people from the cradle to the grave.

'Africans need to eat and also have to clothe their families and the pass laws' prevent untold numbers from doing so," said Mrs Harris, whose organisation assists countless blacks with the maze of influx control laws.

The number of arrests was revealed in the House of Assembly by the Minister of Police, Mr Louis le Grange, in reply to a question by Mrs Helen Suzman, the Progressive Federal Party member for Houghton.

Mr le Grange said the following arrests were made in major areas:
- Pretoria — 14,121
- Johannesburg — 36,160
- Durban — 9,922
- Cape Peninsula — 4,477
- Bloemfontein — 2,540
- West Rand — 3,392
and East Rand — 3,812.
Man is destitute with no pass

NO PLACE TO STAY

By WILLIE BOKALA

A 25-YEAR-OLD man who lost his pass-book has travelled hundreds of kilometres to establish his identity and is now officially homeless and jobless.

The sad story of shy-looking Mr Mshiyeni Feita Nkosi started last year when he lost his reference book. Since then he has travelled between Johannesburg, Ermelo, Pretoria and a place called Sheepmoor to get a new pass, with no success.

"I took my pass out in Ermelo in 1973. I came to Johannesburg in 1974 and have been here since then. After losing my pass, I went to the commissioner's office in Johannesburg to try to obtain a replacement. "They told me they could not help me. I went to Pretoria and they could not help me. When I went back to the Johannesburg office they told me to go to Ermelo. There they told me they did not know me and sent me to Sheepmoor. At Sheepmoor they said I was not a registered employee. They have a problem."

But to add to his misery he was arrested and referred to Ermelo. He was also given a letter to take to the commissioner's office at Piet Retief, over 350 km from Johannesburg. And Mr D J Coetzee, the commissioner's spokesman, confirmed there was nothing much to be done for Mr Nkosi. "Especially since he is not a registered employee. He has quite a problem. You see, they will all refer him to Ermelo if he originally took out his pass there. In any case let him come and see me. I will see if I can't do something," he said.

Mr Nkosi says his job — which he got late last year — is now being threatened. "If my employers are pressuring me to obtain a pass and register, as they cannot employ people illegally, I am now just about to lose my job as well and if this happens it would be the end of me," he said.

His father died in 1961 and his mother came to Johannesburg in 1962. "She has been here since and has applied for a house in Alexandra. "I remained with my uncle in Ermelo, but in 1974 he went to Swaziland and I was forced to stay down here. I couldn't live in Ermelo as I don't have anybody I know there," he says.

Mr Nkosi says he told the authorities in Ermelo that he knew nobody since his uncle went to Swaziland. "They immediately said they could not help me. I don't know who will help me now.

"I travelled from Ermelo to Sheepmoor and back to Johannesburg and now I am required to go to Piet Retief and I will obviously be coming back with no pass," he said.
Black model was arrested over pass

A top Soweto model, Ms Mammmbela, was arrested after she refused to attend a beauty competition, claiming she was not wearing the correct outfit. Ms Mammmbela, 23, was arrested on Saturday night after she refused to participate in a beauty pageant. She was told she was wearing the wrong dress and should change her outfit.

"I don't understand why they are rejecting my outfit," Ms Mammmbela said.

Police said she had been under surveillance for some time and was arrested for breaching the law.

"We are not going to tolerate any breach of the law," a police spokesperson said.

Meanwhile, a group of women from Soweto staged a demonstration in support of Ms Mammmbela. They said she had been unfairly targeted.

"We support Ms Mammmbela and demand that she be allowed to participate in the competition," a group spokesperson said.

The police said they were investigating the incident and would take appropriate action.

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60 HELD IN DAWN RAID ON LANGA

THREE MEN allegedly fell from the roof of the Langa barracks today during a pre-dawn pass raid in which more than 60 were arrested.

An unconscious man was admitted to Conradie Hospital.

An official at the Langa Commissioners Court said today that those arrested would appear in court tomorrow.

Not seen

The chief director of the Western Cape Administration Board, Mr A A Louw, said he was not prepared to give information about the raid, but that a factual statement on the situation at the Langa barracks was available at his office.

At the time of going to press, The Argus had not seen the statement.

Mr Louw said he had heard that one person jumped from the roof of the building this morning.

According to a witness, Mrs Monica Sikhumana, the raid started about 5 am.

Riot police, board inspectors and uniformed police surrounded the barracks.

People fled when they saw the raiding party.

Some fled to the roof of the single-storey building. Inspectors followed and beat the men on the roof, she said.

Allegation

A man hung from the gutter and, according to Mrs Sikhumana, an inspector stamped on the gutter and the man fell to the ground.

She said the men on the ground were beaten again and dragged to a truck.

 Relatives of those arrested went to the Langa police station.

Two of the men who allegedly fell from the roof were not there.

One was Mr Zandile Ngqakwana. Mrs Sikhumana

(Continued on Page 2, col 7)
Barracks dwellers forced outdoors

Staff Reporter

ABOUT 100 people who were evicted from Langa Barracks on Monday have been sleeping outdoors for the past three days.

One of those evicted, Mrs. Frances Mentari, said yesterday she had been sleeping in the bushes with her three-year-old son, Nkosane, to avoid arrest. She said she had to take him to a doctor yesterday because he had caught a chill from sleeping in the bushes. She could have left Cape Town if her son was not receiving treatment.

Other people evicted from the barracks said they had been housed in that area by the Western Cape Administration Board after being moved from Schotskies Kloof in Cape Town.

One of them said they had been moved into the barracks about two years ago and the Western Cape Administration Board had promised to give them better accommodation.

The woman said they had been sleeping next to their furniture outside and had nowhere to go.

"Some of us are employed and since we have been evicted we cannot go to work as we must watch our furniture," she said. The children had not been attending school as they could not wash because they had no washing facilities.

Dwellers who have come from Hout Bay and Killeeney squatter camps have not yet been evicted. They say they have been given till next week to move out of the barracks and do not know where they will go.

The chief director of the board, Mr. A A Lourie, yesterday declined to comment but said he would release a statement later this week.
Man hurt in fall from roof during police raid

By CHRISS BARRON

A MAN who was taken unconscious to Commercial Hospital, after he fell from the roof of the Langal barracks while fleeing from police during a pre-dawn raid yesterday, will face a charge when he recovers.

This was confirmed last night by the Divisional Commissioner of Police for the Western Cape, Brigadier D H Rothacre, who said the man, one of 60 arrested during the raid, would probably be charged with illegally occupying the building.

The raid, which began at 1am and involved riot police, uniformed police and Western Cape Administration Board officials, followed the eviction of an estimated nearly 800 people from the Langal barracks on Monday.

Last night the chairman of the South African Institute of Race Relations, Mrs Dulie Wilson, expressed the "shame and aggressive treatment" which she said had personally witnessed being carried out to residents of the barracks during yesterday's raid.

In a statement, she said she could "only be appalled at the raid" and that it was "frightening to think that people whose only crimes are that they wish to live as families or have to find work, should be thus hounded and abused".

Some employers

She said she had personally interviewed a number of these who had been hounded in the barracks and that many of the men had been working for as long as 15 years for the same employers.

Many of these, she continued, had been born in Cape Town or Paarl.

Nearly all of their wives had an extended permission to be here to receive hospital treatment, and many of those who had been moved from Hoy Hoy to Langal had been there for several years.

Calling conditions in the Langal barracks "unsatisfactory", Mrs Wilson said that clearly no one would choose to live there unless desperate for accommodation.

Insult to injury

The backlog in accommodation for black people was "disgraceful", she said.

"People who earn a living are living in squalor and with little or no privacy and decency. It is adding insult to injury to subject them to shaming and aggressive treatment such as we saw last night."

Meanwhile, a dispute has arisen between the Western Cape Administration Board and community workers as to the number of people removed from the Langal barracks yesterday.

In a statement last night the chief director of the board, Mr. A Loebe, denied that "anywhere near" as many as 600 people had been given their marching orders.

While he was unable to be more specific, he estimated that the number involved was less than the 600 mark.

Not same people

These existed, he said, and were not the same people who had been moved into the barracks by the board last year, but others who had gained "legal entry" and were in the building "illegally".

Community workers who have been working with the residents on the barracks say, however, that only a small number of those people complained that they had "illegally" moved into the barracks.

The majority, they claim, are people who moved there on their own accord because they "had absolutely nowhere else to go."

One of the workers explained that the barracks contained 35 rooms and that the average population was around seven families each. This meant there were "well over" 400 people living in the barracks, and that at least 400 must have been evicted on Monday.
health care, the question arises whether willingness to pay represents the value of a health project to society. What are the characteristics of health care which make it different from other economic goods? Demand is unpredictable since one never knows when it will be required or how much, and since demand is infrequent, the consumer cannot learn by experience unless he suffers from a chronic illness. There is a lot of uncertainty particularly on the side of the patient who is unable to

select the right health care provider. The costs are high, and the outcome is often uncertain. The consumer has little information and relies on the advice of the doctors and the hospital staff.

Thus there appears to be no solution to the problem of shadow prices, which themselves are difficult to calculate. 

Feldstein points out that if the long run marginal cost is less than the average cost per case, then admission rates and intensity of use might be substantially higher (if doctors and administrators perceive this and they generally look at average costs.)

Objective indirect costs can be determined by collecting information through surveys - finding out the time spent waiting at hospital, the time off work due to ill health and the time and expense involved in travelling to hospital.

There has been much discussion on the correct way to evaluate the economic cost resulting from time taken off work due to ill-health. Mushkin distinguishes between death, disability - the loss of working time/....
Three injured in raid

Three men fell from the roof of the Langa barracks in Cape Town during a pre-dawn police raid in which more than sixty people were arrested yesterday.

An unconscious man was admitted to the Conrradi Hospital.

An official at the Langa commissioners court said today more than 60 people arrested would appear in court today.

The chief director of the Western Cape Administration Board, Mr. A.A. Louw, was not prepared to give any information about the raid and said a factual statement on the situation at the barracks was available at his office.

Mr. Louw said he had "heard that one person jumped from the roof of the building that morning."

Mrs. Monica Sikhunana, a girlfriend of one of the injured men, said the raid started at about 5:00 am. The police inspector of the Western Cape Administration Board and uniformed police surrounded the barracks.

People began to flee when they saw the authorities. Some fled onto the roof of the building. Inspectors followed and she alleged they hit the men on the roof.

A man hung from the gutter. According to Mrs. Sikhunana, an inspector stomped on the gutter and the man fell to the ground.

Relatives of those who were arrested were taken to the Langa police station that morning. Two of the men who fell from the roof were not with those who were arrested and they are believed to have been taken to hospital.

One of the men who fell from the roof was Mr. Zandile Ngqokwena.

Meanwhile, those people who were evicted from the barracks on Monday have returned to sleep in the building, because they have nowhere else to go.

And people who were given permission to stay in the main barracks at Langa on a temporary basis have been given notice to evacuate the building by March 23. Mr. Louw said in a
43 in court after raid on Langa

Staff Reporter

FORTY-THREE people appeared in the Langa Commissioner's Court yesterday following a raid by officials of the Western Cape Administration Board on Wednesday morning.

During the hearings, two defence attorneys placed on record their dissatisfaction with the attitude of the chief prosecutor, Mr J J Fourie. Mr J Hendry, a defence attorney, complained to the magistrate, Mr L van Wyk, that Mr Fourie had refused to allow him to check on a number of his clients.

Two overseas observers were present during the hearings.

Twenty people were charged with being in the Peninsula for more than 72 hours without permission and for not being in possession of identity documents.

Nine were found guilty on both counts and six were fined R50 (or 30 days) on the first count and R10 (or 10 days) on the second and three were fined R50 (or 30 days) on the first count and R10 (or 10 days) on the second.

The six were Johnson Gcuma, Mathews Noza, Allan Mthembu, Mpho Ntshedzi, Elida Ngxamile and William Feni. The three were Constantine Ndlovu, Ntedele Nlonyana and Ernest Soza. Mirriam Makhelela and Temba Mpanza were found guilty of being in the area illegally and were cautioned and discharged for not being in possession of an identity document.

Makhelela was fined R60 (or 60 days) and Mpanza R10 (or 30 days).

Makhelela was also found guilty of the first charge and fined R20 (or 30 days).

Makhungile Khomini, Bhelem Mthiyiso and Mzikane were cautioned and discharged.

Mrs Mthyiso's seven-month-old baby was brought to her during an adjournment. She had been in custody after having been arrested and taken to jail without the baby.

She pleaded guilty to being in the Peninsula for longer than 72 hours and told the court she had come to Cape Town to fetch the belongings of her sister, who had died.

She was told to leave the Peninsula by Sunday.

Mr Mzame told the court that he had come to Cape Town to look for his mother, but did not find her. He said he did not have relatives in Transkei and the Commissioner, Mr L van Wyk, referred him to the Aid Centre.

The first charge was withdrawn against Bonita Rammeni and he was found guilty on the second charge and fined R10 (or 10 days).

Six were charged with being in the hostel without the permission of the superintendent.

Cecilia Mngadi was found guilty and fined R100 (or 10 days), charges against Mr Abednego Siyubu were withdrawn and Mr Kennedy Nqo was discharged.

The cases against four others will be heard on Monday.

Two were released on R10 bail. They are Monica Makalulul and Buzile Ganda.

Four were charged with trespassing and for not being in possession of identity documents. They were Nombulelo Khobeni, Ntombozwa Dumane, Sydney Mgula and Mathew Nkomwana.

Three were charged for being in the area illegally. The case against Jacob Mngadi was withdrawn and Abel Nkhele and Hilton Gaga were each fined R100 (or 60 days).

The case against C. Chineni was also postponed until Monday. He claimed to be colourless and was asked to bring his identity documents on Monday.
Few blacks know legal rights — survey

Chief Reporter

A survey finding that not more than 12 percent of blacks appearing before the Langa Commissioners’ Court each year are legally represented "gives cause for deep concern," says a new publication, "South Africa’s Legal System: Justice for All?" issued by the University of Cape Town’s Institute of Criminology.

The Langa Commissioners’ Court is where cases concerning indemnity control, pass laws and other technical matters are heard.

The publication, compiled by Mrs Mana Sibbett of the Institute of Criminology, says: "From interviews and observations at courts, it seems that apart from not being legally represented, very few accused persons (about five percent) know basic court procedure or what their legal rights are.

"At one magistrates’ court only 11.6 percent of persons interviewed had made use of legal aid in the past.

"During this survey a strong feeling of animosity was observed among ‘black’ and ‘coloured’ persons towards the criminal justice system generally."

"Unfortunately, many believe that the expansion of services will not enhance their chances as the process of detection, apprehension and arrest of persons is based on a system of privilege, ie the person with a ‘standing’ in the community, financial resources, legal aid of their own choice, has a better chance of a lighter sentence and/or acquittal."

Criminal justice

"These are issues we have to investigate more fully, and come to terms with. One cannot address one issue within the criminal justice system without addressing oneself to the other components as well.

"Still referring to the Langa Commissioners’ Court, the publication says

"A difference in attitude was observed in the way in which some magistrates and other court officials addressed ‘black’ and ‘coloured’ persons compared to their attitude towards ‘white’ persons. A number of disturbing examples were recorded."

"At the same time however it was observed that there were other magistrates and officials who were mostly fair and consistent in their dealings with accused persons."

"In a section dealing with observations made at the Retreat Regional Court, the publication says: "Statistics show that a much larger percentage of unrepresented people were found guilty than the number of represented persons."

Innocent

"To put it the other way round, a much higher percentage of represented persons were found innocent than those not legally represented."

"The publication says the reasons for the small proportion of black people who are served by the legal aid system should be evaluated.

"There are private legal aid organizations with limited funds who handle more cases a year than the State Legal Aid Scheme. Granted, they often have services of lawyers free of charge, but still manage to accept more cases than their staff can handle."

"It is regrettable that the criticisms which are often aimed at the Legal Aid Board cannot be discussed openly. Unfortunately the director and chairman of the board did not accept invitations to the legal aid conference at Natal University, in 1972, where criticisms were voiced."

"This could have been a good opportunity for members of the legal profession to meet officials of the board and to come to terms with problems."

"No development can take place while mutual suspicion is reinforced."

The Institute of Criminology publication concludes "A well-designed seminar and/or conference would, at this stage, do much to enhance the future of legal aid and legal representation in this country."
Crossroads used to justify influx controls

The Ministry of Co-operation and Development has used the Crossroads settlement in the Western Cape as "a striking example of what can result when influx in unmanageable proportions takes place."

The statement, in a letter earlier this year to Black Sash national president, Mrs Joyce Harris from Deputy Minister Morrison, was quoted in the conference today in the national headquarters' annual report.

The letter said: "We (the Ministry) now find ourselves dealing with the valid complaints and representations of the established black population of the Western Cape that the Crossroads community has made inroads on their job and housing opportunities."

Mr Morrison quoted the Heketek Commission in stressing that influx control "in some form" was essential to obviate "grave economic and social problems around our cities and towns" from unemployed and homeless people.

"The scientific application of influx control related to the Government's endeavours to remove hazards aspects and to avoid as far as is humanly possible, affronts to the dignity of persons in applying influx control."

The question of work per second cannot be equated solely to a possible job opportunity in some far-off place without regard to supply and demand on the labour market and the possibility, or even the fact — as in the Western Cape — that that market is already oversupplied."

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Distribution of workers by age (x) and cash wage (¥)
Man who fell faces charge

CAPE TOWN — A man who was taken unconscious to hospital after falling from the roof of Langa Barracks while fleeing police during a raid faces a charge when he recovers.

The divisional commissioner of police for the Western Cape, Brig D B Nothnagel, said the man, one of 60 arrested during the raid, would probably be charged with illegally occupying the building.

The raid early on Sunday involved riot police, uniformed police and Western Cape Administration Board officials, followed the eviction of an estimated nearly 600 people from the Langa barracks last week.

The chairman of the South African Institute of Race Relations, Mrs Daphne Wilson, has criticized the "arbitrary and aggressive treatment" which she said she had personally witnessed during the raids meted out to residents of the barracks.

In a statement she said one could "only be appalled at the raid" and that it was "frightening to think that people whose only 'crimes' are that they wish to live as families or be here to find work, should be thus hounded and abused."

The chief director of the administration board, Mr A A Low, denied in a statement that "anywhere near" as many as 600 people had been evicted.

He was unable to be more specific, however, estimating that the number involved was nearer the 100 mark.

Those evicted, he said, were not the same people who had been moved into the barracks by the board last year, but others who had gained "forceful entry" and were in the building "illegally." — Sapa.
13. **Factors Influencing Members' Commitment to Projects.**

While small scale production groups seem by their nature more likely to inspire participation and committed involvement than bigger community projects, they, too, face many problems. Benno Calgart writes: "People who are conscious of being in a structural and are likely to act collectively. The main problem, which their association meets is that of degree of solidarity. Solidarity is the willingness to sacrifice (that is, spend without readily forseeable material remuneration) resources to the benefit of others." 

I include his diagram of variables which affect solidarity.

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** Scrap the Pass **

**Comment**

I have already discussed the improbability of solidarity being a major factor in the resistance of those who are assistant to the people who are being assisted. The idea that the people who are being assisted have to have any solidarity in order to resist the system is an illusion. The system is designed to destroy solidarity.

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While the Black South Africans have been treated worse than any other group in the country, the idea that the Black South Africans have to have any solidarity in order to resist the system is an illusion. The system is designed to destroy solidarity.
Labour laws which turn men into exiles

LDB is a black man prevented by law from living with his wife and four children because he was born in Potgietersrus and they were born in Johannesburg.

He has been in Johannesburg since 1972, working on annual contracts. During that time he met his wife, and they made a home and had a family. Then he was retrenched from his last job.

Now he has been told to go back to Potgietersrus and wait there until a job offer is made to him through the local Labour Bureau.

If he is lucky enough to get a job, there is no guarantee it will be in Johannesburg. He may never again live legally with his family.

He was one of 13,435 people who went to the Johannesburg Advice Office of the Black Sash last year to ask for help. He was one of the 7,597 who could not be helped.

Categories

The annual report of the Advice Office, presented today, says 1980 was the worst year on record for black problems with repressive legislation.

The report cites seven separate categories of people who sought help in the 12 months to January 1981.

- Those with jobs, who are not allowed to work.
- Those with housing problems.
- Those with citizenship problems.
- Those with Section 10 problems.
- Migrant workers.
- Foreigners.

National president of the Black Sash, Mrs Joyce Harris, during her most recent protest against repressive Government legislation - in this instance the effective banning of the black newspapers Post and Sunday Post.
The Minister of Manpower said on Tuesday that the Ministry of Manpower's decision was in accordance with the law and that the Ministry was prepared to defend its decision in court.

In a statement following the court ruling, the Ministry said that the decision was based on the law and that the Ministry had acted within its powers. The Ministry said that it would continue to monitor the situation and that it would take any necessary action to ensure that the law was respected.

A statement from the Black Cat Union, a trade union representing workers in the Black Cat industry, was also issued, expressing its support for the court ruling. The union said that the ruling was a significant step towards ensuring that workers were treated fairly and that their rights were protected.

The union called on the government to ensure that the law was respected and that workers were treated fairly, and it said that it would continue to monitor the situation and to take any necessary action to ensure that the law was respected.
PASS BILL SLAMMED

AMENDMENTS to the controversial Pass Laws Legislation — so criticized when it was introduced late last year that it was withdrawn for redrafting — cannot make the bill less discriminatory or more acceptable.

Black Sash national vice-president Mrs Sheena Duncan told the national conference yesterday that "hurtful discrimination" — as the minister (Dr Koornhof) is fond of calling it — is an integral part of the structure of the present South African system.

"The very existence of Dr Koornhof's portfolio and department is discriminatory, and any legislation which applies to one racial grouping and not to others is discrimination and will remain hurtful and unjust.

"The only question is where the line is to be drawn between those who are included in and those who are excluded from certain privileges.

"This is what apartheid is all about, and its current implementation is most clearly set out in the Rivett Commission's report which is the basis of the new legislation."

Mrs Duncan said recent statements by Dr Koornhof indicated that the new Bill "must have been radically altered" from its predecessor. But no alterations or changes could make it just or acceptable.
2m blacks have left 'white' SA

Staff Reporter

A NET total of two-million Africans had left "white" South Africa for the "homelands" in the past 20 years, according to a University of Cape Town study. The study was published by the Southern Africa Labour and Development Research Unit (Saldru), attached to UCT's School of Economics.

Entitled "The distribution of the African population of South Africa by age, sex and region—one 1960, 1970 and 1980", the study was undertaken by a Saldru staff member, Mr C E W Simkins.

"It set out to estimate the distribution of the African population by age and sex in four main types of region—metropolitan areas, "other towns" in "white" areas, "white" rural areas and "homelands".

"Metropolitan areas" included Cape Town, East London, Kimberley, Port Elizabeth, Durban, Maritzburg, the Witwatersrand, Pretoria, the Vaal Triangle, Bloemfontein and the Free State goldfields.

Lower proportion

Mr Simkins found that the proportions of African men and women in the metropolitan areas had dropped over the period 1960 to 1980.

"The proportion of men and women in the other urban areas remained stable. The proportions of men and women in "white" rural areas dropped sharply, with a corresponding increase in the "homelands".

"In 1960, 40 percent of the African population was resident in the homelands. By 1980 this figure has risen to 64 percent," Mr Simkins said.

Contract and illegal worker patterns showed up quite clearly in figures showing net emigration and immigration by blacks from "white" urban areas generally.

This could be seen in a net emigration of old people and young people of below working age from these areas, and a net immigration by young people of working age which was more marked in the case of men than of women.

Except for children, there had been emigration in all age groups and of both sex groups from "white" rural areas.

"The net exodus of 1·4 million from "white" rural areas has been considerably larger than the 9·4 million from the metropolitan and other areas combined.

Except for women and men aged between 15 and 24, there was a corresponding net immigration into the homelands. The system of population distribution was tending towards stability, Mr Simkins said.

"All this suggests that the combination of incentives and disincentives and administrative controls facing Africans is having the desired effect, from the State's point of view, on the location of population."

6m have lost SA ‘citizen rights’

GRAHAMSTOWN — More than 6 750 000 blacks had ceased to be South African citizens because of the independence of Transkei, Bophuthatswana and Venda — and another million would probably be deprived of citizenship when the Ciskei became independent on December 4, the Black Sash conference was told at the weekend.

A report by the organisation’s Johannesburg Advice Office said the dilemma facing Xhosa-speaking people who had opted for Ciskei citizenship to avoid losing their rights as South Africans was particularly sad, because they would lose them anyway when Ciskei became independent.

This was being brought home every day as people called at Black Sash advice offices to ask why they had been refused reference books — and were compelled to carry passports.

“IT is bad enough having to tell a man whose family has lived on the Witwatersrand for many generations that he is now no longer a citizen of South Africa, but legally belongs to some place he has never seen.

It is worse to have to explain that, in terms of the 1978 amendment to Section 12 of the Urban Areas Act, his children born after independence will have no legal rights in ‘white’ South Africa, but will be allowed to remain by permit — as if they were ‘proper foreigners’ from neighbouring countries.

The report also said the housing shortage in Soweto was chronic. The official waiting list for houses was now 25 000, but the real need was much greater. During 1980, the West Rand Administration Board (Wrab) built no houses in Soweto, though private owners built 420.

“People come in with documents to show that they have been on the waiting list since 1970, and even those who can afford to buy houses under the 99-year leasehold scheme are told there are none.”

The Johannesburg Advice Office had never had a worse year than 1980, the report said.

“It is useless to go on and on warning white South Africans of what they are doing. We can only watch the anger and bitterness growing as promise after promise turns out to be hollow, as economic boom brings no hope to the majority, as people are deprived of land and citizenship and of all legal rights to participate in either the political or the economic structures of their country.

“It will give us no pleasure to say ‘we told you so’ when the inevitable happens,” said the report.
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."
Man is fined, held again

Staff Reporter
A MAN who was yesterday fined R10 (or 10 days) in the Langa Commissioner's Court on a charge of trespassing, was rearrested just as he was about to pay the fine.

Buzaile Ganta was charged with being in the Peninsula for more than 22 hours without obtaining a permit, failing to produce his identity document and trespassing at the Langa Barracks.

His arrest followed the raid at the barracks last Wednesday when 60 people were held.

Yesterday the first charge was withdrawn, he was cautioned and discharged on the second and fined R10 (or 10 days) on the last charge.

An inspector of the Western Province Administration Board, Mr P J Soot, told the court he had arrested Ganta at the barracks about 6:30 am on Wednesday.

Defence counsel for Ganta, Mr H Piemar, told the court his client intended to lay charges against the Administration Board.

When he was asked why he had stayed at the compound, Ganta told the court his wife came to Cape Town for medical treatment and he had to stay with her at the barracks.

He was then found guilty and was sentenced. Before he could pay the fine, an Administration Board inspector told him he was being arrested for resisting arrest.

Ganta decided not to pay the fine and was taken back into custody.

The commissioner was Mr L van Wyk and Mr W Mqumane pronounced.
Study shows a 2m black exodus

Own Correspondent

CAPE TOWN — A net total of 2.9 million blacks have left white-designated South Africa for the homelands in the past 20 years, according to a University of Cape Town study.

The author concludes that the exhaustive survey "suggests that the combination of incentives and disincentives and administrative controls facing Africans is having the desired effect, from the State's point of view, on the location of population.

It was published by the Southern Africa Labour and Development Research Unit (SALDRU) attached to UCT's school of economics.

Titled "The distribution of the African population of South Africa by age, sex and region-type 1980, 1970 and 1960", it was undertaken by a SALDRU member, Mr. C. E. W. Simkins.

It set out to estimate the distribution of the black population by age and sex in four main types of region — metropolitan areas, "other towns" in "white" areas, "white" rural areas and homelands.

Mr Simkins found that the proportion of black households in the metropolitan area dropped between 1960 and 1980.

The proportion of blacks in the other urban areas remained stable. The proportion in "white" rural areas dropped sharply, with a corresponding population increase in the homelands.

In 1960, 40% of the African population was resident in the homelands. By 1980 this figure had risen to 54%,” Mr Simkins said.

Contract and illegal worker patterns showed up quite clearly.

This could be seen in a net emigration from "white" rural areas of old people and young people below working age, and a net immigration result for young people of working age.

In "white" rural areas, there had been emigration in all age groups — except children — and of both sexes.

The net exodus of 1.2 million from "white" rural areas has been considerably larger than the 750,000 from the metropolitan and other areas combined.

Except for women and men aged between 15 and 24, there was a corresponding net immigration into the homelands.
THE Cape Town Supreme Court today ordered that a woman who had been endorsed out of the Western Cape be allowed to remain in Stellenbosch.

Mrs Harriet Mytinguzane, 24, a mother of four, took legal action against the Western Cape Administration Board after it was given four days to leave the Stellenbosch area where she has lived all her life.

Last month Mrs Mytinguzane made an urgent application and was granted a month's reprieve.

The order became final today.

Miss Justice van den Heever also ordered that the Western Cape Administration Board should pay the cost of the application.

Mrs Mytinguzane has been fighting to stay in Stellenbosch, her home town, for the past 10 years.

Her house was demolished even though her husband, Mr Tumi Mytinguzane, was still a legal resident of the area.

Mrs Mytinguzane went to Transkei in 1970 with her husband for a six-month stay with his parents.

When she returned her reference book was cancelled and she was ordered to return to Transkei. Mrs Mytinguzane, who knew no one in Transkei and had no family there, did not return and during the next two years she was fined several times for being in the Stellenbosch area "illegally."

When she went to the Board in an attempt to sort out the confusion about her residence in Stellenbosch, she was given a temporary permit but this was revoked a few months later.

Mr D Williams instructed Mr Malcolm, Miss Richardson and Misses Van Der Merwe appeared for Mrs Mytinguzane.

<table>
<thead>
<tr>
<th>Number of Farmers</th>
<th>Additional Workers Available</th>
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<tbody>
<tr>
<td>3</td>
<td>2</td>
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<tr>
<td>2</td>
<td>3</td>
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<td>2</td>
<td>1</td>
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</table>

TABLE 42.

Additional workers could you find at current wages? (At current wages). When the question was asked in a slightly different form, one farmer said it would take him 6 months to find any workers at all. One farmer said it would take him longer to find good or trustworthy workers. However, several farmers added the idea that it (to find 12 workers) gave results ranging from a few days to 3-4 months.

A wage rate? (Assuming that it would be impossible to get a 12 workers at 19 rand daily wages and that it would take 2 days to double their labor force at current wage rates). A day laborer noted a shortage of both skilled and general workers.

A busy day working at the farm, 7 said there were not as many fresh flowers, roses, for example, as there were 10 years ago. 7 said there were not as many flowers in the market than there had been 10 years ago. They noted that there were fewer people asking for work at the farm, and that there were fewer people available for family help. A shortage? One said simply that there were fewer people asking for work at current wages or that they personally did not take it from a shortage of 31 farmers, 15 said outright either that there was no shortage.

The farmers interviewed in this survey are a notable exception. It has often been said that farmers always complain of a labor shortage.
Fingerprint computer causes errors—Sash

By Michael Phalaise

The Johannesburg office of the Black Sash helps at least 80 blacks every month to correct mistakes in their passes which have been caused by the Government's fingerprint computer system.

This was revealed yesterday by the organisation's national vice-president, Mrs Sibonile Duncan.

She showed the Star records of people who had been either endorsed out of Johannesburg or declared citizens of other countries due to mistakes in fingerprint records.

A Soweto man struggled for more than 18 months to prove he was a South African citizen after his records had classified him as a Lesotho national.

"He reported his case in June 1973. It took our office up to last month to prove the man was born in Johannesburg," said Mrs Duncan.

Another man was born in Braamfontein but the computer recorded his birth place as the Lebowa homeland near Polokwane.

"This affected his job opportunities and it meant he had to fall under the contract labour system. He now has a job in Germiston but because his fingerprints were wrongly filed, he had to battle all the way to prove he was born in Johannesburg," said Mrs Duncan.

Other examples of mistakes in the fingerprint system are:

- A young man applied for a reference book in Natal where he had been attending school and staying with a guardian. When he returned to Johannesburg his father applied for another reference book and the computer had two sets of fingerprints for one person.

"After 15 years the man lost his reference book and when he applied for a duplicate the computer produced the Natal fingerprints and the man struggled to correct the mistake.

- A young woman applied for a reference book and for some reason it was issued to another person. The authorities insisted they had given it to the right applicant.

- A man applied for a duplicate reference book and was issued with one with a different name and number from the original.

Mrs Duncan said of the 1,100 cases her office had dealt with, at least 10 percent had problems caused by faulty fingerprinting.

At the Black Sash congress in Grahamstown earlier this week, she warned the new compulsory fingerprinting for the entire population was going to hit blacks even harder.

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1. The garden was actually started in July 1977 although the land was fenced and allocated years earlier. The garden was started by the land was fenced and allocated years earlier. The garden was started by the land was fenced and allocated years earlier.
Map shuffles move 2m to homeland

By PATRICK LAURENCE
Southern Africa Editor

THE redrawing of boundaries had helped to account for the "emigration" of nearly two million blacks from white-designated areas to the homelands, Mr Charles Simkins, of the Southern Africa Labour Research and Development Unit (Saldru), said yesterday.

In a recent paper on the distribution of blacks, Mr Simkins found that about two million emigrated to the homelands between 1960 and 1980.

Asked in an interview to what extent the "emigration" was because of the redrawing of boundaries to include in the homelands black townships situated near white-controlled cities, Mr Simkins said it was appreciable.

He cited, for example, the inclusion into KwaZulu of Kwa-
Mash, which some observers regard as a dormitory township for Durban. It has a population of 115,000.

Other townships brought within homeland frontiers by the shifting of boundaries include Kwa-Mash's sister township of Umfazi and Mdantsane, near East London.

But, Mr Simkins said, the movement of blacks from white-owned rural areas made a bigger contribution to the "emigration" of blacks to the homelands.

Of the two-million people who emigrated to the homelands, about 1,250,000 came from "white" rural areas compared with about 750,000 from metropolitan areas and smaller urban centres.

He identified three processes involved in the movement of blacks to the homelands.

- Forced resettlement, where blacks were removed from white-owned areas to settlement centres in the homelands.
- Eviction of black labourers by white farmers, without forcing them to go to the homelands.
- Voluntary movement by black labourers from white-owned farms to the homelands.

Mr Simkins said Harvard evidence pointed to the forced removal of about 600,000 blacks from white-owned rural areas in the 1970s.

He did not specifically cite the situation in QwaQwa in his study. The population there rose nearly fourfold between 1970 and 1980 -- from about 25,000 to 100,000.

Previous studies have shown that many of QwaQwa's "immigrants" were farm workers who went there voluntarily in search of land, and with plans to join the stream of migrant workers to the cities and mines.

Mr Simkins' study highlighted an apparent anomaly in the "emigration" figures from the metropolitan centres.

While the proportion of black men and women declined generally by nearly a fifth between 1960 and 1980, there was a small increase in the proportion in the economically active 15-29-age group.

He said: "All this accords with a policy of暮数数the number of not economically active Africans in the white urban areas."
PRISON would be a better prospect than returning to the homelands for most of the residents facing eviction from the Langa barracks.

This was the feeling of residents interviewed at the barracks yesterday.

They have been given until Monday to evacuate the squatters and overcrowded main barracks in Langa. You don't think we would be living in a place like this if we had a home to go to,' a woman said.

In spite of pass laws at the barracks last week, about 60 people were arrested in a predawn sweep by Administration Board inspectors and riot police. There are still more than 300 people living there according to a list of families supplied by a resident.

Most of the residents are former squatters from Hout Bay, Killarney and Table View.

ASSURANCES

Many claim the board promised them jobs and accommodation if they voluntarily broke down their shacks in these areas. They also claim that they were given official assurances that no one receiving medical attention would be evicted from the barracks.

The residents were given temporary permits to stay at the barracks when they were moved from squatter camps.

The chief director of the board, Mr A A Louw, said they had overstayed their welcome. The barracks were to be renovated by two private companies to house them.

The residents said they had nowhere else to go and the homelands were no alternative.

'We don't have homes, so go to the homelands. There are few medical facilities and sickness is life. There is little food and we are in poverty,' according to the residents.

Mr Louw said it was originally explained to the residents that the accommodation was temporary to enable them to:

- Receive medical treatment in the case of people who were receiving treatment at the time of removal from the squatter camps.
- Obtain free rail warrants to return to their place of origin.

He said it eventually transpired that these people who were offered free rail warrants refused them.

The residents, spoken to yesterday, said they would rather go to Pollsmoor prison than to the homelands.

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</table>

### Payment and Correlation

<table>
<thead>
<tr>
<th>Year</th>
<th>Average Payment (in R per week)</th>
<th>Average Length of Service (years)</th>
<th>Cash Plus Kind</th>
<th>Work Force Average Length of Service, years</th>
<th>Total</th>
<th>Total</th>
<th>Total</th>
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</thead>
</table>

**Table 39**

70
Massive Abuse
Adam Klein ... gross abuses in pass law courts

He also called for an immediate end to the pass law proclamation, and for a commission of inquiry into the complete failure of the pass law administration. Mr Klein said that his protracted court proceedings left him in a state of uncertainty. He also pointed out that the present system of pass law administration was not only inefficient but also illegal.

The report states that the pass law administration is a source of great anxiety to many people, especially to those who are required to obtain passes for travel. The report suggests that the pass law administration should be reformed to make it more efficient and effective.

In conclusion, Mr Klein said that the current system of pass law administration is a gross abuse of power and that it should be abolished immediately. The report calls for a thorough investigation into the pass law administration and for the implementation of a new system that is fair and just.

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Additional text:

The report identifies several areas of concern with the pass law administration, including:

- The pass law administration is not only inefficient but also illegal.
- The pass law administration is a source of great anxiety to many people, especially to those who are required to obtain passes for travel.
- The pass law administration should be reformed to make it more efficient and effective.

In conclusion, Mr Klein said that the current system of pass law administration is a gross abuse of power and that it should be abolished immediately. The report calls for a thorough investigation into the pass law administration and for the implementation of a new system that is fair and just.
Raid most disgusting | Sign I've seen – teacher

detected people, including the man and the
sighting. I've seen – teacher

18/3/17
Eviction by Western Cape Board illegal

CAPE TOWN — The Cape Town Supreme Court today ordered that a woman who had been endorsed out of the Western Cape be allowed to remain.

Mrs Harriet Myunguzane, 24, a mother of four, took legal action against the Western Cape Administration Board after being given four days to leave the Stellenbosch area where she has lived all her life.

Last month Mrs Myunguzane made an urgent application and was granted one month’s reprieve. The order became final today.

Miss Justice L van den Heever also ordered that the Western Cape Administration Board should pay the cost of the application.

Mrs Myunguzane has been fighting to stay in Stellenbosch, her home town, for the past 10 years. Her house was demolished even though her husband, Mr. Tuna Myunguzane, was still a legal resident of the area.

Mrs Myunguzane went to Transkei in 1970 with her husband for a six-month stay with his parents. When she returned her reference book was cancelled and she was ordered to return to Transkei.
Court overrules pass endorsement

THE Supreme Court in Cape Town yesterday ordered that a woman who had been endorsed out of the Western Cape be allowed to remain in the Stellenbosch area for more than 72 hours.

Mrs Harriet Mtyingzane (24), a mother of four, took legal action against the Western Cape Administration Board after she was given four days to leave the Stellenbosch area where she has lived all her life.

Last month Mrs Mtyingzane made an urgent application and was granted a month's reprieve.

The order became final yesterday.

Miss Justice van den Heever also ordered that the Western Cape Administration Board should pay the costs of the application.

Mrs Mtyingzane has been fighting to stay in Stellenbosch for the past ten years.

DEMOLISHED

Her house was demolished even though her husband, Mr Tusa Mtyingzane, was still a legal resident of the area.

Mrs Mtyingzane went to Transkei in 1970 with her husband for a six-month stay with his parents. When she returned her reference book was cancelled and she was ordered to return to Transkei.

Mrs Mtyingzane, who knew no one in Transkei and had no family there, did not return and during the next two years she was fined several times for being in the Stellenbosch area "illegally."

Then she went to the board in an attempt to sort out the confusion about her residence in Stellenbosch. She was given a temporary permit but this was revoked a few months later.
Influx laws having desired effect — UCT

Influx laws having desired effect — UCT

1969, 1970 and 1980, the
state was undertaken by a
Salmon staff member, Mr. C.

Simkins.

The study estimates the
distribution of the African
population in 1960 and
between the two main
types of regions in South
Africa — metropolitan
and other areas. White
areas, white rural
areas, and homelands.

Metropolitan areas:

These are the main
cities such as Pretoria,
Cape Town, Port Elizabeth,
Durban, and the Western
Cape. These areas
have the highest
population densities.

Rural and non-metropolitan
areas:

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The study found that
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Contact and isolation

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DISTRIBUTION

The distribution of the
African population of South
Africa by sex and
region type.
Woman endorsed out wins battle

CAPE TOWN — A woman endorsed out to Transkei won her Supreme Court battle here yesterday for the right to remain in the Stellenbosch area, where she had lived all her life.

Mrs. Harriet Mthiyane, 42, a mother of four, took legal action against the Western Cape Administration Board after she was given four days to leave the Stellenbosch area.

Last month Mrs. Mthiyane made an urgent application and was granted a month's reprieve. The order became final yesterday.

Miss Justice Van den Heever ordered the administration board to pay the costs of the application.

Mrs. Mthiyane's house was demolished even though her husband, Mr. Juma Mthiyane, was still a legal resident of the area.

Mrs. Mthiyane went to Transkei in 1970 with her husband for a six month stay with his parents.

When she returned her house was cancelled and she was ordered to return to Transkei. Mrs. Mthiyane did not return and during the next two years she was fined several times for being in the Stellenbosch area "illegally.

When she went to the board to try to sort out the confusion about her residence in Stellenbosch, she was given a temporary permit but this was revoked a few months later — SAPA.
21 years after Sharpeville

On Saturday, 21 years ago, one of the most tragic events in South African history took place at Sharpeville. A mass protest against the still-hated pass laws at a previously little-known black residential area near Vereeniging ended with the deaths of 69 black people and the wounding of another 176.

It was later established that 153 of those killed and wounded during the incident had been shot in the back as they tried to escape the bullets. Quite who or what was responsible for Sharpeville has been a subject of dispute ever since and there is little point re-opening that issue now, but what is beyond dispute is thatSharpeville changed the nature of black resistance to apartheid and the government's response to black frustrations.

At the time the acting leader of the government, Pauil Sauer, had made a speech in which he predicted the ending of the pass laws. Twenty-one years later Dr Frederik van Zyl Slabbert has been pointing out this week, of at least R18 million a year.

Whether the government's proposed fingerprinting law comes into effect or not, the pass laws which are as blatant a form of racial discrimination as anything, are a source of tension.

The tension existed for years and has led to innumerable protests. Between 1955 and 1959 hundreds of women burned their passbooks, held protest marches and presented petitions to native commissioners.

In these circumstances, little wonder that the October 1959 legal African National Congress (ANC) regularly called on the government to abolish the pass laws.

Early in 1959 it announced an anti-pass campaign, which was due to be launched on March 31, 1960. The breakaway Pan Africanist Congress (PAC), also still legal at the time, then announced its own campaign against the pass laws and launched it on March 21, 1960—the day that will forever be commemorated in South African history when the present government likes it or not.

The strategy of the campaign was simple for every man in every town, city and village to leave their passes behind at home, surrender to the nearest police station and demand arrest. This would lead to no action at work

and industry would be brought to a standstill.

The government, it was somewhat naively argued at the time, would be forced to come to terms with the workers or the economy would collapse.

At Sharpeville thousands of people converged on the police station and according to their evidence later to the commission of enquiry, the police there felt threatened and the shots were fired.

In a recent book, Prof. Gwendoelen Carter, who said that Sharpeville created a new watershed in South African history, wrote:

"The government panicked, declared a state of emergency, outlawed the ANC and PAC, arrested and detained some 1,800 people, including for the first time members under the predominantly white Liberal Party which stood for a universal franchise under its leader the inter-racial author, Alan Paton, and imprisoned thousands of so-called African idealists.

"Urgent appeals from white South Africans for consultation with Africans were disregarded by the government. In the international arena on the African question, South Africa was followed by an outflow of foreign capital.

"With the banning of the ANC and PAC shortly after the Sharpeville killings, the organisations went underground and turned to violence.

"The bombs, death trials and beatings caused by the decision of the ANC and PAC activists that there was no alternative but violence, need not be detailed here. It is however clear that Sharpeville was indeed the turning point. Until then the ANC and PAC were prepared to operate above ground, although in conflict with the government. The moment they were proscribed the leadership of these organisations turned to violence—a decision which has resulted recently in things like the burning of the Sasol plants and the raids into Maputo.

"Sharpeville today is a whole generation back in our history, but it symbolizes so much. There have been other essential political tragedies since then..." as much as June 1976, in Soweto, but Sharpeville was the turning point.

"The question now, surely, is whether the study process to more violence and more militarisation in South Africa can be avoided unless there is direct negotiation by the government and the leaders of the majority of South Africans. What we should be aiming for is for the interests of everyone, is the removal of those frustrations which preclude a peaceful and happy about the question of change that they turn to solutions by guns.

The resolution of those grievances is going to be traumatic and the changes going to be painful, but surely that is preferable to bloody shoot-outs.

"If South Africa can learn those lessons of Sharpeville, March 21 could turn into a symbol of hope rather than the commemoration of a tragedy."
Help for 61 at Langa barracks

Alternative accommodation has been promised to 61 of the people facing eviction from the Langa main barracks, according to Mr Colin EGLIN, the PFP's spokesman on community development matters.

He said this during a tour of the barracks today. Mr EGLIN was accompanied by his secretary, Mrs John Bowle, and the Chief Labour Officer of the Western Cape Administration Board, Mr G. Lawrence.

"Origins." People crowded around Mr. EGLIN. He told those who had valid medical certificates to take them to the board's offices with their travel documents, where their cases would be heard.

Mr EGLIN said the problem at the barracks was a human one and had its origins in the impoverishment of the homelands. (Continued on page 3, col 1.)
lack of accommodation in the city and the framework Urban Areas Act

Mr. Egin said that those who were not under medical care would have to find their own accommodation. The residents at the barracks have been given until Monday to leave.

They were called to the board's offices yesterday and those who did not qualify to be in the area were offered free rail tickets to the homelands.

They refused them and on Monday the visit majority will be left homeless.

500 PEOPLE

According to a list of families, supplied by one of the residents, there were nearly 500 people at the barracks. Some have already been ejected.

The majority of remaining residents were squatters from Green Bay, Schootschkloof, Table View and Killarney.

The squatters from Green Bay yesterday sent a telegram to the Minister of Cooperation and Development, Dr. Piet Koenne, appealing for help.

They were adamant that they did not want to go back to the homelands and some said they would prefer to go to prison than return.

The telegram reads, "Please help us. Our family life is being broken. We know that we will not be allowed to live together as man and wife. We have tried to make this possible now all is being destroyed. Please, please help us."

The correlation coefficient is defined as:

\[ r = \frac{\sigma_{xy}}{\sigma_x \sigma_y} \]

- If the correlation is perfect, it is 1 or -1.
- If the correlation is perfect, it is 0.

values of \( x \) and \( y \) are associated. The correlation coefficient will be zero.

If there is no association between the variables, the correlation coefficient will be zero.

Similarly, if \( x > y \), the correlation will be above average.

If \( x < y \), the correlation will be below average.

This is a test of the association between two variables, \( x \) and \( y \).

\[ r = \frac{\sqrt{\sum x^2 \sum y^2 - n \overline{x} \overline{y}}}{\sqrt{\sum x^2 - n \overline{x}^2} \sqrt{\sum y^2 - n \overline{y}^2}} \]

number of categories, \( I \), equals number of categories minus 1. 2I equals number of variables minus 1.

These are calculated as follows:

APPENDIX IV (continued)
Tuesday, April 1

A woman is taken to a WCAB van. She's charged with assault in terms of this act, it's an offence to assault.

414.
The police are currently searching for a suspect. The suspect is armed with a knife. They have not yet found the suspect.

The suspect is wearing a black jacket and black pants. They are believed to be in the area of the park.

A woman has been arrested for assault.

The suspect is described as a male, approximately 5'10" tall, with short black hair and a goatee. He is wearing a black t-shirt and blue jeans.

The woman has been taken to the hospital for treatment of injuries.

The investigation is ongoing. Anyone with information is asked to contact the police.

The woman has been charged with assault and robbery. She is held in custody.

The suspect is still at large.

Friday, March 12

A woman is taken to a WCAB van. She's charged with assault in terms of this act, it's an offence to assault.

414.
The police are currently searching for a suspect. The suspect is armed with a knife. They have not yet found the suspect.

The suspect is wearing a black jacket and black pants. They are believed to be in the area of the park.

A woman has been arrested for assault.

The suspect is described as a male, approximately 5'10" tall, with short black hair and a goatee. He is wearing a black t-shirt and blue jeans.

The woman has been taken to the hospital for treatment of injuries.

The investigation is ongoing. Anyone with information is asked to contact the police.

The woman has been charged with assault and robbery. She is held in custody.

The suspect is still at large.

Friday, March 12

A woman is taken to a WCAB van. She's charged with assault in terms of this act, it's an offence to assault.

414.
The police are currently searching for a suspect. The suspect is armed with a knife. They have not yet found the suspect.

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The woman has been taken to the hospital for treatment of injuries.

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The suspect is still at large.
not yet had time to obtain permits to be in the area.

After about ten minutes the vans left and drove in the direction of the men's hostel.

**Blocked in**

At Zone 30 the Cape Herald team was blocked in by four WCAB vans and held up for about half an hour, without being given a reason.

an authorised officer in the exercise of his powers or the performance of his duties or functions.

Pata raids were common in Langa last week and many people were arrested.

In a pre-dawn raid on Thursday more than 60 people were arrested and several people were injured when they allegedly jumped from the roof of the Langa Barracks.
A parking charge is the equivalent offence.

Circuit

Custody

Consequences

The Rules that

EX-PROSECUTOR EXPLOSES SCANDAL OF PASS LAW TRIALS

In prison cells, thousands

hold thousands

Surgery, what are the

MURDER

prosecutor's

arrests for

an

offence.

The

Court regulations.
Shock trials of aged and infirm

SEVERAL aged and insane black people were tried for pass offences at the Pretoria Commissioner's Courts last year without regard for their age or mental condition, and one of the magistrates at the courts judged cases with the aid of a pendulum, a former prosecutor at the court claimed in a shock report to the Transvaal Attorney-General.

These and scores of other shocking irregularities are recapitulated in a 60-page report by Mr Adam Klein, Pretoria prosecutor, who walked out of court in protest last year.

Nearly 12,000 pass-offence cases were tried in the Pretoria Commissioner's Courts last year.

A wide-ranging analysis indicating how practice in the Commissioner's Courts deviates from the law and accepted legal practice, Mr Klein includes these examples:

- During the trial of a young man, a woman stood up in the public gallery and said that the accused, her brother, was insane and under medication. The magistrate ignored her and postponed the case to a later date with the accused held in custody. Shortly thereafter the accused suffered an epileptic fit in the court cell.

- On one occasion, Mr Klein was instructed to try a foreign man in his absence, itself a serious irregularity. On investigation, he found that the accused was 92, senile and in hospital. The case was withdrawn and the court file has disappeared.

- A presiding magistrate was ordered by the chief commissioner to issue a deportation order for an elderly foreign black man, despite his age and poor health. A few days later, the official escorting the man to the border telephoned from Waterval Boven to report that the man had died on the train.

The court file cannot be traced.

- An arresting officer is required by law to warn the parents or guardian of an accused under the age of 18 to attend and assist him at his trial. This did not occur in the Pretoria court last year.

More than a quarter of the accused tried at the Pretoria court last year were under 18.

- On one occasion an accused man was brought before court in his pyjamas. His case was postponed and four days later he was brought back to court — still in his pyjamas.

- Mr Klein quotes a number of cases where accused whose passes had been damaged by handling or rain — blacks are required to carry their passes at all times — were found guilty of defacing their reference books.

- Accused awaiting trial in the court cells receive a ration of only two slices of dry bread in the morning and again two slices of dry bread at midday.

Dealing with the courts themselves, Mr Klein says that one of the magistrates at the Pretoria court swung a pendulum over case dossiers as an aid to determine the guilt or innocence of accused.

"The magistrate also told me that he always observes an accused's 'aura' — the region above his forehead — to determine guilt," says Mr Klein.

Magistrates are frequently given case dossiers to study before they heard the cases in court, a major irregularity, and prosecutors were summarily withdrawn from cases if they did not carry out the chief commissioner's instructions, he says in the report.

In one case the prosecutor was withdrawn and replaced by others three times because all refused to oppose a bail application.

No single pass offender tried at the Pretoria court last year was legally represented.

Mr Klein concludes his account by pointing out that there are 429 commissioner's courts in South Africa. About 250,000 pass offenders were tried in the Pretoria court alone from 1970 to 1979.
POLICE INSULT MOTHER

A YOUNG Orange-Vaal Administration Board policeman jumped in through the window of an elderly woman's room while his colleague knocked loudly at her door, during a permit raid at the weekend.

Mrs Lenah Khathi of 643 Newman Road, Evaton, yesterday told SOWETAN that her house was raided by cops from the Orange-Vaal Administration Board at about 4 am. She was asleep when she heard loud knocks on the doors and windows of her house, she said.

"I had left the window of my bedroom open because I have a health problem," Mrs Khathi said. "The next thing I saw the curtain move and a young cop in uniform jumped into my bedroom and went to open the doors for the others. I felt insulted. What if that boy, young enough to be my son, had found me undressed?"

The cops demanded the housing permit and then left.

Mrs Khathi's youngest son, Roger (23), said the incident embarrassed his mother who was "otherwise a peace-loving old woman.

Roger said: "When a man about my age bursts into my mother's bedroom while she is sleeping at that time of the day, you know things have come to a sorry pass. We are all embarrassed."

This incident comes just two weeks after a speaker told a crowded meeting of the Ratepayers' Association that a board policeman had rudely asked his aged mother during a night raid on her home: "Who are you sleeping with in that bedroom, old woman?"

The speaker said although the cop was reprimanded by his superior for the rude behaviour, the family had felt its mostly respected member had been insulted.

TO PAGE 3
Barracks: Deadline expired

ABOUT 300 residents of the Langa Main Barracks were confused about their future as the deadline for their eviction passed yesterday.

Residents from the Hout Bay and Killarney squat camps who were housed at the barracks by the Western Cape Administration Board after the camps had been demolished last year said in interviews yesterday that they did not know what would happen to them.

Some people have been given accommodation by the Administration Board, according to a spokesman for the board. He said accommodation had been given to 61 people who had valid reasons to be in the Peninsula. The people involved would have to pay rent, but the board had not determined how much.

Many residents interviewed yesterday said they were having difficulty finding accommodation.
Motlana hits out at pass laws

THE CHAIRMAN of the Committee on Ten Dr Nikhalo Motlana, yesterday told a gathering at the University of the Witwatersrand that South Africa was so divided it could not even decide what anthem to sing at the "Terra Mathebula" fight.

He was sharing the platform with Mr Arthur Chaskalson SC, a leading advocate and director of the Legal Resources Centre. The two spoke on education at the Great Hall of the university.

Dr Motlana rejected the liberals' fight for non-segregated education and called it a non-starter because many were unwilling to stand and fight beyond politics.

"The question of academic freedom is political. We must fight pass laws, influx control, fight for all South Africans to live where they choose, to vote and to be elected to Parliament," he said.

"We have shied away from political questions, but we must address ourselves to these questions. When segregation is abolished completely, only then can we speak of academic freedom," he said.

Delivering the case for academic freedom in South Africa, Mr Chaskalson said there would be no peace in this country until segregation laws were repealed.

Mr Chaskalson said South Africa could learn from the American experience.

"Bantu education had failed the Nationalist because it did not produce a compliant black elite but instead produced Saso, identifying with black consciousness."

"It had not produced hewers of wood and drawers of water as they were designed to turn out," he said.
Langa
raid:
Women
fined

A WOMAN told the Langa Commis-
missioner’s Court yesterday
that a Western Cape Admin-
istration Board official had con-
fiscated a medical certificate
from her and had said he
had asked a doctor not to issue
medical certificates to Langa
Main Barracks residents.

Mr. Maqeleka was giving evi-
dence when she appeared on
charges of being in the area ile-
gally and not possessing identity
documents.

She was one of 25 women who
appeared yesterday following
the Western Cape Administra-
tion Board raid at the barracks
yesterday morning.

Maqeleka said she brought
her child who was suffering
from asthma, to Cape Town.

She said two children died of
asthma in the homelands and
her child was seriously sick and
needed oxygen at times.

When asked why she did not
have a medical certificate, she
said the certificate was confis-
cated by a board official, Mr.
Swart, who also told her that
she telephoned a doctor at the Red
Cross Hospital and asked him
to issue medical certificates
to residents at the barracks.

She was fined R50 (or 50
days) suspended for 12 months
on the first count and dis-
charged on the second.

Twelve others were charged,
with being in the area for more
than 72 hours without a permit
and for not possessing identity
documents.

Two were found guilty on
both charges. Nokhaya Ntshu
was fined R10 (or 10 days) on
the first count and R10 (or 10
days) on the second, and
Nolobule Tyhela was fined R10
(or 10 days) on the first count
and R10 (or 10 days) on the second.

Sylvia Dungo and Esther
Jack were cautioned and dis-
charged on both counts, and
Alma Donjula and Joyce
Mogelwa were cautioned and
discharged on the first count.

Yokose Jevu was cautioned
and discharged on the first count
and fined R10 (or 10 days)
the second count.

The sentences on the first
count of Olive Simuza, Misty
Dawane, Miriam Ntloha,
Nokhaya Ntshu and Cynthia
Dungo were suspended for 12
months. The second counts
were withdrawn or they were
cautions and discharged.

Three people were reminded
till Monday. They are Ms Cynt-
tha Basa, who was warned to
appear, and Ms Nomisile Tshu
and Ms Patsie Sibani, who
were granted R30 bail. The men
are appearing today.

The commissioner was Mr. L van

Wyk, Mr. W. Magwana prosecuted
and Mr. J. Sandler, Mr. W. Pretorius,
Mr. P. J. du Preez and Mr. A. J. Jettha
appeared for the women.
KRUGERSDORP — The West Rand Administration Board is to build a R17-million single men's hostel at Kagiso township, near Krugersdorp, soon the board's director of housing, Mr Alex van Breda Rabie, said. Addressing a meeting of Kagiso Community Council he said the hostel would house more than 5,000 men and would be built near the Chamber industrial area to enable workers to walk to their places of employment. The council asked the board to improve a bridge on the road leading to the Kagiso cemetery, install high mast lights in the township, expedite the building of more than 2,000 houses at Munsieville township, and increase the present R3 400 bursary fund to enable more students to make use of bursaries. — Sapa
Coloured-African gap is ‘widening’

THE coloured labour preference policy in the Western Cape would inevitably lead to animosity between Africans and coloured people, Dr Edgar Maurice, a former high school principal, said last night.

He was speaking on the theme ‘Living with Restrictions’ at a meeting of the Mowbray Inter-race Group (MIRGE).

Dr Maurice said that there was clear evidence that middle-class coloured people were moving further away from identifying with Africans.

He said the application of the coloured labour preference policy and the provision of better facilities for coloured people was creating a division between Africans and coloured people, which would lead to tension.

Dr Maurice said the President’s Council was also the application of a policy to draw further divisions between African and coloured people.

He said the President’s Council was merely a device the Government was using to buy further time and that there was very little chance of its succeeding.

He warned that the President’s Council held grave dangers for the relationship between Africans and coloureds. It is a clear intention to draw coloured people closer to the whites and further from Africans.

DIVIDE AND RULE

Dr Maurice said that there had been a pattern of divide and rule policy imposed on Africans and coloured people, and a lack of potential equality between the groups.

The education was a political policy applied to the area of education.

It is all part of a whole complex situation of life under restrictions,” he added.

He said there was a substantial group of politically aware coloured people who were very concerned about the situation.

During the schools’ boycott last year there was a clear identification between young coloured people and Africans later their roles diverged.

If African pupils had taken the decision to continue the boycott, then the feelings among a large section of coloured pupils was that they came out in support of the boycott, he said.

Blacks ‘hard hit in West Cape’

AFRICANS born in South Africa cannot enjoy the same privileges as their own country as white immigrants, a University of Cape Town lecturer, Mr Solomon Chaphole, said last night.

Speaking at a meeting of the Mowbray Inter-race Group (MIRGE), Mr Chaphole said that blacks in the Western Cape were the hardest hit because they were regarded as temporary sojourners.

INFLUX CONTROL

He said he could not understand the irony of influx control. Whites from all over come into this country and settle where they wish, but Blacks born in South Africa cannot enjoy the same privileges in their own country.

Mr Chaphole said that recently work-seekers and people who were in the Western Cape to receive medical treatment were chased by Administration Board inspectors.

Worse still, some of the women had come to join their husbands who have been working in the Western Cape for 10 to 15 years,” he added.

LET US STAY

Mr Chaphole urged the Minister of Co-operation and Development, Dr Piet Koornhof, to take note of the cry of these people to let us stay.

Mr Chaphole called on the Government to abandon its opposition to home ownership for blacks in the Western Cape.

The private sector is reluctant to help their employees put up habitable structures in the Western Cape because these employees do not qualify for leasehold let alone home ownership.

If home ownership or leasehold was allowed, he said, the region would attract building societies, like fellow blacks elsewhere, to borrow money and build themselves houses,” he said.

(Report by R Gordon, 122 St George’s Street, Cape Town.)
Pass offenders costing SA R2-m monthly

Argus Correspondent

PRETORIA. — One third of all prisoners in South Africa are pass law offenders — and at a cost of nearly R2-million a month.

Professor Janne van Rooyen, of the Department of Criminology at the University of South Africa, said at a house-meeting here that the country's daily jail population was 102,000.

One third of all people jailed were convicted for influx control offences, which represented 33,000 prisoners a day.

Professor van Rooyen said statistics had proved that the daily cost to feed a prisoner was R2. Pass law prisoners thus cost the tax payer R60,000 a day — R1,9-million a month.

He said South Africa had one of the highest crime rates in the world. The South African daily crime rate per capita, is 92 percent higher than the crime rate in India, 90 percent higher than in Nigeria and 72 percent higher than in Kenya.

All prisoners were being given the opportunity to improve their qualifications while in jail, but only an average of 342 prisoners, or 0.01 percent, of the prison population, wrote their examinations at the end of the year.
Certificates
Claim denied

Staff Reporters

ALLEGATIONS made by Langa Barracks residents on Tuesday, that doctors had been advised not to issue more medical certificates to them, have been denied by a spokesman for the Western Cape Administration Board.

Mr G. Lawrence said the charge was "totally unfounded".

Many of the women who stayed at the barracks claimed that doctors at the Red Cross Hospital refused to give them medical certificates because the administration board asked them not to issue the certificate to the barracks dwellers.

One of the women, Mrs Ivy Ngelela, told the Langa Commissioner's Court on Tuesday that an administration board official, a Mr. Swart, had confiscated her medical certificate and told her he was going to ask a doctor at the Red Cross Hospital not to issue a medical certificate to her.

However, Mr. Lawrence said "No administration board officials are in a position to dictate to doctors whom they should or should not treat."

Mr. Lawrence added that residents had been approached individually on two separate occasions by officials of the administration board to ascertain whether they had further medical extensions. Those who claimed they had were unable to produce the necessary certificates, he said.

He gave the assurance that any people who did have the required medical certificates and who showed them to officials at the administration board offices would be given permission to stay on in the area for the duration of their medical treatment, which would be arranged for them, and that accommodation would be organized for them during this period.

On Tuesday, some residents claimed that a man refused them entry to the barracks to fetch their possessions.

This allegation was also denied by Mr. Lawrence. He said a man had been left at the entrance to the barracks and residents who wished to get their belongings would be allowed in for that purpose.
Call to scrap influx control

By Thembekile Khumalo

The Urban Councillors Association of South Africa has called on the Government to immediately scrap administration boards and influx control. At a meeting at the DeKalb Hotel, Soweto, yesterday, the organisation's West Rand region said it would "not rest until most of our demands have been met."

The president of the organisation, Mr Steve Kgome, alleged there was corruption among the administration boards and until trained blacks took over these institutions, urban politics were heading for "serious crisis."

Condemning the influx control system, delegates at the meeting described it as "horrible" and called on the Government to eradicate it immediately. "This is the most oppressive system of apartheid and it renders the indigenous people of the country landless," they said.

Mr Freddie Mohajane, Dobsonville councillor, alleged that more than R5 million was missing in the Dobsonville area and the Wapla has failed to account for it. "This leaves us dubious and doubtful about the credibility of administration boards, hence we are calling for their eradication," said Mr Mohajane.

Among their demands, they fought against the sale of "illegally acquired" land and called on the authorities to hand over all money, goods and assets to each councillor immediately after the disbandment of the boards throughout the country. They also called for the end of racial discrimination in all educational institutions.

The meeting rejected the proposed merging of all community councils in the West Rand area. The proposal was made by Mr David Thembelah. Mr Kgome said the proposed development boards must have a majority of blacks because the boards would belong to various councils and not to the whites.

Ten delegates were elected at the meeting to represent the West Rand region of Ucosa at the "special conference" to be held in Bloemfontein on May 31.

The aim of the forthcoming conference will be to demand the autonomy of the community councils throughout the country. Mr Kgome said the corruption at local pass offices would feature in the conference agenda.

The citizenship problem of South Africa which has emerged as an "insoluble problem" would also be discussed, he said.

Further study on worker's rights is needed, Mr Kgome said.

There is a need for more workers to enter the fray and ask for the reasons behind some workers listed more than once. Workers were prepared to say they went to the farm and as a result were fired because of shortcomings.
"Mr Potgieter who is in charge of the barracks told us 'Get out - I've got nothing to do with you.' Originally he said we could stay. Now our families are split up." (Ex-resident)

WHY? Why are these people homeless? Why are their families split up so that husbands and wives who try and live together are breaking the law? In whose interests is it that they are being denied the right to choose where and how to live?

On the morning of Wednesday 29th March at 9.00am Administration Board officials made their final raid on Langa Barracks. The barracks originally housed 600 men, women and children. Seventy of the residents were arrested, 24 appeared in Langa Court that morning charged with being in the Cape Peninsula for more than 72 hours without a permit and for not being in possession of I.D. documents. Men were also charged and found guilty of harboring their wives illegally. Thursday morning saw the appearance in court of the remaining residents. Similar charges were laid. The new homeless are being housed in the Anglican Church and St. Francis Church in Langa. Many of the women who stayed at the barracks, claimed that doctors at the Red Cross Hospital refused to give them medical certificates because the Administration Board asked them not to issue the certificates to Barracks dwellers.

The people who have certificates are given permission to stay in the area for the duration of their treatment.

"Our children have P.B. and are lacking treatment. We are not getting certificates. Potgieter phoned Red Cross and said don't give certificates to the kids and don't treat them." (Ex-resident)

Langa Barracks became the home of former squatters from Hout Bay, Dale View and Killarney when they were evicted from their camps last year. Other residents came from the "broken homes" 5, 7 and 27 which were areas in the townships reserved specifically for the housing of migrant workers. These areas have now been incorporated into the townships structure and are being renovated to house workers and their families who are legally allowed to live in Cape Town (i.e. who have Section 10 rights). The Urban Foundation, an organization representative of the business community, have been the perpetrators of this family housing scheme. The Barracks have been taken over by 2 large companies, Murphy & Roberts and P.S.B. Construction, who will be changing them into single-sex hostels for their migrant workers.

This is not a new issue. How long are the black people of South Africa going to tolerate the injustices and inequalities of our government?

WHAT ARE BARRACKS?

Migrant workers come to town to earn money to support themselves and their families. They need wages to survive.

Their bosses want to make as much profit as they can - arguing that since workers are housed in specially built barracks, and fed, they justify paying much lower wages.

But, what really are these structures?

Firstly, it is much cheaper to house workers en masse, instead of in decent homes for whole families. Secondly, it is useful to have workers from one industry or company in one place, for this makes them much easier to control if they try and resist over issues, such as wages, working conditions or trade union recognition.

The single-sex barracks are one of the physical manifestations of the evil of the migrant labour system - a manifestation which all bosses have used unthinkingly and unquestioningly, for they benefit directly from it.

MIGRANT LABOUR SYSTEM

restricts freedom of movement by directing workers to where employers need cheap labour

enforces the contract system by making sure that they stay as long as they are wanted

punishes workers and sets out the unemployed

weakens the position of the black labour force

and thus, through this coercive control, helps to maintain the cheap labour system in S.A.

One third of all prisoners in S.A. are pass law offenders. (Prof. J van Rooyen, Dept. of Criminology, UJSA). This represents 33 000 prisoners a day at a cost of R1,9 million per month.
Every black man living in the area of a Tribal Labour Bureau must register as a work seeker within one month of becoming unemployed from the time he is 15 years old until he is 60. If a man registers for the first time he is placed in a category of employment. The categories include agriculture, mining, forestry, domestic, construction manufacture, government employ, local authority, commerce, etc. Once a man has been placed in a category he may not change out of it for the rest of his working life unless given permission to do so. His chances as to when he will work and what kind of work he will do depend on the labour supply in the area in which he lives. He usually has very little, if any, choice as to what course his life is going to take.

The whole geographical area of the Republic of S.A. is divided into 3 types of black labour control systems - all of which are controlled by the Central Labour Bureaux in Pretoria. The areas include Prescribed Areas (every town in the Republic outside homelands), Non-Prescribed Areas (remaining largely rural areas or white Republic), Homelands Areas.

All these areas are "served" by Labour Bureaux - Tribal, district or territorial. In addition, those in the prescribed areas are supervised by Bantu Affairs' Commissioners Office and those in the non-prescribed areas are controlled by a Regional Labour Commissioner. The whole area of S.A. outside the homelands is now also divided into Administration Board areas so that one Board controls prescribed areas and surrounding non-prescribed areas. All Labour Bureaux are staffed by the Administration Boards. Their duty is to administer the laws and regulations laid down by the government.

There is no freedom of movement for any black person in South Africa. As we have discussed, people had to seek work in the towns where they would be paid a wage. Whether or not they would be able to enter these prescribed areas (legally) would depend not only on the Labour Bureau at the town in which they register - but also on their status in terms of Section 10 rights.

Section 10 rights are rights stipulated by Section 10 of the Bantu (urban areas) Consolodation Act 1960.

In a prescribed area every black man must register at the Labour Bureau within 72 hours of his becoming unemployed.

Section 10 states that:

No Bantu may remain in any prescribed area for more than 72 hours unless:

a) he has lived continuously in that area since the time of his birth
b) he has lived lawfully and continuously in that area for 15 years or has worked continuously for one employer in that area for 10 years.

(Effects of 1968 Regulations on the letter - one year contacts - employer is compelled to discharge the worker at the end of the year, therefore, employment is not continuous and worker will not qualify. Men who are not yet in the contract system are tied to one employer in order to avoid loss of chance of ever qualifying.)

This Section is the basic law which prevents the mobility of labour. It means that no black workers can come to any town or city to look for work unless they break the law. They can then work on a casual basis, totally unprotected and liable to be jailed at any given moment.

**HOUSING SHORTAGE**

"We came here from Mout Bay. We were living in a long time in Mout Bay. Inspectors said we must go. I work in Pinelands. Now we are told to collect our goods and go. My husband is in court. I have nowhere to go. I have been resident in Cape Town since 1961."

The Western Cape is a "coloured" labour preference area. This means that Africans can only get jobs if they are not filled by "coloured" workers; that the majority are not given permanent resident status; they are harshly controlled through the pass laws, the government does not provide sufficient housing to people who "are not here permanently."

Thus the housing shortage is especially acute here. The townships are bursting at the seams. For people still come from the bantustans - "illegally", "illegally", does it really matter - the possibility of work here is manifold greater than in the wretched rural slums.

"We are here although life is hard. In the Township, there is no work, no money. We have this in Cape Town."

*Image baracks resident.*

Houses have not been built in any significant number for years. So we have seen the growth of squatter camps - the attempt by people to live with their families; to escape the stringent control of the townships; to live in the place that they work.

So, providing houses for a few families is not even partly a solution, for it is at the cost of the rest of the community - the majority are still living in overcrowded, unhealthy conditions.

Aiding this small section of the community only furthers the sin of the UF and the government - by giving these few a state in the system, they are able to divide the whole community in their struggle for change.

Real change will only come about when - all people have the right to live and work where they choose to be decently housed and to bring up their families in comfort and security.

**BIG BUSINESS' STRATEGY**

The Urban Foundation pledges its commitment to the 'uplifting of our fellow black citizens!' - it is involved in many projects including the building of family housing in the townships.

This seems so noble.

Yet, what does it mean in reality?

With the langa barracks exploitations, we are seeing the other side of the strategy. Families have been removed from the homes described in the pamphlets and schemes, to a brief sojourn at the barracks - and now have been forcibly removed from there to be rendered homeless.

And the langa barracks - to be converted into single-sex cell units for the most workers of two construction firms, Murray & Roberts and P.O. Construction.

So what is the game big business and industry is playing? Have we believed their good intentions? When they are knowing participants in this game - which has been one of many.

Maybe the answer is not so difficult to discover.

The UF (representing business enterprises) and all other industries, benefit and always have, from the cheap labour provided by the myriad of controls maintained by the government. Businessmen have developed the system and shaped those who areprofiting - the UF was formed right after the national congress is in 1955. Now, they are attempting to reform certain blatant blunders, to perpetuate not change, the fundamental inequality in our country.
'I am not going to leave'

The fear and despair of the evicted women.

Photograph by Peter Stanford

FAMILIES have been evicted from the Barracks in Langa. Many are, however, legally in the area. Now church halls, in Langa, house them.

One of these is Tessa F. Her pass is in order. She has had two brain operations and is still undergoing medical treatment.

She is exhausted with tears and despair. Her greatest worry is her child, who is dangerously ill at the Sarah Fox Hospital, Soweto. If anything goes wrong, there is no way the hospital can get in touch with her mother. The community workers will of course work on her case, but for how long can she stay in a church hall? She has, yet again, to find a place to stay.

Geraldine B gave her reasons for being in the Cape. Six of her children died in the Tramway. Then when her grandchild was taken ill, Geraldine took her to the Transkei day hospital. There, there were four people to one bed.

The child's spine was broken while in the hospital. Nobody seemed to know how.

'And when your child is dead, nobody tells you. You just find the cardboard box with the dead child outside your house.' So she followed her husband to Cape Town. She has been here since 1985.
SA courts 'play the game of apartheid'  

By Jan Quelane  
Pretoia Bureau  
Adam Klein is a young Afrikaner who has flouted tradition and shocked South Africa. In a surprise move last year, he resigned as a public prosecutor because he felt he could not "practice apartheid in the guise of justice." As a result he has been alienated from his family and received obscene telephone calls and "hate" mail. He tells of the time he was at a police station to pay a traffic fine — and claims he saw policemen lash four black children aged between nine and 11. He began wondering whether whites were subjected to the same treatment and it was then he decided to take up legal practice. His aim — to see that blacks had a fairer deal. "The deeper I went through court records, the deeper the whole exercise became an experience of apartheid," says Mr. Klein.  

He was born and educated in Pretoria 25 years ago. After being threatened by the right-wing group, the Wit Rekommend, and after differences with the Department of Justice, he is not bitter.  

What made him change his outlook? "The arrest and eventual conviction of the poet Breyten Breytenbach, and the incident when black children were lashed by policemen in a Pretoria police station were a shock to me. It was after that I made up my mind to follow the black man's trial," he says.  

He studied Bantu law and went to work at the "Bantu" courts. "Within two days as prosecutor, I discovered apartheid in its reality," he says. At the Commissioner's Court, he claims he discovered the "anger and hatred" of the prosecutor who had to execute the "unjust" laws, and the accused who felt he was getting a raw deal. Adam Klein wants a reference book — "If we have, why is it only one section of the community which is made to carry passes?" He sees the prosecutor, the accused as "playing the game of apartheid. The prosecutor executes the law of apartheid, and the accused has no power. But both know that what is happening is bad."  

He feels that in South Africa the courts mete out the law to the letter, note justice. The soft-spoken man who comes from a family of five brothers and one sister says his resignation shocked his family. "My family rejected me because it was not expected of an Afrikaner. Two weeks after the first report of my resignation, my sister had a birthday. I was not invited. "I think it was better for my family to keep away from me, but in the end they assisted me," he says. He has had obscene telephone calls and "hate" mail in which he was called "kaffir-buster." After his resignation, he claims, his bank wanted to close his account and repossess his car. When he demanded to know the reasons he was told the bank had received a letter saying that he was on his way out of the country.  

He has written a report at the request of the Attorney-General, in which he lays out alleged abuses in the Commissioners' Courts. The 62-page report relates to cases heard in the Pretoria Commissioner's Court and lists trials from January 1977 to September 1980. It quotes case numbers, names of the accused and verbatim court testimony. The report also quotes from official circulars, one dated January 1978, instructs court officials to postpone cases for four days with the accused held in custody so that officials at the Government's "old centres" could update their records.  

Adam Klein contends that the centres are anything but "old" centres, and they often see that blacks are removed out of urban areas.
The cost of prison.

The cost of prison is a significant concern. Prisons are expensive to maintain, and the cost has been increasing over the years. The cost of building new prisons and maintaining existing ones is a major burden on government budgets.

In recent years, there has been a push to reduce the number of people in prison and to focus on alternative forms of punishment. Some of these alternatives include probation, community service, and electronic monitoring.

However, despite these efforts, the cost of prisons remains a pressing issue. Governments must continue to find ways to reduce costs and make the criminal justice system more efficient and cost-effective. This is essential for ensuring that resources are used wisely and efficiently.

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The author of this essay is a lawyer with a background in criminal justice. He has written extensively on the topic of prison costs and has authored several articles on the subject. His work has been published in various journals and has been widely cited by other scholars.

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This essay is excerpted from a larger work that examines the political, economic, and social implications of the prison system. The full text can be found in the author's book, "Prison Costs: A Critical Analysis."
Wrong pass, so pension stopped

By LEN KALANE

A 75-YEAR-OLD Kagiso woman on the West Rand has not been getting her pension for the past year because she is holding a Bophuthatswana passport.

Mrs Maria Mogorosi said the Krugersdorp Commissioner stopped her pension soon after she had lost her South African passbook in January last year. The passbook was replaced with the Bophuthatswana passport when she went to apply for a new pass.

And officials at the Commissioner offices in Krugersdorp refused to pay out her pension saying that they did not recognise the Bophuthatswana passport. Pensioners have to produce their reference books before they could get the money.

Mrs Mogorosi says she was told "Go and get your pension from Bophuthatswana."

But a spokesman from the Department of Cooperation and Development in Pretoria said South Africa continues giving pensions to citizens of Bophuthatswana, Transkei and Venda who reside in the country. He said this was as arranged by agreements between their respective governments and signed at the time of independence.

He said he could not comment on the position of Mrs Mogorosi as her particulars were not available in the Pretoria office.

The spokesman said people with Section (1) (A) or (B) qualifications were not affected by this because they reside in South Africa.

Mrs Mogorosi told her story "I lost my South African reference book sometime in January last year. That's the last time I got my pension. I went to apply for another one but I was told I should get a Bophuthatswana document."

Mrs Mogorosi said a clerk told her "Take this Bophuthatswana document. It has some advantages... . It is a passbook and a passport at the same time."

Mrs Mogorosi told SOWETAN, "I believed this young man. After all, he is educated."

"In March last year I went to the pay-out office as usual with this Bophuthatswana passport. I was told the pension money was not for people from Bophuthatswana but South Africans. I was told to produce a South African pass."

Mrs Mogorosi said: "My only son is in jail. My boarder pays the R12.71 rent for me every month. Otherwise I am all by myself and live from hand to mouth since my pension was stopped."

Mrs Mogorosi said through the help of social workers and other concerned people in the township, she went to the Commissioner early this month to query her position. She was told the matter is receiving attention and they might get her pension again.

She added: "I am waiting. I hope they come with something positive. It has all been a hassle. I was born here. I don't know why they gave me that Bophuthatswana passport."
In the early days of the National Health Service a crude measure of control was exercised over the regional allocation of resources by forbidding GPs to take up practices in 'overdoctored areas' (those with less than a certain patient doctor ratio) and giving incentives to practice in under-doctored areas. Direct control was, however, removed after a few years. Both the presence and removal of the control had its impact on the availability of doctors by region. Only recently (shortly following the introduction of economists to the Department of Health and Social Security) has there been a major discussion of means to improve the regional allocation of resources.

This report is concerned to establish criteria for budget size by area. It is adjusted to serve a particular purpose and is modified when considering different forms of health care, inpatient, outpatient, and psychiatric services.

For nonpsychiatric inpatient services, the committee proposes the use of a Standardized Mortality Ratio (SMR) for each region, which compares the number of deaths actually occurring in a region with those which would be expected if the national mortality ratios by age and sex were to obtain. Thus factors affecting mortality uniquely in that region are separated from the normal effects of age and sex structure of the population. This is done for each condition or group of conditions. The use of hospital facilities for each condition is then assessed for the country as a whole for age and sex groups.

These national rates are then applied to the region's population to obtain for each condition, the expected hospital utilization rates for each area. (This will then be independent of regional differences in the availability of hospital beds.) The utilization rate by condition for each area is then weighted by the SMR. Thus 'the population, weighted for age and sex by national bed utilization for each condition should be adjusted to take account of condition-specific SMR's for each region. SMR's for conditions unlikely to lead to death, e.g. skin diseases should not be used. For conditions of pregnancy, childbirth, and puerperium, SMR's should be replaced by an index of fertility rates standardized by age.


SHOCK REPORT
NATS HUSH UP

Secret survey finds most urban blacks have no homeland links

By Martin Welt
Born in white areas

Among rejected findings were:

- 97 percent of black people in white urban areas in 1978 were born in the white areas where they lived.
- 80 percent had neither children nor parents living in a homeland, and only 35 percent still had relatives or friends living in a homeland.
- Only 15 percent had homeland citizenship certificates, although by law every black is a citizen of one or other black homeland — there are no black South Africans.
- 60 percent had not visited a homeland in the year preceding the survey.
- More than 40 percent did not know whether their homeland had a representative in their area.

The Deputy Minister of Cooperation and Development, Dr. D. de V. Morrison, told a meeting attended by the Deputy Minister of the department, Mr. J. G. Wentzel, and several top officials in Pretoria late last year that the survey results nevertheless "drew a poor picture of multi-nationalism and the policy of the government that ordered that the survey results not be made available without the Minister's permission.

An urgent secret follow-up study has now been commissioned by the Government to establish how the estrangement of urban blacks from the homelands can be countered and how blacks can be persuaded to accept homeland affiliation.

The Pretoria meeting was held to discuss the confidential TSRC report prepared for the Government last year.

The report is based on the results of a "multi-purpose survey conducted throughout South Africa among urban blacks in 1978.

Links

The ministers and officials at the meeting concluded that, while politicians claimed daily that the overwhelming majority of black people retained homeland ties, the survey showed that a far smaller number really has "links" with a homeland.

"Politicians' claim that certain policies that blacks are laid down and implemented because they have a relationship with a black national state, whether ethnic, cultural or otherwise, must be examined about this assumption," they said in the minutes of the meeting signed by Dr. D. de V. Morrison.

The officials called for a re-evaluation of the system of homeland representatives in the urban areas, to establish their effectiveness.
New vision, new priorities needed.

Resettlement camps

The Britshers' delusion

Inflix control

or Just a toy?

Family Life

Infliximab

Duty Imposed

PROTOCOL FOR THE TREATMENT OF INFILTRATING MAST CELL NEOPLASM

1. Diagnose the condition
2. Establish treatment goals
3. Begin therapy
4. Monitor for response
5. Adjust treatment
6. Evaluate outcomes

For more information, contact your healthcare provider.

If you have any questions or concerns, please contact your local health department.
Resettlement camps

Residents, desperate

New Vision, new priorities needed
MORE than 12-million people have been arrested on pass law offences in South Africa since 1948. Enforcing the laws costs the taxpayer about R112-million a year, according to a UCT study.

More than one third of prisoners in South African jails are pass law offenders, many of them in the Western Cape.

South Africa has one of the highest crime rates in the world, according to Professor Jan van Rooyen of the Department of Criminology at the University of South Africa.

CRIME RATE

The country’s daily crime rate per capita, is 92 percent higher than the crime rate in India, 93 percent higher than in Nigeria and 72 percent higher than in Kenya.

The country’s daily jail population is 102,000.

One third of all people jailed are convicted for influx control offences, which represents 33,000 prisoners a day.

In Cape Town last year, 7,747 men and 8,113 women were arrested for offences relating to reference books and influx control.

Brigadier J H van der Westhuizen

‘Duty imposed by law’ to enforce influx control

FOLLOWING severe criticism of the Western Cape Administration Board recently and action taken to enforce influx control and to clear the main barracks in Langa, the head of the board, Brigadier J H van der Westhuizen, made the following statement:

It is the duty imposed by law on officials of this board, to execute influx control. The number of arrests made, up to 70 a day, is clear proof of how necessary it is.

During the existence and growth of the squatter camps at Groenfontein Road, Umbol and Werkgenoot there was an influx of an average of 2,000 people a month.

This resulted in unemployment, ever-growing squatter camps and the most unhygienic conditions. The legal black inhabitants of this area have to be protected against this avalanche, which can only result in untold misery.

The only means of control is to arrest the offenders. The number of people who are waiting to come, if these measures are abandoned, is so great that they will bring with them untold misery for themselves and for the black inhabitants of the Western Cape, who are expected to foot the bill for accommodation and services.

Let us hope that a way will be found in which to keep citizens in the homelands, and provide them with all they need. The board is not without compassion. However, to discard influx control will be to lead us all to disaster.’
New vision, new priorities needed

Influx control

or just a toy?

Family Life

Dilemma
active tracing on the Johannesburg Stock Exchange today.

All gold shares traded fairly high with the Sefako making the biggest gain of 12 1/2 to 3 1/2.

Randhut leaves 10 1/2 to 1 1/2 and Randhut 6 1/2 to 1 1/2.

The Randhut miner was fairly steady with the Randhut making the biggest move. The Randhut miner was fairly steady with the Randhut making the biggest move.

Horwood for gold seminar

The share prices were fairly steady, with the Randhut making the biggest move. The Randhut miner was fairly steady with the Randhut making the biggest move.

Horwood will be one of the main speakers at an international seminar on gold in London next month. The seminar is being presented by the MAY

MINING

LONDON — The Minister for Foreign Affairs, Mr. John Horwood, will be one of the main speakers at an international seminar on gold in London next month.

The seminar is being presented by the

INSTITUTIONAL

The Randhut miner was fairly steady with the Randhut making the biggest move. The Randhut miner was fairly steady with the Randhut making the biggest move.
The Law of Separation
Mrs Chukwe was fined R30 (or 15 days) for allowing her husband to sleep in her room at her employer's home.

Pleading in mitigation, her lawyer, Mr J O'Connor, said: "It is only human that this should happen, even if it is against the law for a black man to sleep with his wife."

Mrs Chukwe and John Ndlovu are common-law husband and wife. They met 10 years ago.

John works as a gardener a few streets away from his wife. He too lives in a room in his employer's backyard.

Their married life has been "I met my first husband and we had six children. Then he died," Mrs Chukwe told me.

"I met John and we were married in Zimbabwe. All the children are living in Zimbabwe and some with my old mother in Botswana."

The dominant emotion Mrs Chukwe, grandmother of two, expressed as we spoke was one of hopelessness.

She did not wish to go into detail about what happened when an inspector from the West Rand Administration Board (Wrab) knocked on her door at 7 a.m. one morning and her husband let him in with me."

Mrs Chukwe has worked for her employer, Mrs Jill de la Motte, for four years.

Mrs de la Motte said: "I realise that some control has to be kept but it would not have been difficult to establish if Mathilda and John were husband and wife. They should have the right to visit each other when and as they wish, as long as the employer has given permission."

"The law as being brought into disrepute by making criminals and lawbreakers out of honest, decent people," she said.
and an average age for Coloured farm workers is 36 years.

South African jails are positively overcrowded compared to those in the world, according to Professor Jan van Rensburg of the Department of Criminal Justice of the University of South Africa. Mrs. P. J. du Plessis of the Department of Correctional Services says that in South Africa, 121,000 prison spaces are occupied by 162,000 prisoners, which means that 40% of the prisoners are incarcerated for the second time. The numbers of prisoners sent to prison are increasing, and the problem is들과, 사죄, and the prison system are not equipped to deal with the problem.

In the Cape Town area, these people are especially at risk because they are trapped in the same conditions as their counterparts in the Transkei. The Cape Town situation is similar to that of the Transkei, where people are sent to prison for minor offenses. The problem is that the prisons are not equipped to deal with the situation.

Families hit by pass laws.

2.12 M Pass Law Offenders

Since 1948

The pass laws were introduced in 1948, and they have been in place ever since. The pass laws have been in place for 72 years, and they have had a significant impact on the lives of many South Africans. The pass laws have been in place ever since.

The pass laws were introduced in 1948, and they have been in place ever since. The pass laws have been in place for 72 years, and they have had a significant impact on the lives of many South Africans. The pass laws have been in place ever since.

The pass laws were introduced in 1948, and they have been in place ever since. The pass laws have been in place for 72 years, and they have had a significant impact on the lives of many South Africans. The pass laws have been in place ever since.
Board extension for woman

A WOMAN who told the Langâ€™s Commissioner's Court about two weeks ago that her medical certificate had been confiscated by a Western Cape Administration Board official, has been granted a three-month extension by the board.

Mrs Ivy Magelela said yesterday that she went to the board's offices again last week and was granted the extension.

When she was giving evidence during her trial on charges of being in the Peninsula illegally and not possessing identity documents, Mrs Magelela told the court an official of the board had confiscated her certificate.

This was later denied by the board.

She was one of the people arrested in an early morning raid by Administration Board officials at the Langa Mam Barracks late last month and charged with being in the area illegally and with not possessing identity documents.

After the raid everyone was evicted from the barracks and the Catholic and Anglican churches in Langa offered them accommodation.

Brigadier J H van der Westhuizen, chairman of the Administration Board, yesterday declined to comment.
The worst off are on the left... The old and disabled are

By hand Fister

Herald 11/14/88 2#6
Pass law costs: Figures are denied

The Department of Prisons today denied figures mentioned by a Pretoria academic that claimed to show it costs the Government nearly R2-million a month to keep pass law offenders in jail.

A spokesman for the Prisons Department, last week, reacted to a speech delivered by Professor Jannie van Rooyen of the Department of Criminology at the University of South Africa in Pretoria last week.

The spokesman said that during the period July 1, 1978 to June 30, 1979 a total of 89,059 convicted and unconvicted prisoners were admitted to prisons for influx control offences. It represents 16.72 percent of all prisoners admitted during that time.

He said from a survey done during the period July 14, 1980 to August 13, 1980 it was found that the total of convicted and unconvicted people admitted to jails for influx control offences represented 14.27 percent, which is in line with the previous figure.

"NOT CLEAR"

"It is not clear how the Professor calculated his figure of R2 as the daily cost of feeding a prisoner. The daily maintenance figure per prisoner is at present R3.07," he said.

"It must be pointed out that the figure of 342 prisoners who wrote their examinations mentioned by Professor van Rooyen, as the figure for the statistical year July 1, 1976 to June 30, 1977. Only prisoners serving sentences of two years and longer are in the position to study. Some prisoners also leave the prisons before examinations can be written."
Mothers jailed, children taken

NINE YOUNG CHILDREN, aged between one and three years, have been taken from their parents by the Returned Servicemen's League under an arrangement made by the Central Committee of the League and the hospital authorities at the request of the hospital. The children were taken to the hospital because the mothers were unable to care for them properly. The hospital authorities have asked the League to look after the children while the mothers are under treatment.

The mothers, who are all members of the Returned Servicemen's League, have been suffering from mental illness and were unable to look after their children properly. The hospital authorities have asked the League to look after the children while the mothers are under treatment. The children will be looked after by the League's child welfare workers.

The League has arranged for the children to be looked after by the League's child welfare workers. The children will be looked after until the mothers are well enough to look after them again. The League has also arranged for the mothers to receive medical treatment at the hospital.
Adult education projects would of necessity need to include leadership training and the encouragement of community participation in identifying needs and planning projects.

b) Community Retraining Schemes.

Once the community had been mobilised through adult education programmes and new confidence had been instilled into the people and their ability to make a positive contribution to combating malnutrition, the implementation of community development projects could be planned and implemented by the people themselves.

c) Projects involving migrant workers.

Community development workers in the rural areas face an almost insurmountable problem in the form of the migrant labour system.

Migrants who live and work in the urban areas can look forward to improvements in their work and living conditions on account of improved labour practices and the abolition of the pass law regulations.

She said that the pass law was a major cause of poverty. The Communities Development Project of the University of Cape Town, through its research and training of community leaders, was trying to come to grips with the problems created by the pass laws.

A spokesperson for the South African Labour Relations Commission, Mr. S. R. Venter, said that in the case of the Western Cape, the SAIRR was calling for an immediate ban on the pass laws. It was suggested that the pass laws be replaced with a new system, called the "inhabitation" system. Under this system, the individual would be required to register with the authorities and would be required to carry a permit, but would not be required to carry a pass book. The system would be administered by the police and would be modelled on the South African Immigration Law of 1913.

It was suggested that the police should be the responsible head of a family unit. Farmers should be encouraged to consider 'home improvement projects' whether they are related to agriculture, animal husbandry, type of dwelling etc. He should be assisted to make the necessary savings and acquire the necessary knowledge while in the urban area. Perhaps each year a different project could be undertaken. Evidently this would necessitate the organisation of adult education groups in hostels etc.
Jailed mothers freed, fines paid

ALL nine women who were sentenced in the Langa Commissioner's Court on Monday to prison terms ranging from 90 to 23 days were released from Pollsmoor prison today after their fines had been paid.

'Within hours of a report of the case appearing in The Argus on Tuesday, anonymous people raised more than R700 to ensure the release of the women.

However, when the money was taken to Pollsmoor today all but one of the women had already been released, their fines having been paid by relatives and friends.

The only person from the group who was still in prison was Mrs Bukulwa Tema who was released after her fine of R70 was paid. Mrs Tema, who lives in Crossroads and who speaks very little English, said that when she went to prison her seven-month-old son was taken away by relatives.

She said she understood that her husband had taken the child to relatives up-country because he believed she would be in jail for more than two months.

Mrs Tema and the eight other women were jailed when they were found guilty in the Langa Commissioner's Court on Monday of being in the Western Cape illegally for more than 72 hours. Some of them were also found guilty of failing to produce identity documents.

The women were unable to pay their fines which ranged from R40 (or 40 days) to R85 (or 85 days).

Those with breast-fed babies were permitted to take those children to prison with them. Relatives offered to take care of the other children whose ages ranged from 18 months to six years.

The director of the Athlone Advice Office, Mrs Val West, said people's spontaneous response was commendable. However, she would like to point out that this is not an isolated incident. It happens all the time,' she said.
REFERENCES:

1. Interim report of the working party on the future of general practice pharmacy. The Pharm J July 1 1976.

2. Communicating the value of comprehensive pharmaceutical services to the consumer. The Dichter Institute for Motivational Research 1973.


**Babies cry as mothers convicted of pass offences**

A WOMAN carrying her month-old twins was among nine mothers convicted of pass offences at the Langa Commissioner’s Court yesterday.

The mothers were fined R10 (or 10 days) by R60 (or 20 days). Two of the convicted mothers will be separated from their children if they are unable to pay the fines.

During yesterday’s proceedings babies’ cries could be heard from the dock. With their babies on their backs, the mothers stood before the magistrate, Mr W Fourie. Most of them said they had come to the Cape for medical reasons.

Of the 15 children who appeared with their mothers in the court, 10 of them were under 18 months old. The mothers were fined a total of R490. Two were fined R60 (or 20 days) for being in the area illegally for more than 72 hours and a further R10 (or 10 days) for failing to produce an identity document.

Five were fined R60 (or 20 days) on the first charge. Two were fined R10 (or 10 days) on the second charge.

A tenth mother was cautioned and discharged on both counts.

Mrs Zimamile Mshumi told the court her month-old twins had stomach problems. While she was in the dock with the twins, her arms they began to cry.

She said she had arrived in Cape Town on Monday and was arrested at the Langa police station the same day. She had left her travel documents in Gugulethu.

She was cautioned and discharged for being in the Cape illegally for more than 72 hours and fined R10 (or 10 days) for not producing her travel documents.

Mrs Christina Ngxaka entered the court with her four-month-old baby on her back. A police sergeant ushered her four-year-old son into the court.

She told the court she had come to the Cape for a checkup following an operation she had in Cape Town in November last year.

She was fined R60 (or 20 days) for being in the Cape illegally for more than 72 hours and R10 (or 10 days) for failing to produce identity documents.

The prosecutor, Mr D Magona, said he had been in contact with Police in the Prison and they would not be able to take the four-year-old child if the accused was unable to pay the fines. The child would have to be detained at a place of safety.

Mrs C Tshabalala told the court she had arrived in Cape Town by bus yesterday. She had lost her handbag while trying to run away from the inspectors who arrested her.

**Continued on Page 3, col 2**
The Board noted the request of the Student Engineers' Council and resolved that calculators used in examinations must be switched off (或其他原因) at the start of the examinations and may not be programmable by magnetic card.

**Use of Calculators in Examinations**

- The Board considered the request of the Student Engineers' Council and resolved that calculators used in examinations must be switched off (或其他原因) at the start of the examinations and may not be programmable by magnetic card.

**Notes**

- The Board expressed concern regarding the use of programmable calculators in examinations and recommended that such calculators be prohibited.

- The Committee for Programmable Calculators in Examinations meeting, held in the Boardroom on 20/07/1977, deliberated on the use of such calculators in examinations.

- The Sub-Committee on Programmable Calculators in Examinations held a meeting on 19/07/1977 to address the issue of programmable calculators in examinations.

- The Board noted that in previous discussions on this question, it had stipulated that students must clear their calculators before writing examinations. It had also been doing so for the past few years and held that the development of calculators could not be cleared.

- The Board resolved that recommendation (c)(ii) be approved with particular reference to the conditions under which they were prescribed.

- The Chairperson further stated that the inclusion of recommendations (c)(i) and (ii) was due to the fact that they had been found to be unnecessary in practice.
CHILDREN who suffered the devastating psycho-spiritual effects of seeing their mother mothers killed in the battle for pass laws are a scar on the future of South Africa.

"The separation of mothers and children because of pass laws is a scar on the future of South Africa." - Neo Ribe

S. Trinity, 21/4/81

206
By Tony Spencer-Smith

Mrs Robb said one could imagine the terror of young children separated from their mothers.

"Last year we had a case of a child of two left screaming up the street when the mother was arrested."

"What are the mothers supposed to do?"

"So often the argument is that they should just go back to the homelands. But they say, there is nothing for them there."

Mrs West said the effects on the children amounted to them being punished along with the mothers.

Mrs Daphne Wilson, chairman of the Western Cape region of the Institute of Race Relations, said not even the extreme Right could condone the enforced separation of mothers, from their toddlers and pre-school children, simply because those mothers were convicted of looking for work.

The director of the Cape Town branch of Nicro, Miss Linda Christiansen, said the devastating psychological effects on the children could not be overestimated.

"The first six years of life are the most formative and impressionable."

"For an innocent child to be slapped into an institution is a terrible thing."

The advice office's pass courts observer, Mrs Di Ratchcliffe, said that even after three years of sitting in the courts it horrified her to see little children torn from their mothers.

Mr Tommy Benadehout, Chief Commissioner for the Western Cape conceded that it was "not a good thing" but said no child would ever be forced to go to a place of safety.

"Report by Tony Spencer-Smith of the Plain Dealer, Durban."
108 ‘no-home’ people share classroom

By MIKE VAN NIEKERK

MORE than a hundred desperate women and children are living in a classroom in Cape Town’s Langa township, while they wait for an answer to a letter addressed to the Minister of Co-operation and Development, Dr Piet Koornhof.

Most of them are legally in the Western Cape but they now have nowhere to go after being evicted last month from Langa hostels, known as barracks, where they lived with their husbands.

While the 108 women and children are living at St Francis cultural centre, 65 men are staying at St Cyriacus’ Church. “We went to the church because they are the only ones who help us,” said Mrs Miriam Ntloiyi.

Compassion

And out of compassion Father Matthew Gormley, the priest in charge of the St Francis cultural centre, allowed them to move into the only space he had — a small classroom the size of a big lounge. “It is an impossible situation,” said Father Matthew. “We all know they cannot stay there for much longer. They are having meetings every night to find ways of overcoming their situation and they are still waiting for a reply to their letter to the Minister of Co-operation and Development.”

Nearly two weeks ago the women sent a letter to Dr Piet Koornhof, requesting an urgent meeting to discuss their plight.

"Starvation awaits us in Transkei. We can’t go there"

The letter, written in Xhosa, began: “We are the people who were chased and thrown out of the Main Barracks in Langa.”

After criticising the Administration Board of the Western Cape, it ends: “We are still staying at the St Francis Church and do not know where to go. We need and want to see you before Thursday.”

In March over 600 people were evicted from the barracks to make way for private companies who wanted to renovate them to house their migrant workers.

Most of those evicted had come from areas around Killarney and Hout Bay where they were working in the fishing industry.

They had been given the assurance that if they moved from their shacks in the bushes they would be housed in the barracks until suitable accommodation could be found.

Mrs Ntloiyi echoed most poignantly the sentiments of the classroom women: “They say we must go back to Transkei but we cannot. There is nothing for us there but starvation.”

There is no work, far from our husbands and there are no proper medical facilities for our children.”

“Want to stay here because if my children get sick in Transkei they will just die,” she added.

“I want to stay here because if you take your child to a hospital in the Transkei, they put them from a bed and when they die you get them back in a cardboard box. That is not human.”

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Graduate School of Business

Professor C W Pietersen

Name: Corporate

Course: MBA

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Please include the following for consideration:

1. The participants are able to work part-time.

2. The program is structured to accommodate the following:

   a. Triples
   b. Tours
   c. Field trips

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Dear Ms. Thesen,

UCP Upper Campus

201 Business Building

STUDENTS

The deadline for application is November 1, 1980.

Mrs. Thesen

27th November 1980

UNIVERSITY OF CAPE TOWN

99
LARGE-SCALE RURAL URBANIZATION OF COLOURED AND INDIAN POPULATIONS IS INEVITABLE

... en to eyo o o a nco of inta any la at the en tna itnnt en a t e d en e en...
Ex-policeman on fraud charges

Court Reporter

A former Railways policeman appeared in the Johannesburg Regional Court today charged with receiving bribes and fraudulently obtaining reference books for people to work and live in Johannesburg.

"Mr. Edward" Masunga (29) of Dobsonville, Soweto, pleaded not guilty to 55 counts of fraud and corruption.

The State alleged that he abused his position at New Canada police station and "fixed up" people with reference books in return, he unlawfully accepted payments of more than R1,000 between May and September 1979.

Mr. Masunga denied the allegations.

The case has been postponed to May 20.
Trespass charge withdrawn

A charge of trespassing brought against about 160 workers who went on strike at the Union Co-operative Bark and Sugar Company at Dalton, Natal, has been withdrawn.

The workers were dismissed last month when they failed to meet a management deadline for a return to work. They were arrested by armed police after gathering on the company's football pitch, and were later charged with trespassing.

According to a spokesman for the Sweet, Food and Allied Workers' Union, 200 of the workers have applied to the Natal Provincial Division of the Supreme Court for an order requiring the company to restore them to the compound from which they were evicted after the strike.
AG’s office to probe pass-law allegations

By JOUBERT MALHERBE
Pretoria Bureau

The Transvaal Attorney-General has appointed one of his senior advocates to investigate startling claims about the treatment of pass-law offenders in commissioners’ courts.

The claims were made by a former commissioner’s court prosecutor, Mr Adam Klein, who last September walked out of a commissioner’s court during a trial in which he was prosecuting.

Mr Klein, who was soon to be appointed a presiding officer in the commissioner’s court, said at the time that the reason for his action was that the case was “tired of prancing around under the guise of justice.”

Mr J J Pelser, SC, a staff member of the Transvaal Attorney-General’s Office, confirmed yesterday that he had studied Mr Klein’s report — and discussed it with him on Wednesday.

Shortly after Mr Klein walked out of the court, he was arrested from a charge of theft of court documents. His flat was ransacked by police who seized his passport and other documents.

The theft charge was later withdrawn, but his passport and the documents have not been returned.

Mr Pelser said yesterday that he was investigating the seizure of the passport.

He said Mr Klein had given him the names of the policemen who raided his flat.

In his report, Mr Klein alleged:

- That there was a standing directive from the Department of Co-operation and Development to commissioners’ courts to postpone all pass-law offence trials for at least three working days to enable the department to bring its records up to date. Almost all cases were never, he said.

- That only in about 60 of the estimated 9,000-12,000 cases heard in the Pretoria Commissioner’s Court in 1980 was bail granted — and then it was so high that the accused could not pay it.

- That several youths under the age of 18 had appeared in court without their parents being notified of their whereabouts. By law, parents of guardians of offenders are obliged to assist them at trials.

Mr Klein also decried the lack of alleged irregularities at advice centres, created to assist people arrested on pass-law offences.

He claimed that information gleaned by officials at the advice centres — where, he said, accused were never legally represented, nor their right to remain silent explained to them — was passed on to the commissioner’s court to facilitate the prosecution of offenders.

Mr Klein alleged that advice centres had “crept in at the elbow” of the courts and were fulfilling the function of the courts.

He alleged that the pass laws were no longer used to prosecute people with the view of punishing them in terms of the law — instead, they were now being used to set up a register of offenders which would be used to repatriate them to “homelands.”

In a section dealing with aliens, Mr Klein told of a former member of the Portuguese armed forces who had fled to South Africa and applied for political asylum.

Mr Klein said he was repatriated to Mozambique — “and I can only imagine what happened to him.”

“I believe that a system (such as the pass-law system) will always cause irregularities. How can the principles of law be applied to a system which allows for hundreds of people to be locked up daily?”

Mr Klein concluded...
raiding sites along East Rand on workers

Staff Reporters

Hundreds of unregistered black workers are being arrested in widespread raids on the East Rand.

The raids, by van loads of armed East Rand Administration Board police, are aggravating the already critical labour shortage, according to employers.

The workers are mainly from rural areas where there is no work and they have found jobs with building desperate for labour.

The situation is becoming chaotic, we the builders as the desperate workers are trying to get registered, but they cannot because registration is dependent on having accommodation and the housing shortage on the East Rand is acute.

According to a spokesman for the East Rand Administration Board (ERAB) there is a shortfall of more than 21,000 housing units in the area.

The accommodation situation in West Rand townships is even worse. The Quezle townships alone have an official backlog of 30,000 houses.

Building contractors are particularly bitter about the way informal labour regulations are hampering them.

"It is impossible to register the labourers we need because we cannot find accommodation for them," a West Rand construction firm said.

Many companies are taking the risk of employing workers they cannot register but they risk fines up to R300 per worker if found guilty of using illegal labour.

The situation on the East Rand has particularly angered both builders and workers.

According to one contractor, Mr. Marthinus Buonas, of Boksburg, East Rand police have raided the huge building site at Sunward Park, Boksburg, over the last four days.

"Yesterday the Boksburg police arrived in about 10 vans with traffic cops to stop men who tried to escape in vehicles," he said.

Property was damaged in the raid which has netted the city hundreds of workers. In that area alone, builders told The Star.

The housing problem on the Reef is not a new one and it is not uncommon for people to wait five or even eight years for a house.

In 1979 40 families with no homes put up shanties on the border of Daveyton township outside Boksburg. They were dispersed by Boksburg police.
Mothers and their babies go to jail

Staff Reporter

A number of babies, aged ranging from two weeks to three years, accompanied their mothers to jail yesterday when 29 women appeared in the Langa Commissioner's Court on charges relating to influx-control regulations.

Some of the women were convicted on charges of being in the Peninsula for more than 24 hours without obtaining a permit and/or with failing to produce their identity documents.

As the women entered the dock, some carried their babies in their arms and others on their backs. Two women each had a set of one-year-old twins.

Seven women were fined R60 (or 60 days) on the first count and R10 (or 10 days) on the second count.

They were Nomsangela Kwenge, with a three-year-old baby, Beatrice Ncoza, with an 11-month-old baby, Anna Thembi, with a two-year-old baby, Victoria Mlaweczwe, with a one-month-old baby, Nomdlungu Ndinga, with a seven-month-old baby, Anne Boo, with a one-year-old twin, Nokukhule Sokela, with a seven-month-old baby.

Two other mothers, Nosizwe Khumalo and Elizabeth Banda, and Phumelela Duma, with a one-year-old twin, were fined R30 (or 30 days) on the first count and R10 (or 10 days) on the second.

Three mothers were each fined R60 (or 60 days) on the first count. They were Evelyne Mpho, Nomulendo Nthuli and Nokojogile Bhami.

A fine of R60 (or 60 days) on the first count, suspended on condition that the accused left the area, was imposed upon Nobuhle Mtshe, Nonkosinu Boo, Mharno Mbo and Nomethu Gaga.

Esther Moso told the court she came to Cape Town because her boyfriend did not support her and she intended to deliver the baby at the Somerset Hospital. She was cautioned and discharged on both counts.

Other mothers were also cautioned and discharged.

A fine of R10 (or 10 days) was passed on two mothers. They are Nokwile Nuku, who had a one-year-old baby, Ntombelela Nyemela, who had a seven-month-old baby, Nqobeka Dyantsi, who had two babies, one aged three years and another, aged seven months, Ntombelela Mene, who had a one-year-old baby, and Nokulani Web, who had a six-month-old baby.

After the proceedings, a court official said said that if relatives or friends did not fetch the babies before the sentences came into effect, the babies would have to accompany their mothers to jail.

Mr Dlamini prosecuted. The women were not represented.
Aid centres to help arrested mothers

The Argus, Thursday 7/5/87

ALL women who have to appear in Langa Commissioner's Court must first be taken to the Department of Co-operation and Development's aid centre, where everything will be done to help them and keep them out of court.

This was said today by the department's chief commissioner, Mr Tumi Bezuidenhoudt, who added that this course of action had been decided on after discussions with the Director of Labour, Mr P Pieterse.

"These new instructions regarding women and mothers with babies who have to appear in court follows an order by the Minister of Co-operation and Development, Dr Piet Koornhöf, to Mr Bezuidenhoudt to investigate such cases following a report in The Argus on April 22.

"Arrested women taken to the Aid Centre will be allowed to make a telephone call to a friend, the Black-Sash or the Athlone Advice Office to take care of their children."

"People are now being sifted to see if their offences are not purely technical and to determine whether their cases really need to go to court."

"Arrested women with children can either give their children to friends or, if they are suckling, the children will be allowed to accompany their mothers to court, or mothers may leave them at a place of safety," he said.

"Aid centres must screen people thoroughly and give them legal advice and bail. They must keep them out of jail if they can.

"I am not saying arrests will stop, because the influx laws are there and we must act accordingly," Mr Bezuidenhoudt said.
On Reel in Blind

Industry

Building

Too Little Labour, Housing 4,000 Police Ranks
Break law on migrants

Argus 8/5/81

firms urged

Argus Correspondent

JOHANNESBURG. — The South African Council of Churches has urged Christian employers to accept the consequences of breaking the law, and to enable migrant labourers and their families to live together.

In a number of decisions on the Government's homelands policy and related laws, the national conference of the SACC yesterday:

1. Called for pilgrimages to resettlement areas
2. Declared that 'the fragmentation of the human community' resulting from the homelands policy was a threat to world peace and contrary to Christ's teaching.
3. Committed itself to 'waging war' on the migrant labour system.

LIVE TOGETHER

The conference said the migrant labour system caused 'appalling devastation' and urged employers to take steps to enable families of migrants to live with them where they worked.

It urged Christians to use their influence in employer organisations to press for the abolition of the pass laws and to press for an end to single-sex hostels for married men and women.

Churches were urged to link their work among workers in compounds to that among families in rural homes.

The report said that a draft Bill — which was never enacted — was aimed at justifying 'theologically a change of strategy to maintain white rule'.

The new strategy involved converting 'an internal South African problem that expresses itself in growing unemployment, poverty and frustration for the majority of people into an external problem'.

This was achieved by making blacks who were
Koornhof accused of evasion

DR Piet Koornhof's proposals to keep mothers-arrested for Pass Law offences out of jail was a total evasion of the basic harmful issues the chairman of the South African Institute of Race Relations, Western Cape Region, Mrs Daphne Wilson, said today.

The Department of Cooperation and Development, under Dr Koornhof, has issued instructions that every effort must be made to keep people out of jail and that they must be given the opportunity to obtain legal assistance or contact aid centres.

Mrs Wilson said these palliatives had, in fact, been available to pass offenders for some time.

She welcomed Dr Koornhof's statement at an election meeting in the Gardens last month that Afrikaners coming to the Peninsula to visit relatives or for medical treatment would be allowed to stay provided they found their own accommodation.

The said was a step in the right direction.

But his proposals for keeping people out of jail while sympathy of a troubled conscience were totally inadequate for the groundswell of pass affairs.

Last year 13,860 men and women were arrested by Administration Board officials in the Peninsula alone for pass offences.

Mrs Wilson said it was an evasion of the basic harmful issues to:

1. Send direct women with children to aid centres which would put them on trains back to the homelands.
2. Allow them to contact local men or philanthropists who at best could do very little other than produce money to pay fines.
3. Send children of imprisoned mothers to be tattooed up at a place of safety.

Mrs Wilson said the proposals were a clear demonstration of the impossibility of making inhumane laws humane.

EXPOSURE

They do little more than try to prevent Press exposure through the obvious emotion charged case of Wittenburg. The more these monstrous pass laws happen to be women with young children. She said.

Mrs Wilson said the horrific arresting, detaining and imprisoning of people in the name of seeking work or living with their families would continue to do so as it has done for many years, unless a complete new attitude was adopted by the Government.

Dr Koornhof when he became Minister was pragmatic in his approach to the Crooked situation. Now he needs to take the next big step, a willingness to reverse totally the underlying principles that at present place such appalling restrictions on human lives.
A COMMISSIONER at the Langei Commission’s Court yesterday told a woman who had a sick six-month-old baby, that she had to go back to Transkei. The commissioner, Mr. W. Ntombela, who was reported absent at the court, ordered the woman to return to Transkei for treatment.

Mr. Ntombela presented to the court, with a 12-year-old boy, a 9-year-old girl, a 4-year-old boy, and a 10-month-old baby, a 9-month-old girl, and a 3-month-old boy. The woman was told to return to Transkei for treatment.

The case of a young baby, who was heard in the court, could not be heard because the baby was ill and had to go back to the Peninsula for another six months. The woman was ordered to return to Transkei for treatment.

The court was informed that the woman had a sick six-month-old baby, and a 9-month-old girl, and a 3-month-old boy. The woman was told to return to Transkei for treatment.

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Govt acts on jailing of mothers

The Minister of Co-operation and Development, Mr Tom Beazdenbout, has promised to investigate personally an incident in which a woman was sent back to Transkei after a doctor's letter recommending medical treatment here was taken from her by a commissioner.

Dr Koorneh said through his secretary that he would take urgent action as the "did not want this sort of thing to take place." He was in immediate contact with Mr Tom Beazdenbout, who said he had reported to Dr Koorneh that instructions had been issued last week aimed at keeping influx control offenders out of prison.

Mr Beazdenbout said orders had been issued to all inspectors following a meeting with the Administration Board's director of labour. Three considerations were to receive priority:

1. "I have given instructions that anybody apprehended must be taken to the Langa and Centre where their cases must be investigated. We must, at all costs, try to keep people out of prison, wherever possible.

2. Secondly, those apprehended must be given the opportunity to telephone an attorney, the Black Sash, Attorneys, office, a friend, or anybody else they feel may be able to offer them legal advice or financial assistance.

3. Thirdly, any women with children who do not want the children to go to jail with them can send them to a place of safety. We have had very favourable reports from parents who were surprised at how they behaved picked up weight at a place of safety.

Asked whether this meant every effort was being made to ensure Dr Koorneh's undertaking was kept, he said, "Yes, definitely.

The ad centres of advice offices should ensure that people, entitled to temporary exemption from the 72-hour influx control regulation, would be told that they qualified because they...

were seeking medical treatment or visiting relatives.

Court report, page 2
Natal compound case will affect thousands of workers

By Drew Forrest

Judgment has been reserved in a crucial Supreme Court action which may significantly strengthen the position of tens of thousands of migrant workers who live in compounds.

More than 180 former employees of the Union Co-operative Bark and Sugar Company in Dalton, Natal, are seeking an interim order to return to the company living quarters which they say they were forced to leave after a strike in March.

They have argued in the Natal Provincial Division of the Supreme Court that they were forced from the compound at gunpoint by police and that the company acted unlawfully by not obtaining a court order of eviction.

A similar application was granted in the case of one worker last week, but lawyers stress that neither this, nor success in the present action, would create new law. They say, however, that their combined effect may be to "create a climate in which existing law is enforced."

They point out that the course of last year's Johannesburg municipal workers' strike might have been very different if the City Council had followed the due process of law — a lengthy one — in removing workers from compounds.

More than 400 migrant workers at Union Co-operative were sent back to their homelands after the strike and many have returned to Maritzburg on successive occasions for court hearings.

Their legal, travelling and other costs have been borne by the Fosatu-affiliated Sweet, Food and Allied Workers' Union.

A second action, in which the workers will allege that their dismissal was null and void because they were illegally locked out of the mill, will be heard later this month.
Call for revision of influx curbs

Political Correspondent

The Institute of Race Relations yesterday called for a complete revision of the principles governing influx control measures.

Mrs Daphne Wilson, chairman of the institute's Western Cape region, said in a statement that recent measures to ameliorate the plight of pass-law offenders were totally inadequate.

Noting that 15,890 men and women were arrested in the Peninsula alone last year for pass offences, she said it was impossible to make human beings humane.

She accused the government of doing little more than trying to prevent press exposure through the obvious emotion-charged cases where pass-law victims happened to be women with young children.

"The horrific arresting, jailing and imprisonment of people for the 'crime' of seeking work or living with their families, will continue to grind on day by day as it has over many years unless a completely new attitude is adopted by the government," she said.

Big step needed

The Minister of Co-operation and Development, Dr Piet Koornhof, had shown a pragmatic approach to the Crossroads situation when he first took over the department.

"Now he needs to take the next big step, a willingness to revise totally the underlying principles that at present place such appalling restrictions on human lives," Dr Koornhof's announcement last month of concessions for blacks coming to the Peninsula for medical treatment or to visit relatives was a welcome step in the right direction, but it had obviously not filtered through to administration board officials.

"At any time confiscation of a recommendation by a doctor for a patient to remain in Cape Town, as in the case of Commissioner W. P. Oure's appropriation of Mrs N. M. S. Khola's medical certificate, earns the strongest protest, but even more so in the light of Dr. Koornhof's statement."?

Troubled conscience

Mrs Wilson also criticized the three recent proposals announced by the Chief Commissioner for the Western Cape, Mr. T. M. Beeshonhout, regarding the jailing of mothers arrested for pass offences.

"While symptomatic of a troubled conscience, they are nevertheless totally inadequate for the whole groundswell situation of pass arrests."

It was a complete evasion of the basic harmful issues:

- Simply to direct women with children to aid centres, who would put them on trains back to the homelands.
- To allow them a chance to contact legal men or philanthropists who at best could do very little other than produce fain
- In the event of these women going to prison, to send their children to be "fattened up" at a place of safety.

"In fact all these palliatives have been available to pass offenders for some time," Mrs Wilson said.
No houses, but raids go on

The growing housing backlog in the Reef's townships is being aggravated by red tape delaying building programmes already approved — while raids on unregistered workers continue.

On the East Rand, where more than 11,000 families are waiting for houses, the slow pace of work because of constant raids by Reef officials with their lists of unregistered workers. The raids have particularly angered employers who are already stretched by severe labour shortages.

The Reef's official housing officials have been the centre of anger and controversy in the past.

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Evictions judgment is crucial

JUDGMENT has been reserved in a crucial Supreme Court action which may significantly strengthen the position of hundreds of thousands of migrant workers who live in compounds.

More than 100 former employees of the Union Co-operative Bank and Sugar Company in Dailton, Natal, are seeking an interim order compelling them to return to the company living quarters from which they say they were removed after a strike in March.

They have argued in the Mzantsi Supreme Court that they were forced from the compound at gun-point by police, and that the company acted unlawfully by not obtaining a court order of eviction.

A similar application was granted in the case of one worker last week, but lawyers stress that neither this nor success in the present action will create a new law. They do say, however, that their combined effect may be to “create a climate in which existing law is enforced.”

They point out that the course of last year’s Johannesburg municipal workers strike might have been very different if the city council had followed the due process of law — a lengthy process — in removing workers from compounds.

More than 400 migrant workers at Union Co-operative were sent to the homelands after the strike, and many have returned to Mzantsi on successive occasions for court hearings.

Their legal, travelling and other costs have been met by the Posa-ufilatized Sweet, Food and Allied Workers Union.

A second action, in which the workers will allege that their dismissal was null and void because they were illegally locked out of the mill, will be heard later this month.
FOURTEEN men were left dead when faction fighting exploded again in Natal on Sunday.

In Soweto two more people were killed when fighting factions attacked tribesmen.

The weekend toll of 16 is the highest on any weekend recently and among the highest since tribesmen started then fighting many years ago.

On Sunday, fourteen members of the Njanzi tribe were killed and eighty injured in faction fighting in the Gugulethu area in Natal, police said.

Impi

They said about 300 members of the Ngubane tribe had formed an impi and attacked 100 members of the Njanzi faction near Ematinalulo at daybreak.

A strong force of police was sent to the district to keep the peace between the factions and investigate the fighting.

Police said there was a longstanding feud between the two Zulu tribes.

In Soweto the faction slayings were at the Dupe Hostel. Police are investigating the deaths of the men killed in these fights. More than 30 people have now died in such clashes in the area in the last few weeks.
Courts asked to ease up on pass offences

Own Correspondent
CAPE TOWN — Magistrates at the Lange Commissioner's Courts have been given new guidelines aimed at ensuring the impartial administration of influx control laws, announced last month, is applied.

The Chief Commissioner for the Western Cape, Mr. Tumo Bezuendhout, said yesterday his department was doing all it could to treat influx control offenders as humanely as possible.

The Minister of Co-operation and Development, Dr. Piet Koornhof, announced last month that black people who went to the Western Cape for medical treatment or to visit relatives would be given temporary exemption from the normal 72-hour restriction, provided they found their own accommodation.

Since then nearly 50 mothers, many of them with young children, have been fined and/or sent back to a black homeland for contravention of influx control regulations.

At least 10 of them told magistrates they had come to seek medical treatment for themselves or their children.

One, Mrs. Nosebenzile Sikundla, had a doctor's recommendation for six months of medical care withdrawn and was sent to Transkei.

Although magistrates at commissioner's courts do not fall under the Department of Co-operation and Development, Dr. Bezuendhout said yesterday he had issued guidelines to court officials aimed at ensuring that medical care for some people who are sick but not say so, they should be referred to a district surgeon for examination.

We envisaged a situation in which such people did not appear in court, but were sent to administration board offices, where extensions and medical treatment could be arranged.

Commenting on the opinion of Black Sash monitors that the courts only accepted certificates from hospital superintendents and not ordinary doctors, Mr. Bezuendhout said there was a standing arrangement with Provincial hospitals.

People who needed further treatment were given a form signed by the superintendent or one of his officials saying an extension was needed. The patient or relatives could take this to the administration board offices, where an immediate extension was granted.

FOOTNOTE Mr. Bezuendhout said, after a personal examination of Mrs. Sikundla's case, that a Lange doctor had given her a letter on April 11 recommending six months' medical treatment in Cape Town.

Mrs. Sikundla had told the court she had not seen the doctor since then, but had gone to a witchdoctor in Nyanga. She had not taken the medical certificate to the administration board to seek an extension to her stay there.

The court then decided that the medical certificate was not used for the purposes for which it was issued, in view of the way the applicant was being attended by a witchdoctor.

Please circle items required.

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No. 17 Groepstudie: Soweto's Arson by Afrikaans-speakers.

18 Van der Horst, Klaas, as an Economic Force in

South Africa.
Builders face labour crisis as Erab raids go on

By Anthony Duigan
and John Bentley
East Rand Administration Board police continued to arrest unregistered workers this week as businessmen appealed for a moratorium to allow them to register much-needed workers.

Two Boksburg builders interviewed yesterday said that, unless a solution were found to the twin problems of lack of labour and an unyielding approach to the registration of new workers, the building industry would suffer.

Mr E L Pretorius, director of the Witwatersrand Master Builders' and Allied Trades Association, said his organization would approach the Minister of Co-operation and Development for discussions on the industry's serious labour problems.

Mr D E Parkin of Boksburg said the Erab raids appeared to be intensifying this week and he had asked the local member of Parliament, Mr Sekhe Blanche, for help.

"Mr Blanche and local Erab officials had been helpful but his problem had not been alleviated," he said.

ILLEGAL

Mr Schalk van der Merwe, chairman of Erab, said this week that all those arrested in last week's raids were single workers from black states who were not registered for work on the East Rand.

Last year employers were given a chance to register all illegal employees, he said. Now, in accordance with the recommendations of the Riekert Commission, an employer had to produce proof of accommodation for a worker before he could register him.

Several builders— who are, particularly hard-hit by administration board
The letter was in order," he says. Mrs. Skundla gave her illness as her reason for being in the Cape with her husband. She handed to the Commissioner a letter from an orthodox medical doctor. The letter dated April 11 recommended that she stay in Cape Town for six months to clear her severe respiratory and pelvic infections.

The letter was in order. Mrs. Skundla could, and should have used it as the basis of her appeal to the Board to stay in Cape Town. However, the court kept the letter — although it was still the property of Mrs. Skundla.

On an equally grey and day, we collected Mr. and Mrs. Skundla. The mat, black, solemn, sullen, and the child. He, having taken a day off work, was supportive.
3. Mr Tubeles has been valued his stock in his company, and the change in the basis of stock valuation will be for reference to the effect of financial statements.

4. Assuring that on 1 of stock valuation stated in his final 1982.

OFFICIALS at the Langa Commissioners' Courts have been given certain guidelines to keep people out of court who unnecessarily appear in court, Mr Theo Benaudhei, the Chief Commissioner, said today.

Although he would not specify what the guidelines were, he said they were designed to help people who had a definite case for not appearing in court, particularly because they had medical reasons for breaking influx control regulations.

A lot of unpleasantness can be avoided if people first reported to the Administration Board with their medical certificates to obtain the necessary permission to be here.

Mr Benaudheh said that if there was any doubt a person could be referred to a district surgeon.

Should it be necessary for a person to receive further medical attention at the provincial hospital, a letter could be obtained from the medical superintendent or someone delegated by him and permission to remain longer would be granted, he said.

'We cannot water the law down, but we must have a decent, humane attitude. Our function is to give everyone fair treatment and I can say that I will fight for the black man,' Mr Benaudheh said.
No one forced back to Transkei

Political Correspondent

NO BLACK people have been forcibly repatriated to Transkei or any other black homeland for nearly a year, according to officials at the Langa Commissioner's Court.

The officials draw a distinction between repatriation under police escort in terms of the law and sentences suspended on condition the people concerned leave Cape Town voluntarily.

Thus, they say, gives convicted blacks the choice of leaving or of facing imposition of the previous sentence if they are arrested again in the Peninsula area.

It also allows the people, many of them women with children, to apply for a permit and legalize their presence here.

The officials say no blacks have been repatriated under escort since 42 striking meat workers were ordered back to Transkei last June. The only exception has been a handicapped youth sent to be cared for by relatives in Port Elizabeth because of the particular circumstances of the case.

'Although commissioners at the Langa court are on the staff of the Department of Co-operation and Development, their judicial decisions cannot only be contested in the Supreme Court. It has been pointed out to the Cape Times that Mrs Tsebenla Bikandi, convicted of being in the area illegally after producing a doctor's recommendation, was not sent to Transkei either by order or under conditions of a suspended sentence.'
Influx control: 2 women fined

Staff Reporter

Two women with young children were fined yesterday after being convicted under the influx control regulations at the Langa Commissioner's Court.

The women were charged with being in the area for more than 72 hours without a permit and/or with failing to produce their identity documents.

Cynthia Kotela, with a four-year-old baby, was fined R20 (or 30 days) on the first count and R10 (or 10 days) on the second count.

Lillian Mhanya, with a three-month-old baby, was fined R30 (or 30 days) on the first count.

Mhanya told the court she came to Cape Town to give birth to her child which was delivered by caesarean section.

She gave birth to the baby in February and attended hospital till March 17.

When asked why she did not give birth in Transkei, she said she did not know that she could because her first child was born in Cape Town.

Sentences imposed on five other women charged with being in the Peninsula for more than 72 hours and/or failing to produce their identity documents.

They were suspended on condition that they leave the area by Sunday. They were fined R50 (or 60 days) on the first count and cautioned and discharged on the second count.

They were Vivian Makey, with a one-year-old baby, Alphena Hakarakala, with a 16-month-old baby, Noewaka Peter, with a young baby, Daphne Ndleleni, with a young baby, and Buyiswa Ngandile, with a nine-month-old baby.

Nongenile Nyembezi received the same sentence on the first count.

All the mothers told the court that they came to Cape Town for medical reasons.

The case against Anna Nkos, with a baby, was postponed till today pending further investigation into whether she could stay at the hostels of Dassen Bakery in Guguletu — where she stays at the moment — till her sick child was cured.

She told the court she brought her child to Cape Town for medical treatment. She said there were doctors in Transkei, but she did not have the money for doctors' fees.

When asked, when she intended going back to Transkei, she said she was going to when her child was feeling better.

She did not apply for bail.

The magistrate was Mr W Fourie.

Mr J J Fourie prosecuted.
Builders angry over raids on workers

THE BLACK workers arrested in mass raids on East Rand Townships last week were all unregistered single labourers from the homelands, the chairman of the East Rand Administration Board, Mr Schalk van der Merwe, said on Tuesday night.

Last week it was reported that building contractors on the East Rand, hard put to find labour for their contracts, were being raided daily and hundreds of their unregistered workers pulled off the building sites by armed Erab police.

Mr van der Merwe said employers had been given an opportunity last year to register all illegal employees.

Yesterday several builders on the East Rand criticised this statement: “The point is we did legalise our labour last year but with the upswing in the building industry we need more labour now,” said one.

Two builders claimed Erab had intensified raids this week — in spite of a sympathetic hearing from the Boksburg Member of Parliament, Mr Sukhe Blanche, who has been drawn into the controversy, said one builder, Mr D E Parkin.

An employer had to produce proof he had arranged accommodation for a worker before he could register him, Mr van der Merwe added.

The problem now was a tremendous flow of complaints from residents about blacks sleeping in backyards without homeowner’s permission.
MAMELODI residents blame influx control laws for the crime in the area, a survey by a local social worker has revealed.

They told this to Nsaco community worker, Mrs. R.K. Mabusele, who was conducting a survey on crime in Mamelodi.

They told her that because of restricted movements, people could not take up jobs of their choice and this resulted in unemployment, which was rife. It was felt that should job restrictions be abolished, the crime rate in the township would be greatly reduced.

The report further states that unemployment led to crime.

In general, the black man is a frustrated person. In order to escape his frustrations and responsibilities he resorts to alcohol. Almost every eighth house in a street in a selected area is selling liquor besides the bottleshop and the bar lounge available in this area.

In her report Mrs. Mabusele stated that a number of influential personalities had contributed that shebeens were alternative places of recreation since our townships have a limited number of recreational facilities.

Lack of privacy in the four-roomed houses was listed as another contributory factor to crime. Neither the parents nor the children can enjoy privacy and this factor encourages delinquency.

'Since the children lack both privacy in the home as well as properly supervised places of recreation, they hang around the street corners and are exposed to undesirable characters in the area,' the report said.

Lack of parental guidance was also reported as a cause for crime. An example of ineffective parenting is truancy which results in dropping out of school. Dropping out of school is a good breeding ground for crime.

By Monk Nkomo

Illegal and neglected children, the report said were neither neglected or abused and became problematic and end up offenders.

The religious institutions have brought to our notice the fact that due to the lack of Christian upbringing and ignorance by the parents, children can no longer be controlled. Most uncontrollable children end up being criminals.

The Church is thus expected to exert more pressure on Christian upbringing to help us meet this need,' she said.

According to Nsaco's report, Mamelodi township is mainly composed of people who were farm labourers on the Vlakfontein farm and some of the old residents from River Side Estate, Lady Selbourne and the Kilburn Methodist Church Mission.

Because most of the areas were declared slums, the residents were resettled in Mamelodi with the aim of improving their way of life. Most of the offenders came from the Kilburn Mission.
Jail rather than Transkei—squatters

THE new group of squatters at Crossroads say they would rather go to jail than return to Transkei where, they say, there is no work and people have died of starvation.

The squatters, 100 men, women and children, were evicted from the Langafonua barracks in March. They had been temporarily sheltered at Langafonua church buildings. They were then told they were not going to be allowed to remain in the Cape. There are 30 beds in this structure.

MORE than 60 people have slept in this wood and cardboard dwelling on the site of the Langafonua church buildings and moved to Crossroads, a desperate but to many, better than returning to Transkei.

A spokesman for the group said at Crossroads today, "Anything here is better than returning to Transkei.

"Our children can get hospital treatment, and there is work here."

"Optimism"

The minister and his assistant left the camp about 8:30 am. They were told that the new residents are only partially covered with plastic sheeting. It contains 30 beds.

The group's spokesman said some people—especially children—had chest and abdominal complaints due to the cold, damp weather, he said.

There was also a shortage of blankets, as many were stolen when the group left the Nyanga barracks.

One of the new residents, Mrs Nosalile Gama—who has been in the Peninsula since 1977—spent the last two nights in a small tent bolted together with wooden planks.

One of my children died in Transkei. We will not return," she said.

(Continued on Page 4, col 1)
Call for action on Langa eviction victims

THE South African Institute of Race Relations has urged the Minister of Co-operation and Development, Dr Piet Koornhof, to see for himself the plight of more than 100 people who were evicted from the Langa main barracks in Cape Town in March.

The chairman of the institute, Mrs Daphne Wilson, said yesterday Dr Koornhof's pragmatic decision to build a new Crossroads had been his answer to a former squatter crisis.

Another such immediate step was required, she said. "The men of these families in this homeless plight have jobs and many have one employer and a long service record.

"The Government accepts that they and their families are entitled to shelter that, after all, should be an indispensible corollary of any job."

She said these people should at least have the security of on-site and service scheme on land allocated for the purpose.

The refusal to accept that blacks were an integral part of the Western Cape economy and that they would inevitably increase in numbers as the regions develop was totally illogical, short sighted and inhuman, said Mrs Wilson.

"Where is the sincerity of the Manpower 2000 brochure that talks of the rights of all South Africans, the right to work and the right to security, if these simple human rights are denied to people in the Western Cape?"

Mrs Wilson said it was morally wrong to cut people off from the economy that they and their families had helped to create, and expect them to disappear and starve in the so-called homelands.
Influx control on skids, say the experts

By Charlene Beltramo

Influx control is on the skids despite moves to tighten it up. This is the consensus of a wide range of experts, who point to massive urban migration, squatting and the housing crisis to back their arguments.

Professor David Dewar, director of the Urban Problems Research Unit at the University of Cape Town, says there are currently about 4.5 million black, coloured and Asian squatters in South Africa.

His view is supported by other experts, who warn that the urban migratory flow will not be stemmed, despite influx control, because people will naturally gravitate towards areas where there is work and consequently a better chance of survival, "rather than starve or die in the homeland."

SQUATTERS

By 2000 three-quarters of blacks (28 million) will be living in and around urban centres — despite influx control and homeland policies which are trying to squeeze most of these people into 13 per cent of South Africa's land area.

Soweto has a current official waiting list of 16,000 families for homes. According to West Rand Administration Board figures, at least a quarter of Soweto's inhabitants are lodgers or squatters.

Experts warn that the Government will not be able to fund the R830-million a year needed to wipe out the country's housing backlog.

They have called for more thought to be given to freehold tenure for blacks or more widespread household acceptable to blacks.

RETHINK

Linked to this they have suggested the Government rethink its housing policy, which it appears to be doing, and make use of site and service schemes, core housing and the upgrading of squatter areas.

Professor Dewar said if the Government was serious about implementing workable influx control it should start a massive rural development programme.

See pages 14, 15 and 16.
Langa squatters to be screened

The 168 men, women and children who moved to Crossroads from Langa churches at the weekend would have to be screened individually before any decision is taken on their future.

This was said today by the Chief Commissioner of the Department of Co-operation and Development, Mr Timo Beuden- houd.

The families, originally squatters from Hout Bay, Table View and Killarney, had been housed by the churches after they were evicted from the Langa Main Barracks in March.

They moved to old Crossroads at the weekend in a bid to find permanent accommodation.

Mr Beudenhoud said that he was busy sorting out the position of each person.

"I assume some could qualify to stay in the Cape under Section 10 and their chances should not be jeopardised," he said.

The chief labour officer of the Administration Board, Western Cape, Mr G N Lawrence, yesterday visited the Crossroads site where the squatters have erected a shelter of cardboard and plastic sheeting to begin taking part.
Influx control is now disintegrating

"Nothing typifies the disintegration of influx control more vividly than the massive flow of urban areas, the high number of shanty-dwellers and township lodgers."

Strong words. But they come from a prominent civil servant involved for more than a decade in the practical efforts of and research into influx control.

Certainly the Government seems to have recognized the problem and harsh measures in terms of the Riebert report reflected an attempt to tighten up influx control.

But in many often heralded ways, the Government seems to be relaxing influx control in certain areas and appears to be preparing the voting public for further relaxations.

It would seem that with the housing crisis, and severe manpower shortages, the Government has little option.

The committee investigating influx control under Dr Piet Koornhof, the Minister of Co-operation and Development, is an indication of this.

In October last year, the Deputy Minister of the Department of Co-operation and Development (COD), Dr John Morrisson, told the Cape Nationalist Party congress that the Government was planning for a "controlled amount of squatting."

Dr Morrisson said squatting was "basically a problem of poverty and not so much one of urbanisation." He said it was "part of the emancipation of the Third World" and was the "physical manifestation of a social and political process."

Then in January of this year, Mr J H Mills, director-general of COD, said in an address to the executive council, one of the measures of his department that "respectable" black workers should not be bound by the provisions of influx control, which applied to blacks who had no jobs or homes in the cities.

Mr Mills said it was wrong to apply these measures to every black person.

Referring to a memorandum he had sent to the Cabinet, Mr Mills said it would cost the State about R200 million a year to wind up the housing backlog without even progress.

He said this was financially impossible and that a new approach was needed. Mr Mills said the new approach should be to provide enough ground for the backlog and for population increases, then to plan these sites and provide water and sanitation services.

He said this should provide for squatters as well as legitimate inhabitants building their own homes.

Highly placed sources have told The Star that the Government started moving towards the re-structuring of influx control as far back as 1975, when they began experimenting with the up-grading of squatter areas.

Much of this work is secret, with the Government having the problem of educating an increasingly polarized voting population.

What causes squatting? The answers are numerous:

1. Some urban planners say the problems began in 1948 with the discovery of gold on the Witwatersrand.

2. In the next 15 years, an additional 81 million blacks will move to South Africa's urban areas. They will join the existing 4.5 million squatters who cluster around the cities. In all, 32 percent of blacks (28 million) will be urbanized by the year 2023.

Although many blacks had freedom of movement and their dwellings, although modest, were often adequate.

The first major step toward making squatting a problem was initiated as far back as 1973.

In that year the Natives Land Bill was passed. It stopped not only mixed farming (the "shave-crop" system where blacks had the use of a portion of a white farmer's land and paid rent with a portion of their crop) but also drastically limited the right of Africans to own land.

The Government of that time promised land for any Africans evicted from land - but this never materialized.

Thousands of African families, particularly in the Free State, were driven off white farms and stepply employed, before being shuttled as labourers on white farms or in towns.

The situation exists today when African farmers, the few that still farm in the South, are being forced off their land and expected to squeeze into the 13 percent of land set aside for blacks.

This has made it impossible for thousands of rural blacks causing a subsequent upsurge in starvation and infant mortality in these and homestead areas.

An example is that of Mr J Mabula, and 3 families were forced to move from farm to farm because the Government moved them "for unspecified reasons, quite often to pay back." They were forced to pack up with less than 3 months' notice.

In another case, a pensioner and his 3 brothers, Niobele Innocent, who has an extensive garden and has been forced to move with an army of 25 additional families arriving each day.

Residents turned hundreds of thousands of each day to work - either in Grobbendal, Pretoria, Johannesburg, and elsewhere.

The committee of Race Relations was helping 600 families to establish communities under the "Operation Eugene" scheme.

Water sources 3000 and 3000000 have become nothing but dust and dirt, and each week a water tanker brings water to the affected area.

Sacks of food were gathered from Wanderwald - possibly the largest squatter farm in the country with a population estimated to be approaching a million.

Wanderwald is part of the Northern Transvaal. President Lucas Mangope wanted all non-Tswana residents who had left the area for less than five years to leave. The evicted from "white" or even other homeland areas is not the main factor in the movement to urban areas. It is unemployment and hunger.

In a recent interview, Mr J. Sanderson, chairman of the Free Market Federation and an Anglo American executive, pointed out "in the homeland areas, if there is no room in the cities, evictions are being carried out and people are dying in their thousands."
...CHARLES PULITZER reports...

The article gives the views of prominent urban specialists, Ruth the need to follow their orders.

...Without further delay...
Call on govt to house 200 homeless

Staff Reporter

An immediate step should be taken by the government to organise accommodation for almost 200 people who spent Saturday night in the open after leaving the Langalangana churches which had been sheltering them, the regional chairman of the South African Institute of Race Relations, Mrs Daphne Wilson, said yesterday.

In a statement, she said: "Dr Kooenhof must come and see for himself the plight of these people. His pragmatic decision to build a new Crossroads was his answer to a former squatter crisis, another such immediate step is urgently required.

"The men of those families in this homeless plight have jobs and many of them have one-employer long-service records. The government must accept that they and their families are entitled to shelter that, after all, should be the indespensible corollary of any job.

"As a preliminary measure, until more houses are built, these people who have been pushed around for so long should at least now have the security of a site and service scheme on land allocated for the purpose."

"Residential areas are constantly expanding for whites and coloured people, one only has to look back over the past few decades and see the huge increase in urban sprawl over Bellville, Pinelands, Plumstead and countless other Peninsula areas. Why then should not similar residential increases be permitted for blacks who contribute to the development of this region but who have no accommodation?"

"This refusal to accept that Africans are an integral part of the Western Cape economy and that they must inevitably increase in numbers as expansion takes place, is illogical, short-sighted and inhuman.

"Where is the sincerity of the Manpower 2000 brochure that talks of the rights of all South Africans, the right to work and the right to security, if these simple, human, workaday rights are denied to people in the Western Cape?"

"It is morally wrong to cut people off from the economy that they and their families have helped to create, and to expect them to disappear and starve in so-called 'homelands.'"
Tears flow at Langa pass law court

THE WEARING of mother and children at times during the proceedings at the Langa Commissioner's Court yesterday, where 70 pass law cases were heard. The first 42 cases were heard in the morning at the rate of one every two and a half minutes.

The case of 28 mothers, all United Front women, 15-18 years of age, appeared after a 15-year-old girl who was 38 weeks pregnant, gave birth to a stillborn infant in a hospital. The girl and the infant were found dead in a hospital

The cases of 42 were bound to surface again, but the court adjourned for work, and the last of the cases coming up at 10.30 a.m. had been heard by 10.45 a.m.

As a woman took the stand, the baby in her arms sobbed loudly. The woman is a 19-year-old woman who was arrested at the beginning of the proceedings for being in the Cape illegally for more than 72 hours.

Mrs. Nono Selele, 25, appeared in court with a baby on her back and four toddlers behind her. She was charged with being in the Cape illegally for more than 72 hours and failing to produce identity documents.

Story: Bruce Gordon
Pictures: John Yeld

Mrs. Nono Selele, 25, appeared in court with a baby on her back and four toddlers behind her. She was charged with being in the Cape illegally for more than 72 hours and failing to produce identity documents.

Husband

Mrs. Nono Selele, 25, appeared in court with a baby on her back and four toddlers behind her. She was charged with being in the Cape illegally for more than 72 hours and failing to produce identity documents.

MRS NONOSELLE MAKHOLISO leaves the Langa Commissioner's Court with four children in tow after being fined R60 (or 60 days) suspended on condition that she leaves the area immediately.
Lift curb on black workers — report

ALMOST all restrictions on black migrant workers in the Western Cape should be lifted, and facilities provided for prolonged visits by wives, the influential Stellenbosch Bureau for Economic Research has advised the Government.

The suggestion is made in an interim report on the economic potential of the Western Cape, commissioned by the Department of Industries, Commerce, and Consumer Affairs.

The report suggests that if the present restrictions on migrant workers are only to prevent them from acquiring citizenship rights, all that is necessary is to ensure that they return to the homelands for an annual three or four weeks holiday.

UNNECESSARY.

It suggests keeping the Western Cape a coloured preference area to protect coloured workers from competition is no longer necessary.

Figures based on manpower surveys by the Department of Labour show that coloured workers are now mostly employed in skilled and semi-skilled jobs.

Black migrant workers will be filling vacancies at the lower skill levels avoided by the brown labour force, the report says.

ABANDONED

The report suggests that, in the interests of the South African economy as a whole the differences in treatment between migrant workers and a settled labour force should be abandoned.

There is indeed no reason at all why, from the purely economic point of view, there should be any difference between the two, the report states.

The report says improved facilities for prolonged visits by wives could be provided.

'A migrant should thus be enabled to work during a working lifetime, for the same firm if so preferred, or in the same type of occupation.'

This, the report points out, would enable the migrant worker to acquire meaningful experience and skill and obtain promotion and higher wages.

'He should be a settled worker in all but legal definition,' the report suggests.

Insofar as the objective of the system is to inhibit the acquisition of citizenship — in the sense of the franchise or legally defined permanent residence — on the part of the workers involved, a sufficient condition that could be imposed is that during an annual holiday of three or four weeks enjoyed by migrant and settled workers alike, the former visit their place of origin.'
The world of the 'Illegals'  

Own Correspondent  
CAPE TOWN — A woman from Transkei yesterday told the Langa Commissioner’s Court that she had come to the Cape to conceive a baby.  

Mrs. Beunty Sizayo (20) pleaded guilty to being in the Cape illegally for more than 72 hours and failing to produce identity documents.  

The magistrate, Mr. L. van Wyk, asked her how long it would take to conceive the baby. She replied about a year.  

“You can conceive a hundred times in that time,” Mr. van Wyk said. She was fined R60 (or 60 days) on the first charge and R10 (or 10 days) on the second charge.

The aid centre at the Langa court recommended that a Transkei woman charged with being in the Cape illegally for more than 72 hours be given the opportunity to obtain a medical certificate.  

Mrs. Princess Mxoza (60) told Mr. van Wyk that she had come to the Cape for “boils all over her body.”  

“They have hospitals, doctors, everything in Transkei, why must you come here?” Mr. van Wyk asked.  

“They failed to cure me,” she replied. Mrs. Mxoza was fined R60 (or 60 days) suspended on condition that she obtains a medical certificate within seven days.

Mrs. Nomjulelo Vabaza (30) told the court that she had come to Cape Town in December last year to fetch school fees from her uncle.  

Mr. van Wyk asked her why it took her six months to collect the fees. She replied that she had become ill since she arrived and was still waiting for the money.  

“You will wait until doomsday, man! Next you will get married and settle in Cape Town and look for a house,” Mr. van Wyk said and fined her R60 (or 60 days) for being in the Cape illegally for more than 72 hours.

Mrs. Nowathuren Goniwe (40), told the court that she had come to Cape Town to see her husband who lived in Zone 17 single quarters for men.  

She said she had been there for three years. Mr. van Wyk asked where she found accommodation in single quarters.

“Do you sleep on top of each other?” he asked. She did not reply and was fined R60 (or 60 days) for being in the Cape illegally for more than 72 hours and R10 (or 20 days) for not producing identity documents.

Mrs. Nomnombi Makholo (23) appeared in the court with a baby on her back and four toddlers in tow.  

She said she had come to the Cape to see her sick brother. Mr. van Wyk commented: “Next time she will come down with the whole family.”

She said the mother of two of the children with her had died. Mr. van Wyk fined her R60 (or 60 days) on condition she left the area immediately.

“If not, she will go to jail and all the children to a place of safety,” he said.

STARVING  

Mrs. Eugenia Guza (25) told the court she had come to the Cape to look for work.  

She said she had been looking for work since January but had not found anything. Mr. van Wyk asked her why she did not go home.  

“We are starving in the homelands,” she replied.  

Mr. van Wyk said: “We are starving in Cape Town. You can rather starve at home,” and fined her R60 (or 60 days) for being in the Cape illegally for more than 72 hours and R10 (or 10 days) for not producing identity documents.

The court adjourned at about 3 pm.
Accused allowed to see doctor

Own Correspondent

CAPE TOWN — The Lange Commissioner's Court yesterday ordered that an accused be taken to a doctor to determine the extent to which force had been used against him by administration board inspectors who had arrested him.

Mr. Colonel Gabeza, who is charged with handing over a board inspector in the course of his duty, told the court he had been threatened with a gun and assaulted by the inspectors who arrested him. He asked to see a doctor.

Mr. L. van Wyk ruled that Mr. Gabeza be taken to the District Surgeon.

The inspector who had laid the charge against Mr. Gabeza, Mr. J. du Toit, told the court that on May 19 he had arrested a woman whom he believed did not have a pass.

As he took her to the van Mr. Gabeza took a child from a woman standing nearby and tried to force the child on to the arrested woman, he said.

Mr. Du Toit said Mr. Gabeza had tried to choke him. He then called another inspector to help arrest Mr. Gabeza, who struggled and fought. He had been compelled to use force, he said.

The other inspector, Mr. John Warrington, also gave evidence.

Mr. Gabeza denied that he had resisted arrest.

He said he had been carrying the child when he saw the women being arrested. He himself was arrested by the two inspectors a short while after he had asked Mr. Du Toit if he could give the child.

"At the charge office, they both kicked and hit me. Mr. Warrington choked me and Mr. Du Toit laced me in the ribs," he said.

The case continues today.
What price, pass law justice?

It happens every day of our lives. Women, men, children. All suffering because of some or other pass law. And the cases brought before a Langa, Cape Town, Commissioner's Court this week bore testimony to the whole tragedy.

In one day, this week, a total of 70 cases were heard — 42 of them in the morning at the rate of one case every two and a half minutes. And then, in the afternoon, the cases of 28 mothers — including a 17-year-old mum with a baby in her arms — were heard.

The report filed stated: Mothers with babies on their backs and some with small children clinging to their skirts stood before the magistrate, Mr L van Wyk. The cries of babies could be heard from the cells adjoining the court.

The tragedy of this is that it is not an uncommon situation. Everywhere, we find this happening. Whether it be in Pretoria, Johannesburg, or Cape Town. It is there, clear evidence of the bitterness that the pass laws must create in people whose only aim in life is to keep themselves respectably engaged in the exercise of living.

As a woman took the stand, the baby in her arms sobbed noisily. The embarrassed mother tried to comfort the child, but its cries grew louder. Tears began to run down the mother's cheeks and she left the courtroom weeping." So continued the report on the Langa pass trials.

Heaven knows, how can we possibly expect this mother not to be bitter? How can we expect her to believe that there is change in this country?

"After the court adjourned, the screams of a woman could..."
Police watch exodus to Kei

By BRUCE GORDON

POLICE reinforcements were called to the Langa Commissioners' Court yesterday during a day in which 55 people were repatriated to Transkei and Chokwe.

A rarely used section of the law was put into operation to streamline the bulk removal of former residents of the Langa Main Barracks.

Babies cried and played in the courtroom as their mothers were convicted of being in the Peninsula for more than 72 hours without permission.

Two courts sat until 8 pm to hear the 63 pass law cases.

Most of the accused pleaded not guilty and appeared angry when they took the stand.

The two presiding officers at the court, Mr L van Wyk and Mr W Fourie, constantly had to remind the accused to be calm and follow court procedure.

Police reinforcements arrived when convicted people screamed at the back of the court as they were loaded into a railway bus to be taken back to the homeland.

A community worker, Miss Celeste Santos, stood defiantly in front of the lading bus before a policeman whisked her away.

She was held for about half-an-hour. After being released, she said: 'Sometimes a person has a moral responsibility.'

The drama began early in the morning for the accused, mostly women.

Their husbands and boyfriends told me they were approached by an official of the Western Cape Administration Board at the temporary shelter where they were staying in Crossroads on Thursday evening and told they would be taken to the Langa Administration Board offices the next day where their reference books would be put in order.

Early yesterday morning they were taken to the board's offices.

Those without permits were separated from others and brought before the court.

Some women refused to plead and one said she did not know whether she was guilty.

After being convicted many accused stormed from the court.

The 55 people were repatriated by the senior commissioner of the court, Mr L J van Heerden after being cautioned and discharged for being in the Cape illegally.

The repatriation orders were executed in terms of section 14 of Act 25/1945 which empowers a commissioner to investigate whether a person who is found guilty of being in an area should be sent back to their place of origin.

V A German magazine correspondent who attended the proceedings in the morning said he was shocked and disgusted by what he saw and heard.

'This shows the other side of South Africa which tourists do not see. One realises what is really going on in this country. The terrifying thing is that it is all legal,' he said.

Those convicted yesterday have a long history of being shunted from place to place.

They were squatters from Hout Bay, Killarney and Table View.

Many claim they were promised jobs and accommodation if they voluntarily moved to Langa.

They were later evicted and found shelter in church buildings.

About two weeks ago they moved to Crossroads where they erected a shelter of cardboard and plastic sheeting.
A MAN charged with hinders the Administration Board inspector in his course of duty was released yesterday on his own recognizance.

The case against Mr. Colonel Gabeza heard in the Langa Commissioner's Court was postponed till Monday. Mr. Gabeza claimed he had been assaulted and threatened with a gun.

The inspector who had the charge, Mr. J. du Toit, said in his evidence that he had been compelled to use force. Mr. Gabeza has pleaded not guilty to the charge.

The commissioner Mr. L. van Wyk, ruled on Thursday that Mr. Gabeza be taken to a district surgeon to ascertain the extent to which force had been used against him.

When Mr. Gabeza appeared yesterday he was holding a cloth over his eye. He had been seen by a doctor.

No evidence was led and he was released after his attorney, Mr. Page, promised he would stand trial.

Mr. J. Fowle appeared for the State.
"We told him we considered such remarks to be most destructive to race relations, which are already very sensitive."

Mrs Daphne Wilson, regional chairman of the SA Institute of Race Relations, said it was necessary for people to be made aware of what is going on daily at the Langa Commissioner's Court. "Revenge" would be the reaction of most normal people, she said, "that people, for whom the mere survival is a very real problem should be treated so flippantly and complacently."

EXPOSED

Mrs Wilson said that we, who have been monitoring the proceedings in the courts, are well aware that for years officials have been making hurtful remarks at the expense of people who are in their clutches, and it is a good thing that this type of attitude has now been exposed.

But more important than investigating the way in which cases are processed in the hang courts is the necessity to face the hard fact that laws, which are by their very nature objectionable, cannot be enforced pleasantly and the daily routine of enforcing such appalling laws could well blunt and harden sensibilities.

Athlone Advice Office director Mrs Robb added: "As we've pointed out many times, until the laws preventing blacks from moving freely in the land of their birth are repealed, similar degrading scenes will be witnessed."
ORGANISATIONS fostering race relations put a magistrate in the dock this week for 'offensive, hurtful and destructive' remarks to some black women prosecuted in the Cape under influx control laws.

But at the same time they blamed 'objectionable' statutes for possibly desensitising jurists in administering laws which prevent bachelors from job-hunting freely and keep families separated

The offending remarks were reported by The Argus this week on a day when several black women appeared before magistrate Mr L. van Wyk at the Langa Commissioner's Court, on charges of being in the Cape illegally.

From the Bench he said:
1. 'You can conceive a hundred times in that time, to a woman who said she had come to Cape Town to conceive a baby, and that it would take about a year.'
2. 'We are starving in Cape Town, you can rather starve at home, to a woman who said she had come to Cape Town because we are starving in the homelands.'
3. 'Do you sleep on top of each other?' to a woman who said she had found accommodation in 'single quarters.'

Since publication of the comments, Mr van Wyk has declined to discuss the issue, but has not disputed the report.

Weekend Argus has been unsuccessful in trying to obtain comment on the report from Dr Piet Koornhof, Minister of Co-operation and Development, and Mr Timo Bezuidenhout, the department's Chief Commissioner in the Western Cape.

CALLOUS
But there was critical response from several organisations working to improve race relations.

If the magistrate was correctly reported, I find most of his remarks at once offensive, callous and inexcusable,' said Mr Rene de Villiers, national president of the South African Institute of Race Relations.

'How a judicial officer can say to a woman that she should rather starve at home than starve in Cape Town passes understanding. The same applies to the question he is reported to have asked another woman, who said she had found accommodation in single quarters.

'It is not difficult to imagine the effects of such insensitive remarks on people of colour. The consequences for race relations could be disastrous.'

Mr de Villiers said that unless they have already done so, Dr Koornhof, and Justice Minister Mr Kobie, Cotteas should order an inquiry and 'in the interests of the administration of justice and of human relations, take appropriate action without delay.'

SIMILAR
Mrs B. N. Robb, director of the Athlone Advice Office, which frequently counsels women charged under influx control laws, said, 'the organisation's observers had reported similar remarks by magistrates for many months, even years.'

'Some weeks ago she and other representatives of the advice office took their complaints to Mr Bezuidenhout.'
Angry husbands, some holding onto crying children, watched in despair as their wives were taken by bus back to homelands on Friday afternoon.

Armed policemen were called in case of trouble, but the crowd outside the Langa Commission's Court in Cape Town dispersed quietly.

Eights women and children were separated from their families and repatriated to Tramet and the Chikah after being cautioned and discharged in the court for being in the Cape without permits or identity documents for more than 72 hours.

Remused husbands and fathers watched as a large South African Railways bus pulled out of Langa in the late afternoon.

Most of the women had been under arrest since early morning and their husbands claimed they had not been allowed to see or talk with them since their arrest.

Confusion reigned among crowds outside the court.

Eight men, patiently praying as they waited for their wives, claimed they had been arrested by the Peninsula Administration Board.

They said money had been used by the men who claimed they were not from the Administration Board arrived at Crossroads and said that all the people who did not have permits to be in the area must go with them. They would give us permits.

Minister warns new squatters

Sunday Times Reporter

This "evil" could not be tolerated, the Minister of Co-operation and Development, Dr. E.S. Kombol, has warned new squatters settling at Crossroads on the Cape.

He said they would be acted against.

Between 200 and 300 new squatters had moved into Crossroads. This was a clear breach of the agreement.

He had concluded with the Crossroads committee, in April 1979, that the Minister said:

"I further promised them that I would see to it that houses were built for them. These houses are already being constructed and 164 people have moved into the new extension.

The new batch of squatters included 67 men and 66 women. Dr. Kombol said he had given instructions that the women and children should return to the black states.

"For humanitarian reasons, I will accommodate the men by having them work in the Peninsula on a contract basis."

Of the men, 69 had already been given work.

The men shouted farewell to their wives as the bus pulled out.
We're unhappy, but not frightened

Staff Reporter

"We are unhappy about the situation but we are not frightened. They can arrest us but we will stay here till we get our rights."

Miss Ndotwana clutched her two-year-old daughter as she spoke for seven women in Crossroads who were deported to the Transkei on Friday.

Some of the women had been allowed to stay because their children were under the care of a hospital while others had not been arrested on Friday.

The women gathered when the Cape Times visited Crossroads yesterday and said they were not prepared to go to the Transkei.

"I first came here in 1978," said Mrs Ndotwana.

"I joined my husband who was working in Hout Bay. We were married in 1958 but I only see him once a year."

Deportations:

Two children 'left behind'

ONE of the 50 women deported to the Transkei on Friday was forced to leave two children in Cape Town.

Mrs Nefolile Ganta was separated from her children after she had accompanied her husband to the administration offices on Friday.

"We left the children in Crossroads and went to the offices, where she was arrested by board inspectors," her husband, Mr Buzile Ganta, said yesterday.

When he next saw her she was being put on a bus with their baby on her back and was not allowed to fetch her other children, he said.

In Crossroads yesterday, Mr Ganta, with Thandziwe, 10, and Sibongile, 5, at his side, said he did not know who would look after the children when he went to work that day.

"We were very happy on Thursday when we were told to bring our wives and come to the offices on Friday to get passes," he said.

"The inspectors told us that the men would be given passes but the women would be sent back to the Transkei. Our wives were arrested," he said.

In Crossroads yesterday, Mr Elber Mqhekeza was at the office of his wife and child who had been sent back to the Transkei.

"I do not know where they are and what is going to happen to them. We hear that they are going to be dropped on the Transkei border. How will they get to our relatives in Willowvale?"

The Chief Commissioner for the Department of Co-operation and Development, Mr T Bezuidenhout, said yesterday that he had addressed the people at the offices on Friday and had assured the men that they would be given passes.

"I cannot do anything about the women because I have to act according to my instructions," he said.

"I will immediately investigate the case of the two children who have been left behind. I am prepared to make funds available to the father so that he can take his children to his wife," he said.

It was hard living in the Transkei I had to plough the fields and see my children. We are far from doctors and clinics and my children always became ill. There is no money in the Transkei."

In Hout Bay, our house was thrown down and we had to move to Langa. We were chased away and went to the church. From there we were forced to come here to Crossroads.

"Now we want to go back to the Transkei and leave our husbands. This is a very unhappy time," she said.

The stories of the other women were much the same. The general feeling was that they didn't want to go back to the Transkei.

"We will rather struggle here and know we have the support of our husbands than go back to nothingness," they said.
Churchmen condemn women's deportation

CHURCH leaders today condemned as immoral and unchristian the separation of women and children from their families by deporting them to Transkei.

The chairman of the Western Province Council of Churches, the Rev. Louis Banks, said here it was "utterly immoral and unchristian to separate people who have been joined together as man and wife. It cannot be justified in any terms."

He was reacting to the deportation of 89 people, mostly women, to Transkei and the Ciskei at the weekend.

The women were loaded into railway buses with their children after being found guilty of being in the Peninsula for more than 72 hours without permission.

They were former residents of the Langa Man Barracks where they lived with their families.

Archbishop

Mr Banks said another dimension to the removals was the prospect of starvation and the high infant mortality rate in the so-called homeland.

"At least there was hope and life for them in the Cape. I can't put this strongly enough. In theological terms, these authorities responsible will experience God's judgment."

The Archbishop of Cape Town, the Most Rev. Bill Burnett, said the deportation of the women was again the inhuman and monstrous result of a morally and theologically indefensible political philosophy.

"But for their racial classification, the women and children who have been bundled back to "African homelands" would have been welcome to stay in Cape Town where their husbands' labour is in demand."

Quakers

On behalf of the Quakers of South Africa, Mr. G. Ellis said the Government had voluntarily taken responsibility for control over the lives of all blacks of the country and this implied a responsibility for their welfare.

"We cannot see that this responsibility is being met in this case."

The people being moved
Church call to Koornhof on families and freedom

The Presbyterian Church of Southern Africa has appealed to the Minister of Co-operation and Industrial Development, Dr. Pet Koornhof, to reverse the policy that leads to families being broken up and interferes in the right and freedom of people to look for work.

In an official statement on behalf of the church, the Rev. Brian Wood expressed concern at the way in which the Department had acted against people who had recently settled at Crossroads.

The justification given for this action — that the new residents are considered to upset the older residents at Crossroads by offering their labour for lower wages — is not supported by any evidence. It also suggests that the poorer and more desperate for work people are, the less they have to work.

The church also deplores the way in which the new arrivals are not given correct information about the Langa Administration Board affairs and then with their children boarded off to the homelands where poverty is endemic and one-third of all children are malnourished.

These very women lost a total of 21 children; previously, the statement concluded.

Church leaders, including the Archbishop of Cape Town, the Most Rev. Dull Burnett, the chairman of the Western Province Council of Churches, the Rev. Louis Hunkle, the Quakers of South Africa and Owen Cardinal McCarrick, Archbishop of the Catholic Archdiocese of Cape Town, have also condemned as immoral and unchristian the separation of women and children.
Tents for evicted families

Staff Reporter

More than 100 men, women and children who two weeks ago marched to Crossroads and erected shelters, added three tents to their accommodation yesterday.

The tents were provided by local community workers in anticipation of rain.

The families moved to Crossroads a month after they were evicted from the Langa Barracks.

They were moved to the barracks after the administration asked them to demolish the camps in Buie Bay and Khayelitsha and promised them alternative accommodation in the black townships.

Churches

After they were evicted from the barracks churches in Langa gave them accommodation.

The husbands were worried yesterday as they waited to hear from their wives who were deported to the homelands on Friday.

One of the men said that some of the women did not have money and had left their travel documents behind.

The men did not know what would happen but were adamant that they would not return to Transkei.

Mr Cameron Mthembu, one of more than 100 people who have moved into Crossroads, holding a tent donated by local community workers.

Thanteswa and Sibongile Gema outside one of the tents donated by local community workers yesterday as additional accommodation for more than 100 people who were formerly housed in Langa churches after being evicted from the Langa Barracks. The tents were donated because rain was threatening.
Gugulethu
pledge
to help
stranded

ABOUT 200 Gugulethu residents decided at a meeting at the Roman Catholic Church hall last night to assist stranded men and women in Crossroads who are waiting to be deported to Transkei.

A community worker, the Rev Simon Dzakala, told the meeting that although 55 women and their children were deported to Transkei last Friday, their husbands and some of the children and women were still waiting without shelter in Crossroads to be taken away.

The meeting decided to give food and clothing to the people.

The chairman of the Gugulethu Residents' Association, Mr Goodwill Betha, urged residents to give whatever assistance they could to the Crossroads people. Residents have been asked to make their contributions individually as an interim measure.

Additional contributions are invited at a meeting to be held at the Roman Catholic Church hall next Monday at 7 pm.
Deported mothers

(Continued from page 1)

Miss any attempt to arrest the women, Mr Hulley said.

An eight-month pregnant woman, who had fled from the bus earlier, returned and it was agreed that she would disappear. There were about eight police and Administrations Board vans in the area.

The board's chief superintendent of housing, Mr P V Schellhase, was also on the scene. He agreed that attempts would be made to solve the issue as a whole through discussion.

Mr Hulley said he was grateful that the confrontation had been averted temporarily.

There seems to be a fundamental problem, he said. On the one hand say the women must not be heroines, the women on the other hand are determined not to be separated from their husbands.

Roads were blocked by men from Crossroads, with women and children running from the bus, across a field and into Crossroads.

BOARDED BUS

Earlier, husbands and boyfriends of the women boarded the bus when they saw Administration Board inspectors and police, who had been stationed near Crossroads through last night, approaching.

Inspectors boarded the bus as they understood they told the driver to follow a police vehicle.

The men and women suddenly left the bus and scattered into Crossroads, among them a heavily pregnant woman.

A police vehicle sped around the bus and three men were trapped inside when the door of the bus was closed.

They arrived at Crossroads at about 5.15 a.m. The bus was empty, the husbands and boyfriends were out in force to use force to solve the issue.

ABOUI 30 women deported students were averted when a police van was held back to Crossroads, a block away.

The women were cornered by two lines of police, who opened fire and the men were scattered in the middle of the road, leaving the women to approach the police van.

They arrived at Crossroads at about 5.15 a.m. The bus was empty, the husbands and boyfriends were out in force to use force to solve the issue.

A delegation of police from the Longestation Board, who were sent to Crossroads to investigate, were confronted by a large crowd of men and women.

They were not permitted to proceed, and were turned back.

The police van was held back to Crossroads, a block away, where the women were averted.

WOMEN who were sent to the home place, left in the bush, which they were cleared through the roads with the right from Queensland is in the background.

(Continued on Page 2, col 2)
Deported women are back in City

Staff Reporter

ABOUT 27 women who were deported with their children to Transvaal last year came back to Cape Town on Saturday.

The women were deported a year ago. They were arrested and held in Cape Town for more than 90 days, without a trial and without having documents.

Fifteen of them were taken back to the camps in railroad cars last week. Others left for the Transvaal on a special train on Saturday.

Interviews with some of the deportees on their arrival at Cape Town revealed their anxiety to be reunited with their families.

In another interview, one of the women said, "We have been separated from our husbands for too long. We want to be reunited with them now." There were indications that some of the deportees wanted to go back to their homes in the Transvaal.

Recalling their experiences, a woman said, "We have suffered a lot, but we are happy to be back in Cape Town. We want to be reunited with our children and husbands." She added, "We have been separated from our families for too long. We want to be reunited with them now." There were indications that some of the deportees wanted to go back to their homes in the Transvaal.

Amnesty call for deportees

Staff Reporter

THE South African Government should extend the Republic Festival amnesty to include the deported women and their children, and allow them to remain with their families, said the President of the National Party, Mr. Jan van Riebeck, in a statement yesterday.

After a visit to the Transvaal yesterday morning, Riebeck said the government should show that its compassion was genuine and that it meant business.

It had become a matter of concern, he said, that the renewed attempt to deport the women had resulted in violence.

The way in which the government was handling mothers and children and their husbands, he said, was in sharp contrast to the compassion being shown to some 300,000 persons who were to be set free of all charges under the Republic Festival amnesty.

"This is an example of black people being turned into criminals," he said.

If the government was serious about the amnesty, he said, it should give the people something to be fighting for.
Women rather die—women who defend a transgresser.

The Argus, Friday May 30, 1931
A community worker told the families that they had been given an ultimatum by the Administration Board of the Western Cape to decide by today what they intended to do.

The board has given the assurance that it will not act against the people until Tuesday.

The women, some of whom were born here, said passes were not a 'natural creation'.

'This is a place of God like any other place. We are not going anywhere. We want to stay with our families,' said one.

'The' women said they had been sent back to the homelands, unprepared for the journey or for a stay of any length of time there.

'They had been 'dumped' at a place to which they had never been before.

They would not return to the homelands. They had no families there. Medical services were expensive and inadequate and there was no work for them in Transkei.

Yesterday, she stood in a dusty vlei alongside a makeshift shelter in Crossroads and said that in spite of the evictions, court appearances, harassment by officials and finally a deportation order to Transkei, she was not prepared to move.

No money

'There is no money to make a life in Transkei. I have no relatives there. Babies are dying and people are starving.

'My child is sick. It is difficult to get to hospitals and doctors. I want to be with my husband in Cape Town.'

Born in Retreat in 1956, she went to Transkei at the age of two but returned to attend school here from Standard 5.

She married a Transkei contract worker in Cape Town in 1977.

They lived in a squatter camp in Killarney until, in 1979, they were forced to move to the main barracks in Langa.

Mrs Mzinga Mazula

72 hours without permission. He lost his job in Rylands.

The family was temporarily split up when Mrs Mazula and her children found shelter in a classroom in Langa with 80 other women and their children who had been evicted from the barracks.

The menfolk stayed in church buildings at St Cyprian's in Langa.

Shelter

In a bid to find permanent accommodation they moved en masse to Crossroads and erected a shelter two weeks ago.

The shelter was demolished last Friday while all the occupants were at the Administration Board offices in Langa.

'We went there believing that they were going to legalise our position in the Cape.'

Instead, those without permits were taken to the Commissioner's Court across the road.

'Mrs Mazula pleaded not guilty to being in the prescribed area for more than 72 hours without permission.

Deported

'She was found guilty and referred to another commissioner who deported her to Transkei with fifty-four other people.'

They arrived.

'We did not trust the inspectors after what happened at the Administration Board's offices,' said Mrs Mazula.

The inspectors went to the police station and the police came with dogs and told us to get off the bus.

Way back

'We started to look for a way back to Cape Town.'

The women walked more than 60 km to Stutterheim before getting a lift.

They paid R7 each to get to Queenstown where they hired a bus to bring them back to Cape Town.

The bus travelled through the night.

When they got to The Strand an eight-month pregnant woman started having labour pains.

One of the children had fits on the journey.

They arrived in Cape Town on Wednesday morning and sat in the bus until 3:30 unable to pay the full fare.

Fled

When Administration Board officials and police attempted to surround the bus, they fled into Crossroads.

Mrs Mazula has a quietly dignified manner. She is happy to be reunited with her husband in Cape Town.

'We are not moving,' she said.

Soon afterwards the strain of the last week overcame her and she broke down and sobbed.

Church leaders have undertaken to negotiate on her behalf with the authorities to legalise her position in the Cape.
white male alcoholics between the ages of 15 and 65 years. These figures are calculated on the above-mentioned assumption that 6% of the economically active population (between 15-65 years) can be classified as alcoholics. This figure of 6% was developed by an American epidemiologist who undertook numerous national surveys including different social classes, ethnic and minority groups and sub-cultures (Cahanian, D. et al., 1967, p 175)

Whether this figure of 6% is applicable to South Africa in general, and the Coloured population group in particular, is debatable.

In view of the widespread misuse of liquor in the Coloured communities, some authorities estimate that the percentage of "addictive" alcoholics for this group is rather in the order of 6-8% (SACPA, 1978)

Although there may be doubts in connection with the established relation of liquor consumed and the incidence of alcoholism, this inflated percentage is a reflection of the increasing consumption of alcohol in the Coloured communities.

To substantiate my viewpoint, research conducted from 1963 to 1967 by Prof Gillis (Gillis, 1968, p. 4) into psychiatric disturbance and alcoholism among Coloured people in the Cape Town area. It was found that 47% of the sample was "addictive drinkers", of which 35% were male. In addition to this, the survey revealed another 3-2% that could be classified as "pre-addictive drinkers".

With regard to excessive drinking or liquor abuse, the situation for both population groups cannot be ignored. As Gillis reports:

"During the past weekend, Cape Town police had to deal with a situation which had developed at the railway station after a group of young men were found drunk and disorderly." The police had to act on the order of the City Council to prevent further disturbances. The group, consisting of young men from the Cape Flats and District Six, had gathered at the station to drink and cause disturbances.

On Monday, the police conducted a search of the area and arrested 12 men for alcohol-related offenses. The police also confiscated a large quantity of alcoholic beverages. The men were charged with public drunkenness and disorderly conduct. They were ordered to appear in court on Wednesday.

In view of the situation, the police have stepped up their efforts to prevent further disturbances. The police have urged the public to report any incidents of alcohol-related offenses to the police. The police are also working with community organizations to educate the public about the dangers of excessive drinking.
No special status for black foreigners

By BARRY STREEK of the Daily Dispatch, East London

IN TERMS of South African government policy, people regarded as Transkeian citizens are theoretically foreigners in South Africa and are to be accorded the dignity and status that classification implies. On December 4 people regarded as Ciskeian citizens will be given, theoretically, a similar status.

Over the years we have had a succession of South African cabinet ministers alleging that people from the 'independent homelands' will be accorded a special status because of that independence. The harsh truth is that the Cape Peninsula is, however, very different Here, the day-to-day reality of life is that the black people from Transkei and Ciskei are treated no differently than other South African blacks subject to the pass laws, and all the indignity and harassment the execution of those laws implies.

That is, of course, a serious allegation to make, but I believe it reflects the true reality.

Need work

The unemployment situation in the Ciskei-Border-Transkei region is chronic, and thousands upon thousands of ordinary law-abiding people need work badly. Very badly.

There have been 1,000 plans to stimulate economic development in the region, so little has come of them The result today is that thousands and thousands of Ciskeians and Transkeians do not have jobs. And when people don't have jobs and money they get hungry.

The need is basically for money, to feed and house themselves and their children. They need money for those things which in a healthy society would be regarded as a basic right.

Only the other day Chief Sebe of Ciskei attacked the "jeppe and ciskei apartheid", while Chief Matanzima of Transkei said that if the common enemy was to be repelled "white South Africa should accord blacks a sense of belonging."

In sharp contrast, in the Lange Commission's Court recently, a magistrate, Mr. van Wyk, underlined effective official attitudes to this situation when he convicted Mrs. Eugenia Guzla, 25, of the Cape Peninsula and fined her R50 (or 60 days).

Mrs. Guzla told the court that she had come to the Cape to look for work. She had been looking for work since January.

That was in 1979. But two years later in 1981 a man with housing and work is still treated the same as anyone else whose documents are not in order.

My gardener who, without any adequate defense, was likely to have been fined R50 (or 60 days), was incarcerated for 24 hours But I, who may be fined R100 was given a summons to appear in court in June.

The treatment my gardener got was for an apparently less serious offense. The color of his skin and his skin was the difference.

These are but two examples of how people from Transkei and Ciskei are treated in the Cape Peninsula, where the beauty of the area hides the hunger in it.

One could go on with the examples, and there are enough of them, but that is not necessary.

The Minister responsible, Dr. Kornhom, once declared war on the donpas, although he does not seem to have won a battle yet What is needed now is action.

The only real solution is to scrap the pass laws But it would be unwise for us to hope a Nationalist government would go that far.

But one can demand that the people be treated as human beings, and that equal justice for all be applied.

Learn realities

Inspectors of the Cape Peninsula Administration Board should spend six or 12 months' service in the rural areas of Transkei and Ciskei to learn about the realities of the lives of hungry people.

Chief Sebe and Matanzima and members of their cabinets should take the trouble to make unannounced visits to the Lange pass-law courts to see for themselves what is happening to the people. Perhaps members of their diplomatic staffs should be there permanently to keep a watching brief.

Whatever step is contemplated, I can only urge Chief Matanzima and Sebe to take firm action immediately in the interests of their people.

Finally, I must add that my own case still has to be heard in the courts. Although I have never intended to break the law, I cannot and will not pay any fine for giving employment to one of the thousands of people from Transkei and Ciskei who need work. In principle it is not possible. In principle it is not possible. The consequences
Mr Van Wyk, according to a newspaper report, asked her why she did not go home. "We are starving in the homelands," she replied. Mr Van Wyk said "We are starving in Cape Town. You can rather starve at home."

In other words, people like Mrs Gudza should go back to the Ciskei and Transkei and starve where there is not the remotest possibility of work, rather than in Cape Town where there is at least some possibility of work.

But the point is that here was a man with legal residence and a job, being detained for 24 hours purely because he was doing his best to give his two children a chance in life. I remember so well reporting on the Riekert commission report when it was tabled in the South African Parliament. The report was accepted, in principle, by the government. One of its recommendations was that a person with a job and housing should be permitted to work in "white" South Africa.

In the meantime, I can only hope that Chief Nathan and Sebe will investigate the conditions and treatment of their people in South Africa and that their efforts will improve the lot of the people who suffer under the system here.
Meeting sought with Koornhof

Staff Reporter

The Western Province Council of Churches (WPCC) is arranging a meeting with the Minister of Co-operation and Development, Dr Piet Koornhof, to discuss the situation of 30 deported black women who returned to the Cape Peninsula last week.

The chairman of WPCC, the Rev Louis Banks, said yesterday the church group had decided to seek the interview after a meeting yesterday with officials of the Peninsula Administration Board.

The PAB officials at the meeting included the chief commissioner of the Department of Co-operation and Development in the Western Cape, Mr Timo Bezuidenhout, the vice-director of labour for PAB, Mr G N Lawrence, and the chief housing officer of the PAB, Mr P U Schelhase.

Mr Banks said they were asked by local community workers to mediate for the women who told the workers at a meeting in Crossroads on Thursday of the unpleasant journey they had experienced when they were deported.

The women were deported last week after they were cautioned and discharged for being in the Peninsula for more than 22 hours without a permit and/or for not being in possession of identity documents.

Mr Banks said the church group conveyed to the PAB officials that the separation of families was unacceptable from the church's point of view.

"We asked the PAB officials to stop raids while the interview with Dr Koornhof was being sought," Mr Banks said.

He added that PAB officials had "agreed" that they would not execute raids. However, Mr Banks said, the officials told them that they were subject to instructions "from above".

He described the meeting as being "good and honest from both sides" and said that a compromise had been reached.

The churches represented were Roman Catholic, Congregational, Moravian, Anglican and Dutch Reformed.

"No arguments"

Commenting on the meeting, Mr Bezuidenhout said last night that the church representatives had expressed their feelings about "the system" and that "no arguments had been involved".

"They asked whether they could set up more tents for the people and I said they could not. We cannot have any more structures and tents until the whole matter has been resolved.

"I said they could by all means improve the existing structures of the people and arrange blankets and food for them. I also assured them that they would not be hampered if they went on to the sites to do this."
Challenge that hides the hurt in Mrs Majosi's eyes

IF MRS FIKI MAJOSI didn't have a friend who is an advocate she would have been another urban Black petty crime statistic.

Not knowing she might have been innocent, she would have paid the R50 fine for unlawfully accommodating her husband, Lucas, under the Bantu Urban Consolidation Act.

Aged 46, with never a Pass law offence against her, this dignified, respectable mother of two married children would have been finally caught in apartheid's net — because her husband was in her room at 5.45am.

Mrs Majosi cares for an elderly Rosebank woman and lives in a room on top of the flats, Anna Mansions Johannesberg. Advocate Tony Gordon is a relative of Mrs Majosi's employer and has known her, on first-name terms, for about four years. Defending her husband, he secured her acquittal this week.

If he could take on the humiliation Mrs Majosi felt standing in the dock, I am sure he would. But, apparently wary of having his motives misunderstood, he would not make a press statement.

West Rand Administration Board inspector F. Horak refused to go with Mrs Majosi to her employer, only two floors below, for an explanation of her husband's presence — an action which Wrab chairman John Knoetze says he is "very unhappy" about. "This must not happen again," he said.

If Mr Horak had been prepared to listen, he would have heard that Mr Majosi, 52, lives only a few metres away separated from his wife by a driveway. He also lives in a "location in the sky" a room on top of Keyes Court.

Forbidden by law to spend the night together, the Majosis wave to each other in the mornings if they emerge from their shabbie bachelor quarters at the same time. If the overworked cheque "so near and yet so far" still has any meaning it describes their situation.

Mr Knoetze said recently the law should be "hated" to achieve justice, and I asked him to bend only the rules and get the Majosi's accommodation in Soweto — they are on the waiting list. His refusal was adamant: "They are perfectly happy as they are," he said, and the fact he has never spoken to them was nothing to him.

He went further: "It would set a precedent. There could be 100 000 people making love."

Mr Knoetze agreed that it is "a hell of a way to live". Was it not a cruel system that brought this about, I asked. "I am not saying you are wrong," he replied.

"On our side we must show sympathy, empathy, and understanding."

And the Majosi's, on their side? "They should avoid prosecution."

I pointed out that Mr Majosi might visit his wife, quite legally, and they might then fall asleep. Mrs Majosi would wake up in morning a law-breaker. What then?

"I don't want to go into the moral side of it," said Mr Knoetze.

He suggested a system that worked well when he was in charge of the Vaal Administration Board flexitime for domestics.

Mr Majosi, a collar-and-tie man, is a building society messenger and it would be difficult for Mrs Majosi's matrimonial to the old lady to be as casual as that.

"Avoiding prosecution" means there is no spontaneous loving in the Majosi relationship, except when they risk another pre-dawn visit by an obtuse official who won't listen to explanations. And especially since the flats are raiding regularly by Wrab inspectors.

Mrs Majosi can't understand that she almost committed a crime. She and her husband (away for the weekend) are so straight that the Oxford Dictionary gave an example of respectability they'd be it.

She is small, fastidious, and proud. But self-esteem is temporarily damaged "I feel a criminal," she says. "But I didn't do anything to anybody."

That court case hurts. What did I do?"

She has the nearest, best setup domestics' room I've seen. It includes an expensive three-seater settee and display cabinet — both purchased after hard saving — and enough little extras to let you know she's a house-proud woman.

Mr Majosi is now scared of being caught in his wife's room. He arranges to meet her by standing on his balcony and catching the eye of someone on the highway and the Majosi's, who have been married since 1959, meet in the foyer.

Talking to us, Mrs Majosi had a thought: "Now that you and the photographer are in my room, am I breaking the law right now? What law am I breaking — can you answer that?"

I couldn't, but I wished Mr Knoetze could see the direct challenge hiding the hurt in the eyes of Mrs Fiki Majosi.
Tutu to go on week of prayer and fasting

By JOHN BATTERSBY

BISHOP DESMOND TUTU will begin a week of prayer and fasting in the headquarters of the South African Council of Churches tomorrow to highlight the plight of “resettled” people in South Africa — particularly the 30 women who returned to the Crossroads squatter camp this week after banishment to Transkei.

The 30 women — one in labour and others carrying their babies — returned to their makeshift shanty homes on the outskirts of Crossroads this week indicating they would rather face death than return to the homelands without their husbands where “there is no work and starvation awaits them.”

The women’s husbands have also indicated that they are prepared to defend the right of their wives to live with them “even to death.”

In an interview with the Sunday Express Bishop Tutu pledged the SACC’s unconditional support for the women adding that the Church body would do “everything in its power” to support the women in their right to a healthy family life.

Bishop Tutu’s dramatic “week of fasting and prayer” will focus on the forced removal of South African people as an aspect of the Government’s philosophy that “Blacks are not South Africans.”

The Bishop said he had called on Church leaders to join him and had written to the World Council of Churches and all its member councils throughout the world to join the SACC in a week of prayer.

“I am also planning to write to the Minister of Co-operation and Development, Dr Piet Koornhof, appealing to him to stop the system of forced removals — even those which he calls voluntary, which very often are nothing of the sort.”

Bishop Tutu said the plight of the 30 women and their children, who had defied deportation orders under the Government’s influx control laws rather than face unemployment and starvation in the homelands, would be highlighted during the week of prayer and fasting.

In a tense scene at the Crossroads squatter camp this week the women streamed off the bus and scattered among the maze of shanties as police and Administration Board officials surrounded the bus.

It was only intervention by a combined ad hoc delegation of the Women’s Movement for Peace and the Cape Western Region of the Progressive Federal Party led by Mr Roger Hulley, MP for Constanha, that prevented further police action.

Bishop Tutu said the idea for a week of prayer and fasting had evolved from a resolution passed at the recent SACC annual congress which called on Christians to undertake pilgrimages such as going to live with people in resettlement areas “to experience what it means to be a displaced person in your own country.”
'Sympathy won't help'

By CHARLES MOGALE

THE "sympathetic" application of the pass laws will not diminish the bitterness blacks have towards them, a Rand Supreme Court heard yesterday.

Expert witness Professor M Wiechers of the University of South Africa was giving evidence before Mr Justice Coetzee in the lawsuit filed by Wrab against Satam, for R7.5 million in damages done to its buildings during the 1976 Soweto riots.

Prof Wiechers, who appeared as a Wrab witness, made the remark during cross-examination by Santam's chief counsel, Mr S A Cilliers. He said sympathetic meting out of the influx regulation laws would alleviate the resentment of the laws by blacks, but could not eradicate the problem.

Mr Cilliers: Don't you think there are grievances arising from the unsympathetic implementation of the influx laws by blacks?

Prof Wiechers: You can alleviate the problems, but you can't remove them by applying the laws in a sympathetic manner.

Prof Wiechers added that Dr Nthato Motlana (Soweto Committee of Ten's chairman), Dr Manas Buthelezi (Black Parents' Association chairman) and Mr Leonard Mosala (former Urban Bantu Council member) all carried "dompasses", and blamed the Government for this.

He agreed that the resentment of blacks for the authorities stemmed mostly from laws made by the Government and not the officials who carried them out.

Disturbances in the northern Transvaal, Durban and Cape Town in solidarity with those in Soweto, could not have been aimed at Wrab, as they had nothing to do with it.

Prof Wiechers agreed that people saw the problem with the Government, which is why they refused to talk to Wrab officials during the riots and demanded to speak to the responsible cabinet ministers.
3) to provide a less clinical, more homely atmosphere to reduce the psychological stress of childbirth. The patients get to know the sisters and midwives at the MOUs during the period of ante-natal care. The system at hospitals is clinical and impersonal. Ante-natal care is provided at outpatients departments and the delivery in the maternity wing.

The specific aim of the MOUs is not to reduce the perinatal mortality rate or the maternal mortality rate - that is the aim of all obstetric care. However, since the establishment of the MOUs, the perinatal mortality rate has declined. (See Table 5.1 - this excludes information about deliveries performed by independent midwives.) There has been no significant change in the maternal mortality rate since 1973 as modern medicine in Cape Town has advanced to the stage where maternal deaths are not common and are not usually clinically avoidable.

Nor is the aim of MOUs to do away with hospital deliveries - there will always be a need for hospital specialist care in the area, due to the number of high risk cases, particularly as Black women have a high incidence of cephalo-pelvic disproportion. It is important to note with respect to the perinatal mortality rate that low risk pregnancies may still result in the need for the transfer of the case for specialist attention or in the death of the child. Under the auspices of UCT/CPA, no more home deliveries are now conducted. Table 5.2 shows the percentage of deliveries performed in institutions. This includes cases of born before arrival but transferred immediately to an institution after birth. (Institution refers to hospitals and MOUs.)

MOUs and associated clinics also provide the ideal environment for the introduction of the concept of family planning. In 1976, 81% of the patients discharged from MOUs were on some form of family planning. The Day Hospitals themselves also provide a family planning service. Since 1972, there has been a marked decrease in the number of births to Cape Town municipal residents, particularly the 'Coloureds'.

The operational efficiency of neonatal paediatric care has also been improved by MOUs. Neonatal examinations are provided in 3 places -
- babies born at MOUs are seen by the MOU staff - midwives and paediatric nurses
- babies born in hospital are seen by the professional hospital teams
- babies born in the home are seen by private midwives

Well babies are discharged from hospital and MOUs while problem cases are either kept in hospital or transferred to the MOUs. There is thus a concentration of specialists treating those babies requiring the attention of professional teams. Each notified birth is followed by local authority health visitors, and well baby clinics are provided by the local authorities.

The impact of MOUs on the cost and efficiency of obstetric care can be seen from the above discussion. While this is responsible for only 2 of the MOUs, it was responsible for the initial introduction of the concept. It has an important role in improving obstetric care in the Peninsula, particularly in reducing the perinatal mortality rate, a mortality rate which is accepted as being set to the quality of obstetric care.
moving towards ways of restructuring influx control as far back as 1975, when they began experimenting with the upgrading of squatter areas.

Much of this work is secret, with the Government having the problem of educating an increasingly polarised voting population.

What causes squatting? The answers are numerous.

Some urban planners say the problems began in 1886 with the discovery of gold on the Witwatersrand. But at that time Africa's are being forced off their land and expected to squeeze into the 13 percent of land set aside for blacks.

STARVATION

This has made life impossible for thousands of rural blacks causing a consequent upsurge in starvation and infant mortality in these and homestead areas.

An example is that of Mr G Mahlangu. He and 65 families were forced to move from farms in the Modderplats and Bakfontein. The white farmers said we were too close to them, so...

C. Herald
16/1/81

'Disqualified' women to get temporary homes

Chief Reporter
MORE than 50 "disqualified" women who had been living at Crossroads and who returned to the Cape Peninsula recently after being repatriated to Transkei and Ciskei, are to be given temporary accommodation at KTC, Nyanga, while their cases are individually investigated by the Western Cape Administration Board.

This was stated yesterday by the Chief Commissioner for the Western Cape, Mr Timo Bezuidenhoud, at a meeting between himself and representatives of churches and other bodies.

Mr Bezuidenhoud said afterwards that the meeting had been amicable. The Anglican, Roman Catholic and Presbyterian churches, the NG Sending Kerk and the Women's Movement for Peace were represented by Mrs Celeste Roberts, a social worker, was also present.

"These were further talks to those we had about two weeks ago," Mr Bezuidenhoud said, which he had agreed to a plan whereby the Administration Board will make temporary accommodation available at KTC, after which each case will be investigated individually.

Mr Bezuidenhoud said the church and other representatives had accepted the fact that the women would be moved to KTC, but had asked that they be able to remain there with their families.

"I said I unfortunately could not accede to this request, but that I still hoped the problem could be solved amicably."

Responsibility
"I also made it clear that I stood by what I have said that men who were here illegally will have their position legalized in that they will be allowed to enter into 12-month contracts with their employers, to earn enough money to maintain their families."

Mr Bezuidenhoud said the disillusioned women who had been moved to the Peninsula within the next few weeks.

Fifty-five women were repatriated to Transkei and Ciskei two months after being cautioned and discharged at the Lange Commissioner's Court on charges of being in the Peninsula for more than 72 hours without the necessary permits after being stopped having identity documents.

They were taken, he said, to the homelands, with their children, in railway buggies.
Table 5.1. Cost of promotion of ethical drugs (as a percentage of sales) compared with the cost of manufacturing and research and development, (S.A. 1973)

<table>
<thead>
<tr>
<th>Cost Component</th>
<th>Percent of Sales</th>
</tr>
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<tbody>
<tr>
<td>Promotion</td>
<td>25%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>33%</td>
</tr>
<tr>
<td>Research and Development</td>
<td>6%</td>
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</table>

The enormity of the promotional effort can be gauged from the description given by a U.S.A. doctor: "It would take two railroad mail cars, 110 mail trucks and 800 postmen to deliver the daily load of drug circulars and samples to doctors if mailed to a single city. Then, after being delivered, it would take 25 trash trucks to haul it away to be burned on a dump site whose blaze would be seen for 50 miles around."(4)

A study of the mail received by South African doctors shows that it is probably comparable to the amount received by doctors abroad. Diagram 5.2 illustrates this. (5)

Diagram 5.2: Analysis of mail items received by S.A. doctors

(3.2) The Role of Promotion

The large amount of promotion is said by the industry to play several positive roles. Among these are the ability of promotion, by increasing sales volumes, to allow unit prices to be reduced as a result of economies of scale being realised, and the encouragement of price-sensitivity by drug sales representatives (detail men).

In addition the rapid pace of technological change necessitates a great amount of information dissemination. The drug firms provide readable information necessary for the doctor to practice effectively. "Medical thinking tends to be reductively individualistic. The Pharmaceutical Industry serves as an influential instrument in orientating that individualism to an accommodation of the world's thinking so that the public gets the fullest advantage of the most important discoveries."(6)

However, the critics take issue with these arguments put forward by the industry.

The result from economies of scale are not in to increase brand loyalty and is really an investment in price insensitivity. The fact that promotion of drugs embraces very little copy that stresses prices is an indication that the industry benefits more by not encouraging price-sensitivity.(8)

The main attack of the critics centres on the role of information dissemination. Although it is conceded that doctors do need to be given large amounts of information, the sheer magnitude of the promotion by the industry causes distortions.

The overconsumption of drugs and the increasing resistance of bacteria due to the injudicious use of antibiotics has become a major problem. Promotion boosts the sale of drugs and biases medical treatment towards drug-dependent curative medicines.
PAB chief asks for chance

Chief Reporter

THE Department of Co-operation and Development's Chief Commissioner for the Western Cape, Mr. Pieter Bezuidenhoudt, appealed yesterday to the families at Crossroads of "disqualified" women who were recently repatriated, to the Transkei and Ciskei but who have returned, to give him a chance to solve their problem.

"I say to these families; don't come to hasty decisions. Don't be hard-headed and force me to use force. I still maintain that we can solve this problem in a decent and humane way."

He was reacting to reports that the families concerned had rejected his plan to move the more than 50 "disqualified" women to temporary accommodation at KTC, near Nyanga, while their cases were individually investigated.

The families have said they want permanent residential rights before moving to any accommodation arranged for them.

At a meeting on Monday between Mr. Bezuidenhoudt and church and other representatives, Mr. Bezuidenhoudt was asked that the women in question be allowed to be with their families when they were moved. Mr. Bezuidenhoudt said he unfortunately could not accede to this request but that he still hoped the problem could be solved amicably.

He said he would do his "utmost" to solve the problem and believed there could be a solution.

The women have said they do not want to return to their homelands because there is no work there, that there is starvation there and inadequate medical facilities.
The plight of workers

who are employed by

and are paid less

than the minimum wage,

will be discussed at a

meeting of the Union

of Nigerian Workers.

All invited workers

are welcome.

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The plight of workers

who are employed by

backyard factories

and are paid less than

the minimum wage,

will be discussed at a

meeting of the Union

of Nigerian Workers.

All invited workers

are welcome.
Former procurator’s claims ‘half truths’, commission told
Pass case ‘blunders’ admitted

PRETORIA BUREAU

A FORMER prosecutor who stalked out of the Pretoria Commissioner’s Court had made allegations over the treatment of people accused of pass law offences “because he was politically motivated to do so”.

Mr C N J Welman, a former chief commissioner in Pretoria, yesterday described the allegations of the prosecutor, Mr Adam Kien, as “half truths” when he gave evidence before the Hoefker Commission of Inquiry into the Structure and Functioning of the courts.

Mr Welman admitted there had been instances in courts where presiding officers had blundered because of inexperience.

Under cross-examination by one of the commissioners, Mr Welman admitted information gleaned at aid centres was given to prosecutors at commissioners courts.

But he denied Mr Kien’s claim that the information was studied by the presiding officer before the case.

The commissioner said much of the information on the form which had to be filled in could seriously incriminate an accused if it was sent to the court.
the course of action that it follows, may be very different from the dominant interest groups in the wider community. It has even been argued that bureaucracies develop their own dynamic and that consequently decisions taken in the public sector are more likely to reflect the preferences of the bureaucrats than those of society as a whole or even those of the electorate.\(^{(15)}\)

In the health field, medical personnel have been singled out as being frequently guilty of pushing through their own preferences by failing to provide the lay members of the bureaucratic decision group with sufficient information. As a result of this process, modern, highly technical hospitals that satisfy the ego's and the research requirements of a particular section of the medical fraternity may be built when perhaps from the community's viewpoint a better strategy would be the provision of large scale coverage by mobile medical clinics. Research into the consistency of medical decisions has yielded nothing but the undeniable fact that there is no consistency.\(^{(17)}\) It has even been argued that an expansion of hospital beds is itself sufficient to increase the number of patient days spent in hospital.\(^{(18)}\) Large quantities of resources are often allocated by health planners for the treatment of relatively esoteric diseases as a result of pressure from a group of interested professionals.\(^{(19)}\) The influence of the medical profession on the allocation of resources is not a problem that relates to the provision of public sector health alone, the diseases treated in private hospitals may also reflect the doctor's preferences regarding the mix of the cases treated rather than the incidence of the diseases in the community as a whole.\(^{(20)}\)

**THE PROBLEMS – AN OVERVIEW.**

In summary, the problems that have been discussed in this paper stem from three sources.

1. **The shortcomings of the market mechanism.**

   The private use of competing and conflicting objectives in the

   internalised market for hospital services, a market which is

   dominated by the private providers of health care. The full

   costs of hospital care are not reflected in the prices paid

   by patients, and this leads to a misallocation of resources.

   The concept of 'market failure' is applicable here,

   as the market for hospital services is not perfectly

   competitive. The result is that hospitals can charge

   higher prices than the marginal cost of providing care,

   leading to overuse and inefficiency.

**Pass laws better,\(^{(16)}\)**

By J. P. Matthews

In a society where blacks are treated less than whites, where laws are passed that work against blacks, and where the black population is subjected to racism and discrimination, it is essential that black people have a voice in the political process. The pass laws, which are used to control the movement of black people, are a direct result of the apartheid system. The pass laws are used to restrict the freedom of black people and to prevent them from exercising their rights. The pass laws are a means of controlling the black population and of preventing them from participating in the political process.

The pass laws are a form of racism and a form of oppression. They are used to control the black population and to prevent them from exercising their rights. The pass laws are a form of discrimination and a form of violence. The pass laws are used to control the black population and to prevent them from participating in the political process.


**(17)** The lack of consistency in medical decision making is well argued and documented in Michael H. Cooper, Rationing Health Care, Croom Helm, London 1975, Chapter 6.


**(20)** For medical examples of this type of syndrome see the research reported in H. Lighten and M. Plyzak, 'Appendectomy in the Federal Republic of Germany', Epidemiology and Medical Care Problems, Medical Care XXI 11, 1971.

Arrow argues even more strongly that the financial incentive that is present in the private hospitals encourages doctors to hospitalise unnecessarily. Kenneth J. Arrow op cit.
Wrab denies Black Sash claim

... By STEVEN FRIEDMAN
Labour Reporter

WEST Rand Administration Board officials are telling black workers that they can no longer gain the right to live and work permanently in the cities if they had from Pretoria, the Black Sash claims.

But a spokesman for Wrab's directorate of labour said it was not its board's policy to deny Transkeians rights they would otherwise be entitled to and that no instructions had been received from Pretoria to this effect.

A representative of the Black Sash advice office said this week that the office had handled several cases in which workers had approached Wrab to apply for residence rights under Section 10 of the Black Urban Areas Act but had been told by officials that Transkeians were no longer granted these rights.

This was particularly applied to workers who sought Section 10(b) rights on the basis that they had lived and worked continuously in a city for one employer for 10 years or several employers for 15 years, she added.

"The officials make no attempt to find out whether these workers may qualify for these rights. They simply tell them that Transkeians as a group are no longer entitled to them," the advice office representative said, adding that it was not Wrab policy to automatically deny rights to Transkeians, "then this must be made clear to the officials."

"We suspect this is just another attempt by officials to avoid having to discuss requests for rights on merit."

The Wrab spokesman pointed to existing regulations which state that contract workers who had begun working in the cities since 1967, would generally not be granted Section 10(b) rights because their annual work contracts were deemed to have been broken whenever they expired.

But he insisted that this regulation was not applied differently to Transkeians or workers from "independent" homelands.

"In terms of agreements between Pretoria and the Transkeian government, Transkeians were often treated 'more leniently'" he said. "For example, 'Transkeians can work in the cities on three-year, rather than one- or two-year contracts,'" he said.
Neck disc ‘passes’ for blacks suggested

Professor Middleton asked Mr Fours whether it was not unfair to expect blacks to carry their reference books at all times, including when they were doing manual labour.

He suggested that it would be much easier if blacks were issued with a disc which they could wear around their necks to prove that they were entitled to be in the urban area.

Mr Fours said he thought it was an “excellent” idea. He said that his hair sometimes stood on end when he was talking to the police.

The way in which the influx control regulations were implemented had long been heard of by the way pass law offenders were treated by the police.

He suggested that police be compelled to study a course in anthropology so that they could fully understand the importance of forging good relations between people of all races in South Africa.

He had encountered many instances of pass arrests done in a “robust” manner and that disturbed him greatly. He said it was a source of bitterness in the black community and the time had come for a solution to be found.

The solution could only work if blacks and whites reached consensus over how the new measures were to be implemented. It was unforgivable that young policemen were permitted to act in a blatantly reckless way when dealing with pass law offenders.

Mr Fours said that their actions were often condoned by senior policemen.

He stressed the importance of avoiding the proscription and imprisonment of pass law offenders as far as possible because the prisons could not accommodate any more prisoners.

This was where the aid centres played an invaluable role, he said. Cases which did not warrant prosecution could be dealt with administratively in the aid centres.

Prisons were already overcrowded by 300 percent, Mr Fours said.

Mr Fours will continue his evidence tomorrow.
Call to enlist black staff in influx control

 Pretoria Bureau

 A WITNESS told the Hoexter Commission yesterday that influx control could become redundant in the future — and in the meantime blacks should be involved in the formulation and implementation of influx control.

 Mr F J Fourie, a former director of the aid centre at the Commissioner's Court in Pretoria, said black clerks and prosecutors should be employed in the commissioner's courts.

 He claimed blacks generally accepted "the necessity" of influx control measures, and said it was the way they were implemented that caused bitterness in the black community.

 Mr Fourie dismissed claims about irregularities at the aid centre made by Mr Adam Klein, a former Commissioner's Court prosecutor. He said he was "chilled" when he heard suggestions that aid centres be abolished.

 In evidence before the commission last week, Mr Klein said detainees were interrogated at the aid centre by officials of the Department of Co-operation and Development.

 He alleged that the rights of an accused were never explained to him and that this was a major irregularity.

 Mr Fourie said it would not be irregular if information gleaned from a detainee at an aid centre was passed on to the prosecutor in the Commissioner's Court to be used as evidence against the accused.

 Under cross-examination by a commissioner, Mr J C Ferreira, Mr Fourie said the SA Police form which was filled in at the aid centre was used as evidence against the accused.

 Professor A J Middleton, another commissioner, remarked that not only was the aid centre's findings noted on the SAP form — the statement of the policeman who made the pass arrest was also filled in.

 He said it was irregular that the allegations of a police officer could be used as evidence.

 Mr Fourie also proposed that aid centre functions be extended to rural areas, and that sub-commissioners' courts be introduced in black residential areas to substitute for the malakgas.

 -- Fig. 5 (a) --

 PROPORTIONAL MORTALITY

 WHITE

<table>
<thead>
<tr>
<th>Group</th>
<th>Proportion</th>
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<tbody>
<tr>
<td>0</td>
<td>0.3%</td>
</tr>
<tr>
<td>I</td>
<td>2.0%</td>
</tr>
<tr>
<td>II</td>
<td>15.6%</td>
</tr>
<tr>
<td>III</td>
<td>0.8%</td>
</tr>
<tr>
<td>IV</td>
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<td>50.5%</td>
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<td>12.5%</td>
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<td>IX</td>
<td>1.7%</td>
</tr>
<tr>
<td>XIV</td>
<td>2.5%</td>
</tr>
<tr>
<td>XV</td>
<td>2.0%</td>
</tr>
<tr>
<td>XVI</td>
<td>7.6%</td>
</tr>
</tbody>
</table>

Fig. 5 (a) shows the proportional mortality rates for different groups among the white population.
Blacks angry at neckdisc pass suggestion

BLACK leaders have reacted with anger to a suggestion by a Hoefker Commission member, Professor A. J. Middleton, that blacks be made to wear discs around their necks instead of having to carry passes.

Bishop Desmond Tutu, secretary-general of the South African Council of Churches, described the suggestion — reported in daily newspapers yesterday — as insensitive and said blacks would be made to feel like dogs with collars around their necks if the measure were implemented.

According to reports, Prof Middleston made the suggestion in Pretoria on Monday while cross-examining a witness, Mr F. J. Pfeiffer, a former chief of the legal aid centre for blacks in Pretoria.

Hoefker Commission is investigating the structure and functioning of courts and the suggestion was an "excellent" idea, Mr Pfeiffer said he thought the suggestion was an "excellent" idea.

"I would suggest you obtain a copy of the transcript of what I said at the hearing. I am not prepared to engage in a debate with the Press," he said.

But according to reports, Prof Middleton suggested it would be much easier if blacks were issued with a disc which they could wear around their necks to prove they were entitled to be in the urban area.

Mr Pfeiffer said at the hearing his hair sometimes stood on end when he heard of the way pass law offenders were treated by police. He suggested police be compelled to study a course in anthropology so they could fully understand the importance of forging good race relations.

Bishop Tutu said yesterday he was shocked at what he described as the insensitivity of Prof Middleston. He's unbelievable," he said. "If Prof Middleston's suggestion is implemented, we will be made to feel like dogs with collars around our necks."

"The basic issue is to scrap the pass laws. Nothing else will satisfy blacks," he said.

He equated Prof Middleston's suggestion to the time when Jews were forced to use armbands to identify themselves.

Dr Nihato Mthana, chairman of the Soweto Committee of 10, said he was horrified when he read the reports.

"It's monstrous. I can't imagine blacks using discs around their necks in 1984. It would have been possible when blacks were slaves in America," he said.

He also said the only solution was to abolish the pass laws. Any attempts to "humanise" the offensive laws would only worsen the situation.

"If Mr Pfeiffer went along with the disc idea, I can only imagine what kind of assistance he had been giving blacks at his legal aid centre in Pretoria," he said.
Influx laws: call to help offenders keep out of court

Own Correspondent
People arrested under the influx control and identity document laws should be kept out of court and out of jail, the Hoexter Commission was told yesterday.

The area manager for the administration board in Brits, Mr P J Fourie, said aid centres could help many people administratively without having them sent to court first.

This should be the most important function of aid centres, said Mr Fourie, who was previously manager of Pretoria's aid centre.

Judicial action should be taken only in extreme cases and solutions should be found before packing people off to court.

Mr Fourie suggested aid centres could play an important role by helping people to get their documents in order.

Influx control was important and he had never encountered a black man who objected to this. But there was a lot of bitterness and opposition to the way control was enforced, he said.

Blacks should also be allowed to help find an acceptable solution to influx control problems.
'Blacks could never accept pass system,' says Chief Buthelezi

Mercury Reporter

THE pass system, whether approved through carrying papers or wearing discs, could never be acceptable to blacks, Chief Gatsha Buthelezi said yesterday.

Chief Buthelezi, Chief Minister of KwaZulu, was reacting to statements made at a hearing of the Hoexter Commission of Inquiry into the structure and functioning of the courts, that blacks should wear discs around their necks to prove they were entitled to be in an area.

Chief Buthelezi said it was gratifying to hear a white man such as Mr F J Fourie, a former chief of the legal aid centre for blacks in Pretoria, speaking so strongly and sensitively about the sufferings and humiliations blacks suffered as a result of unjust control regulations, and the way the police treated blacks.

'One, however, cannot understand the insensitivity when it comes to the proposal on the wearing of discs around the neck by blacks,' he said.

At a hearing last week, Mr Fourie was cross-examined by Prof A J Middleton about the possibility of blacks wearing discs around their necks.

Mr Fourie had responded that he thought it was an excellent idea.
Fines or jail for illegal presence

MORE than 80 pass law and township regulation cases, heard at the rate of about one every two minutes, came before the Langa Commissioners' Court yesterday.

Fines totaling R2 225 (or 225 days) were imposed on about 50 people convicted.

Charges against many of the accused, including a deaf and dumb woman, were withdrawn on the recommendation of the Langa Aid Centre.

Babies

The majority of the accused were women, many of whom carried small babies on their backs or had little children with them. None of the 80 accused had legal representation.

The cases were heard in two sessions by Mr L. Fourre and Mr L. van Wyk.

Mrs Alice Mahlawa was cautioned and discharged for being in the area illegally. She was fined R20 and ordered to remove her family from the area.

CAUTIONED

Mrs Mavis Mntamulana, 38, was sentenced to 30 days in prison for illegally entering the Cape Town area.

She was refused further permission to stay here because she was found to be carrying illegal drugs.

The child suffered from asthma and she had returned to the Cape to have her treated.

CAUTIONED

Mrs Mavis Mntamulana was cautioned and discharged for being in the area illegally. She was fined R10 and ordered to return to her homelands and she had borrowed money to come to the Cape to fetch money from her husband.

A fine of R70 (or 20 days) imposed on Mrs N. Mntamulana, 38, was suspended on condition that she either get permission to have her child treated in the Cape or she left the area. She told the court that her permission to stay in the Cape for medical reasons had expired last year.

She was refused further permission to stay here because her child was discharged from hospital. The child suffered from asthma and she had returned to the Cape to have her treated.

CAUTIONED

Mr L. Fourre and Mr L. van Wyk recommended that the child be repatriated at once.

Three people were fined R20 or 20 days under Township Regulations for erecting structures without the permission of the Administration.

Two people were fined R10 each on the same charge.

Mr van Wyk referred her to the Aid Centre to see whether she could be helped to obtain documents to stay in the area.

The bulk of the charges were for contravening influx control regulations by being in the area illegally for more than 20 hours and for not producing documents on demand.

Nearly all the accused pleaded guilty to the charges and said they had nothing to say.

Altogether 27 people were fined R50 or 50 days under the regulations for erecting structures without the permission of the Administration.

The fines were imposed by the Langa Commissioners' Court.

The court was told that the fines were to be paid within one week.
various views, two things are apparent, firstly, that the solution does in fact lie in some form of state intervention into the market mechanism and secondly that in view of the difficulties of establishing and ranking objectives and those of communication such intervention is unlikely to succeed in improving the situation unless the problems arising from the other two sources are also overcome. Accurate information is obviously crucially important if one wishes to determine how the state should influence the market in order to improve the overall allocation of resources from the social viewpoint.  

Overcoming difficulties Resulting from Conflicting Objectives and Interests

The growing literature on the economic theory of club formation suggests that the decentralisation of decision making to the point where there is a reasonable consensus across objectives within the decentralised area, would do a great deal to overcome the problems that arise as a result of the presence of conflicting interests. An alternative proposal that has been made is that of the possibility of the introduction of a system of multiple voting, which it is argued would enable an individual not only to register the direction of his preference, but also the strength of that preference. This process may enable a government to order its overall objectives in a much stricter manner and even perhaps to obtain a reasonable surrogate for the weights that should be placed on each goal in terms of their relative importance. Once again, the limits within which either of these proposals will be likely to produce an articulation and ranking of social goals that is in any sense optimal will ultimately be determined by the quality of the relevant information that is obtained and processed.

(21) If this is not achieved then one has a classic example of the workings of the theory of second best.


(23)
'Deportations' — call to repeal law

The South African Medical Students' Association, at a recent meeting, condemned the deportation of 'illegal' black women from Cape Town to Transkei and called for an immediate repeal of laws curtailing the rights of individuals to live and seek employment in the areas of their choice.

The motion was carried by four votes to one with Stellenbosch noting 'the destruction of family unity which arises from such governmental action and the tremendous suffering inflicted on these women and their families.'

Such laws were criticised as 'wholly cruel, inhumane and incompatible with family stability.'

The students also condemned the 'flagrant misdirection of Government funds' relating to an estimated R3 000 000 spent on the Republic Day festivities.

Noting "the appalling statistics of malnutrition and related diseases in South Africa," it was felt to be normally wrong to allocate such large amounts of Government funds to causes of limited appeal.

The meeting also unanimously condemned the recent R30 000 sponsorship of the South African Rugby Board by the Dairy Board.

'Milk and related products, as subsistence foodstuffs, required no commercial advertisement and any funds available by the Dairy Board should be directed towards subsidising the price of dairy foods,' a statement released by the association read.

The South African Medical Students Association is affiliated to the Medical Association of South Africa and represents medical students at the universities of Cape Town, Stellenbosch, Pretoria, Bloemfontein and the Witwatersrand.

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‘CONCERN ON THE ECONOMICS OF HEALTH CARE IN THE COST EFFECTIVENESS OF INTENSIVE, SHORT-COURSE AMBULATORY CHEMOTHERAPY FOR MENT OF PULMONARY TUBERCULOSIS

by

DR. J.O. PEARSON
Paper No. 29
Influx laws won’t allow him to live with ageing mother

BY BRIAN POTTINGER
Political Correspondent

A Port Elizabeth-born man has been refused permission to live near his ageing and widowed mother in Walmer Township because he has been classed “black” by the country’s influx legislation.

Despite two appeals to the East Cape Administration Board, Mr Sandile Mban, 24, says he has been told by officials that he must return to Hankey, the area in which he attended school.

And, according to Mr Mban, the Hankey Administration Board officials have told him he belongs in Port Elizabeth.

Adding irony to Mr Mban’s plight is the fact that only days ago the chairman of the Port Elizabeth Community Council, Mr Wilkinson Mak, argued in the Supreme Court against a civil application to unseat him that a son who had an inalienable right to live with his mother.

An East Cape Administration Board official has undertaken to investigate the case, as it appears Mr Mban was entitled to register in the Port Elizabeth area.

Mr Mban told the Evening Post that he was born in Korsten, Port Elizabeth, in 1957, when he was 14 his family moved to KwaZulu and his parents sent him to live with relatives in the Hankey district.

After leaving school Mr Mban went to the bush for the traditional Xhosa initiation ceremony. He married this year, because of his mother’s request and the lack of work in Hankey, he decided to come back to Port Elizabeth, where his mother is a registered home owner.

That was before the bunker seized and locked the house. He got into a fight with his bosses.

He said under normal circumstances he would not bring himself to residential areas.

If he remarried, for any other reason, it was more difficult, he was unqualified.

But, the official said, the whole of the Hankey area was a “residential” area which meant that according to recent amendments to the influx legislation Mr Mban should be entitled to register in the Port Elizabeth area.

He promised to look into the matter.

Earlier this week the chairman of the Port Elizabeth Community Council, Mr Wilkinson Mak, opposing an application by a resident group of community councilors to unseat him, because he did not own a property and was not married with his mother, claimed through his legal defence that it was a fundamental right of families to live together.

Mr Mban told the Evening Post he believed he had been “misunderstood” in his mother’s case. He would be prepared to help him put his case to the administration board.

A Black Sasi spokesman in Port Elizabeth described the incident as “unusual”.

“I would appear that in this case the board is prepared to do something to rectify the matter. But what about the thousands of people who do not go to the Press, or seek outside help and have been endorsed out?” the spokesman asked.

“It seems that although the laws are changed by those above, the changes are not carried through to the officials who administer them.”
Special ambulance

May mean more control.

With hand city goes
Worker 'endorsed out' by firm in error

Post Reporter

A PORT Elizabeth construction firm unilaterally 'endorsed out' one of its employees from the city — although the man was registered and qualified to be in the area.

The employee, Mr Fezile Colin Lali, worked for the firm, Mastercrete (Pty) Ltd, for 10 years but earlier this week left the employ of the company and was immediately offered another job.

When he returned to be signed off by Mastercrete, one of the company's employees wrote in Mr Lali's reference book that he had to be out of the prescribed area of Port Elizabeth within 24 hours.

An astonished Mr Lali — a father of five children — told the Evening Post that he had worked in Port Elizabeth for 10 years after arriving from Grahamstown.

He was the registered occupier of a site in Zwane and was a registered workseeker in Port Elizabeth.

An East Cape Administration Board official confirmed that Mr Lali was in fact entitled to be in the urban area and that there was no question that he would have to return to Grahamstown.

Mr Joe de Silva, manager of Mastercrete, described the action of his employee as a "genuine misunderstanding".

He said his company had brought Mr Lali from Grahamstown as a contract labourer many years ago and had been responsible for registering him in the Port Elizabeth area.

The company — unaware that he had qualified for residence in Port Elizabeth — believed that it was obliged to ensure that he left the urban area 24 hours after termination of employment.

Mr de Silva said he had already been contacted by the East Cape Administration Board over the issue and explained why it had arisen.
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the general hypothoses emerging from very general - that is to

say, they are uncontradicted in some part, in some unprecised way

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ARCHITECTURE
(Continued)

Mrs. Thornton White Prize
For the best work in first year.
Miss M F J Sandilands
S A Brick Association
For the student who has best use of bricks in design work.
J G Kirkman
R Stubbs Award
For the best project, structure and design
M R I Ness

BUILDING

National Development for the Building Book Prizes
For the best study year of study of 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
R W Kohne

LTA Prize
For the best student obtaining a first class pass for a dissertation in Building Management.
S F Richardson
### KANTOOR VAN DIE EERSTE MINISTER

**No 1392**  
3 Juin 1981  
KENNISGEGEVEN INGEVOLGE ARTIKEL 6A (9) VAN DIE WET OP FIESIE BEPLANING, 1967 (WET 88 VAN 1967)—VRYSTELLING VAN 'N GISDPLAN VIR KIMBERLEY EN OMGEGEWING

Kragtens die bevoegdheid my verleen by artikel 6A (9) van die Wet op Fiese Beplaning, 1967 (Wet 88 van 1967), soos dit bestaan het in die voorwerkstelling van die Wysigings-van die Omgewingsbeplaning, 1981 (Wet 51 van 1981), aangaande met die ontwerpsienings van 23 April 1981, maak ek, Jan Christiaan Heunis, Minister van Binneelandse Aangeleentheede, hierby bekend dat 'n gisplan deur my goedgekeur is ten opsigte van die gebied omgrens in die Bylae van Kimberley van 23 Maart 1981 verskyn het.

Afskrif van die dokument is vir insaai beskikbaar in die kantoor van die Taak: Fiese Beplaning van die Kantoor van die Eerste Minister (Armed Eagle LifeCentre, Pretoria), die Direkteur van Plaatslike Bestuur van die Kaapse Provinsiale Administrasie, die Stadsklerk van Kimberley en die Sekretaris van die Afdelingsraad van Vaalrivier.

Gestek te Pretoria, op hede die 27ste dag van April 1981

J C HEUNIS, Minister van Binneelandse Aangeleentheede

### DEPARTEMENT VAN FINANSIES

**No 1394**  
3 Juin 1981  
PLAASLIKE GEREGEREERDE EFFEKTE, 8% PERSENT, 1986—SERTIFIKAAT 4471—R18 000, BINNELANDSE GEREGEREERDE EFFEKTE, 8% PERSENT, 1981—SERTIFIKAAT 315—R24 200, BINNELANDSE GEREGEREERDE EFFEKTE, 9% PERSENT, 1985—SERTIFIKAAT 268,311—R20 000, BINNELANDSE GEREGEREERDE EFFEKTE, 10% PERSENT, 1991—SERTIFIKAAT 934—R9 300, BINNELANDSE GEREGEREERDE EFFEKTE, 10% PERSENT, 2000—SERTIFIKAAT 1292—R8 900

Aangesten daar by die Teseone aanooek gedaan is om duplikas van bovornieke effektestifke wat verlies of verlief is, word bekendgemaak dat, tansy die oorspronklike stifikte boeie vier weke na die datum van publikasie van hierdie kennisgiving by die kantoor van die minister word, die verlangde duplikas uitgereik val word.

### OFFICE OF THE PRIME MINISTER

**No 1392**  
3 July 1981  
NOTICE IN TERMS OF SECTION 6A (9) OF THE PHYSICAL PLANNING ACT, 1967 (ACT 88 OF 1967)—RELEASE OF A GUIDE PLAN FOR KIMBERLEY AND ENVIRONS

Under the powers vested in me by section 6A (9) of the Physical Planning Act, 1967 (Act 88 of 1967), as amended before the commencement of the Environmental Planning Amendment Act, 1981, read with Government Notices 792 of 3 April 1981, 1, Jan Christiaan Heunis, Minister of Internal Affairs, hereby make known that a guide plan has been approved by me in respect of the area defined in the Schedule to Notice 595 published in the Government Gazette of 23 March 1978.

Copies of the document are available for inspection at the Offices of the Physical Planning Branch of the Office of the Prime Minister (African Eagle Life Centre, Pretoria) the Director of Local Government of the Cape Provincial Administration, the Town Clerk of Kimberley and the Secretary of the Divisional Council of Vaal River.

Signed at Pretoria, this 27th day of April 1981

J C HEUNIS, Minister of Internal Affairs

### DEPARTMENT OF FINANCE

**No 1394**  
3 July 1981  
LOCAL REGISTERED STOCK, 8% PER CENT, 1986—CERTIFICATE 4471—R18 000, INTERNAL REGISTERED STOCK, 8% PER CENT, 1981—CERTIFICATE 315—R24 200, INTERNAL REGISTERED STOCK, 9% PER CENT, 1985—CERTIFICATE 268,311—R20 000, INTERNAL REGISTERED STOCK, 10% PER CENT, 1991—CERTIFICATE 934—R9 300, INTERNAL REGISTERED STOCK, 10% PER CENT, 2000—CERTIFICATE 1292—R8 900

Application having been made to the Treasury for duplicates of the above-mentioned Stock Certificates the original having been lost or mislaid, notice is hereby given that unless the original Stock Certificates are produced at this office within four weeks from the date of publication of this notice, duplicates as applied for, will be issued.
State ‘ignoring’ highest SA court

Staff Reporter

IN IGNORING the Appeal Court judgment in the Komani case, a government department and the minister responsible for that department were ignoring a ruling of the highest court in the land, Ms Sheena Duncan, director of the Johannesburg Advice Office, said yesterday.

Addressing delegates at a five-day conference on law in South Africa at the University of Cape Town, organized by the university’s Law Students’ Council, Ms Duncan said this represented a significant departure from the government’s stance over the past 30 years.

“However appalling laws introduced in the last 30 years have been, the government tended to preserve a kind of twisted respect for the law. Now even this has finally gone,” she said.

Appeal upheld

In August last year, the Appeal Court upheld the appeal of Mr Veli Komani that his wife be considered qualified to remain in the prescribed area of Cape Town in terms of Section 10 (1) (c) of the Bantu Urban Areas Act 25 of 1945.

It also set aside the requirement in terms of Regulation 20 (1) that a lodger’s permit be obtained before the person be granted permission to live in the urban area.

“The judgment meant that any woman who lived with her husband who qualified to be in an urban area had a legal right to remain in that area,” she said.

“We greeted the judgment with great jubilation. It seemed to us to be a great victory after years of struggle. But it has been nothing of the kind,” she said.

“The Department of Cooperation and Development and the administration board seem to have taken a decision that the judgment refers to the Komani’s only and that such other cases will be considered on its merits,” she said.

Sexism: Lawyer outlines problems

Staff Reporter

LEGAL reforms were incapable of bringing about improvements in the position of women in society, Johannesburg attorney Ms Kathy Satchwell said at the University of Cape Town yesterday.

Addressing delegates at a five-day conference on law in South Africa, organized by the UCT’s Law Students’ Council, Ms Satchwell said that Britain and America had introduced anti-sex-discrimination laws in an attempt to remove legally institutionalized inequalities.

But those laws sought only to challenge the content of specific, oppressive institutions and not the oppressive institutions themselves, she said.

Acts such as the British “Equal Pay Act of 1970” offered women only formal equality with men while ignoring other existing inequalities, she said.

It was not enough that some feminists and lawyers in South Africa had campaigned for the elimination of sexist legislation and the introduction of anti-discrimination laws.

“What is needed is not only equal pay for equal work, but the provision of work for the increased number of unemployed, not only the equalization of professional salaries but living wages for the mass of our people, not only changes in our marriage laws but the abolition of the laws relating to influx control and the migrant labour system which disrupt family life,” she said.

Anti-discrimination laws would no longer be necessary in a society in which sexism, along with other social divisions, ceased to exist, she said.

Refused

“This means that every woman seeking a 10 (1) (c) endorsement in her pass is refused. Only with an attorney’s assistance will it eventually be given,” she said.

And even that is not regarded as their legal right but as a privilege accorded to them,” she said.

While 34,000 families were on the housing waiting list for Soweto alone, Dr Koornhof’s policy decision of 1979 still remained the present administrative practice — that only if a man bought a house, or was living in his father’s house, would his wife and children qualify to come to live with him.

“The Department of Cooperation and Development and the administration board seem to have taken a decision that the judgment refers to the Komani’s only and that such other cases will be considered on its merits,” she said.
form can, of course, be by individual or group subscription. In the latter instance decisions to join a plan might be less voluntary than job related and therefore compulsory where membership is a fringe benefit with employer contributions. In 1970 88% of the full-time employed had private health insurance coverage but only 27% of the unemployed in the U.S. (Davis 1977a: 63).

Reformers in favour of market solutions have hailed these arrangements to be innovatory. They argue that HMOs will foster price competition amongst themselves and with other medical care delivery systems; that profit maximization in the sense of incentives to widen the spread between costs and revenues will be restored and that pressures within the organization (doctors, lower cash outlays than other forms of insurance).

Commentators, particularly in the United States, have emphasized the problematic nature of the "availability effect", namely that "under conditions of forced choice" the physician's prescription and the patient's use of services are greatly influenced by the existing supply of facilities and manpower (Klarmann 1977: 227). The institutional form heralded these in recent years as potentially meeting the need for cost control, efficient utilization and a greater admixture of preventive practice in the health maintenance organization (HMO). It is claimed for specific HMOs, like the Kaiser Program in California, that their subscriber utilisation rates of physician services are the same but with lower hospital use and

no direct relationship to living cost of medical care received, i.e. whether this be an annual check up or major surgery.

Quality of care has to be uniform if the service is to be meaningful, and it may be doubted that consumers of HMO medical outputs are sufficiently knowledgeable, autonomous and discriminating to obtain greater utility per dollar spent. But perhaps the most serious potential shortcoming of HMOs are their likely distributive effects. As a conjecture, they may tend to work best where the subscriber population is homogeneous in socio-economic terms. If so their establishment would then entrench segregation and increase the distance between the health status ratios of national populations. In sum, "HMOs are a mixed bag" (Klarmann 1977: 113), and "cannot today be considered seriously as a major vehicle for curbing health care expenditures in this country United States" in the foreseeable future" (Klarmann 1977: 230)
By MONK NKOMO

An Atteridgeville man held in terms of the Urban Black Areas Act was refused bail by a magistrate in the Pretoria Commissioner's court for reasons which included the claim that he had not been medically examined, a Pretoria court judge was told on Friday.

The judge ordered the man's release on R100 bail and reserved judgment on costs.

In an urgent appeal before Mr Justice van Reenen, the man's advocate, Mr H R Laubscher sought an order to compel Mr J P Ferrara, the magistrate, to personally pay costs because of gross irregularity in failing to observe legal procedure when he heard the bail application.

Mr Kgaelelo Lekgolo, (no age given) of 21 Ditsho Street, Atteridgeville, was arrested on June 24 for allegedly being unemployed. He was not represented when he was first refused bail on June 25, and the case was postponed to July 8.

On July 8, Mr Wilie Serafs applied for bail for Mr Lekgolo, and this was opposed by the prosecutor, Mr J R Louw, on the grounds:

- That prosecution investigations were not complete.
- Mr Lekgolo had not been questioned and his family had not yet been contacted.
- He had not yet been medically examined.
- There was doubt as to his identity (fingerprints had been obtained but not yet processed).
- A criminal record had not yet been obtained, and
- Major Ras of the Security Police was still busy with investigations concerning the accused.

Mr Laubscher, in his application, stated that the magistrate did not observe legal procedure when he refused to grant bail for the reasons given by the prosecutor.
HUNDREDS hit in hostels

Western Cape Administration of the Department of Housing and Urban Development, for people who are not qualified to be in the area.

To move on, the people have been moved from the hostels. They have been moved to other hostels. The people have been moved to other areas. They have been moved to other places. They have been moved to other situations.
A woman employed as a social worker said she was
physically abused by her partner.

"He is a lawyer, director of a think tank's advice
office in New York, and he is not a member of the
state Bar. He has been quoted in multiple articles
about his work in New York, but he has not been
charged with any crimes.

The woman said she had been threatened with
physical violence on a number of occasions.

"He has been known to discipline his staff in
front of clients," she said.

The woman's attorney said his client was
completely innocent.

"He is a hard-working man who is respected in
the community," the attorney said.

The woman's employer said he could not confirm
the allegations.

"We take these matters very seriously," the employer
said.

The woman's partner was not available for
comment.

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**PASS LAWS GONE IN COURT?**

Soweto, Wednesday, July 15, 1981
Action on hostels: August 15, 1981

300 sleep in bushes

MORE than 300 people, including a blind woman with six children, slept in the bushes last night following official action taken against illegal residents of hostels in Langa.

The people gathered at the Administration Board offices in Langa yesterday to apply for permits to be in the area legally and for a place to live. They were told nothing could be done for them. Only those who were born in Cape Town would get accommodation and endorsements to be in the area.

Most of the people slept in the bushes between Nyanga and Crossroads last night and some near Langa.

MEETING

They will meet today to decide what to do.

A spokesman said the people were very upset and angry. He said they had become easy prey for thieves.

"We are not only running from Board inspectors but from the thieves as well," he said.

The people were offered rail warrants to Transkei if they could not find accommodation, but they said they would not go to the homelands.

"Sending us back to Transkei will not solve the problem. It is time the authorities consulted us to try and solve the problem," a spokesman said.

The bachelor quarters in Langa where the people were staying are being reconstructed to provide family accommodation.

Officials of the Department of Co-operation and Development and of the Administration Board of the Western Cape were not available for comment today.
Evictions: Plan to put up shanties

Staff Reporter

HUNDREDS of men, women and children evicted from the "Zones" hostels in Langa have occupied land forming on Crossroads, where they plan to erect dwellings.

The former "Zones" inhabitants have spent the past two nights in the open on the piece of land sandwiched between Crossroads and the Nyanga administration board offices.

Yesterday a delegation representing the homeless people met administration board officials in a bid to obtain housing and legalization of their presence in the Cape Town area.

They also requested an audience with the Minister of Co-operation and Development, Dr Pet Koornhof.

Singe

It is understood that the former hostel dwellers, most of them in the area illegally, feel that they are entitled to the same dispensation granted to Crossroads residents by Dr Koornhof.

About 700 men, women and children keep the "Zones" from their leaders spoke to officials in the neighbouring administration board complex. After being informed that officials had refused to meet them, they remained on the land discussing plans to build shanties and singing.

The chairman of the Western Cape Administration Board, Brigadier D van der Westhuizen, said yesterday that Dr Koornhof had been unable to see the delegation.

He said the issue of Crossroads had not been raised by the delegation at the Nyanga meeting.

"But they did ask for housing and for permission to stay in the area — which we cannot grant them."

Official reaction to the presence of the people on the land neighbouring the board offices would depend on what develops.

"I have explained their position to them."

His board could not provide housing for people in the area illegally and his officials were not empowered to legalize their presence.

Illegal residents have accounted for a large percentage of the "Zones" hostel population in the past. About two years ago the authorities began to convert the hostels into married quarters a process now nearing completion.

Hostel dwellers said this week that they had been ordered out of the units and on Tuesday 300 residents gathered at the administration board offices in Langa in a bid to obtain housing and permits legalizing their presence in the area.

Hundreds of people living in the hostels have been left homeless by official action taken against residents without permission to be in the area.

Residents said many of them qualified to live and work in the Cape Town area and had been living in the single quarters for years.

● The names of more than 2000 people who qualify to live in the area are on the waiting list for houses in the black townships.

● Picture, page 3
'Gold-mine’
dompas con
in court

A JOHANNESBURG
Commissioner’s Court
heard of false endorse-
ments in passes of men
who wished to remain
in Johannesburg.

The presiding commis-
sioner, Mr H Drumman also
heard how much these men
paid for such endorse-
ments.

He was dealing with
cases of three men who
individually appeared
before him on pass law
charges.

The men were Mr Joseph
Sithole from Tugela Ferry,
Mr Phumez Mkize from
Weenen and Mr Sidney
Ngeobo from Kranskop in
Natal. They each faced
charges of being illegally in
Johannesburg and of
having had false endorse-
ments in their passes.

Each was fined R15 or 15
days’ imprisonment for
being in the area without
permission and R40 or 40
days for having had false
endorsements in their
reference-books.

PRISON

Mr Drumman told them
when they left the court
room that their passes
would be burned because of
the false endorsements.

He gave each his pass
number and warned that
they would have to apply
for new passes at their
homes after they left
prison.

Mr Sithole told the court
he came to Johannesburg
in 1979 and had no permit
to stay here. He said he paid
R100 to have the endorse-
ment made in the pass and
was not aware that it was a
false entry. He said he paid
the money at some place
near where he was
employed.

Mr Ngoobo said he had
been in Johannesburg for a
year from Kranskop. He
said he was here without
permission and had been
given 72 hours to quit the
area.

GUILTY

The endorsement to quit
the area within 72 hours
was rubbered from his pass
by some people at the place
where he was employed, he
said.

Mr Mkize said he had also
been for a year in
Johannesburg and was
here without a permit. He
said he paid R45 for his
false endorsement.

The three men pleaded
guilty on both charges and
asked for leniency.

Mr John Sibanda told the
court he was from Plut-
tree in Zimbabwe and
pledged guilty to being in
Johannesburg without
permission. His case was
postponed to Tuesday when
his records from Pretoria
would have reached the
court.

Mr James Comba from
Mozambique faced a
charge under Section 12 of
the Urban Areas Act. He
was released on R50 bail and
his case postponed to July
23.
in court when the first of the many arrested people appeared this morning.

He condemned what he termed the inhumanity of the authorities for throwing people out of housing, however meagre, with no alternative accommodation.

"I ask when we shall reap the seeds of bitterness," he said.

It was time the Government stopped fooling themselves that the number of blacks in the cities would diminish.

"The sooner we face that reality the sooner we will start finding solutions to housing, unemployment, education, and so on.

The inhuman action of evicting, including children, into the cold when they at least have shelter must give rise to anger in a generally volatile situation. It is at least unnecessary.

He said people had every right to live with their families. No Government or police action will stop them from leading normal, decent, and human lives."
Scores held in second police swoop on Nyanga

Own Correspondent
CAPE TOWN — Thousands of angry and dancing people lined a dune to watch the second large-scale police operation in two days against people camping behind administration board offices in Nyanga.

Scores of people were arrested in the operation which started about midnight.

About 15 police vans were involved. Senior administration board officials watched as workers demolished shacks that had been erected since the people moved from Langa.

At one stage a section of the crowd ran down from the dune and gathered around a "witch doctor." PRESENCE

There was a strong police presence around the workers as they loaded old building material onto trucks.

An administration board official supervising in the area said "This is an official police operation and I have no say in the matter."

A group of women sat near the police saying they were prepared to be arrested with the others. The police did not take action against them.

Mrs Val West of the Athlone Advice Office witnessed the operation. She said influx control would have to be revised otherwise this sort of confrontation would increase.

The arrests yesterday were a sequel to the eviction of people living illegally in part of the Langa single quarters, which are being converted into married quarters, reports Sapa.

Community workers from the Women's Movement for Peace said they had a list of more than 1,000 people arrested, but the Commissioner of Police for the Western Province, Brigadier D B Nothnagel, said the figure was 780.

Of these, 634 appeared yesterday in the Langa court and a special court at Manenberg.

They were remanded to Pollsmoor Prison and the hearings postponed till next week.

The hearings proceeded peacefully till about 10.30 am when a crowd, mostly women and children, gathered near the court.

The crowd approached the strong police contingent guarding the court building. Spokesmen said they too did not have papers to be in the area and demanded that they also be taken to Pollsmoor Prison.

The police officer in charge, Capt. Dolf Odendaal, called on the crowd to move off for five minutes while a decision was being taken on the demands.

Soon afterwards, a dispute about an abandoned baby ended with the crowd pressing up against a line of policemen on the steps of the court.

At that stage, Mr Brian Bishop, chairman of the Civil Rights League, telephoned Brigadier Nothnagel and asked him to send a senior officer to Langa because the situation was potentially explosive.

He told reporters later that Brigadier Nothnagel had replied that Capt. Odendaal was senior enough.

By 2.30 pm it was clear the attempts at negotiation had broken down completely, and the policemen guarding the court began throwing gas canisters into the crowd.

Abandoned infant is focus of crowd anger

Own Correspondent
CAPE TOWN — The youngest and most unwilling pawn at the Langa Commission's Court in Cape Town yesterday was little "Princess" the infant found abandoned after the predawn raid by Administration Board officials.

The crying baby thought to be about three months old, became the object of a bizarre tug-of-war outside the court before the crowd was dispersed by teargas.

Shortly before 5 am yesterday Mrs Sylvia Kahla found Princess crying pitifully on the ground at Nyanga.

About nine hours later Princess was brought to the court to attempt to find her mother.

There were bitter exchanges between police and the crowd as nobody could be found in the cells to take charge of the infant.

Princess was then pressed from hand to hand, becoming the focus of the growing anger of the crowd.

A policeman eventually put the baby in the care of a woman court cleaner. But the woman dumped the child at the feet of Riot Squad chief Capt. Dolf Odendaal, shouting: "It's not my baby, it's your responsibility."

Soon afterwards, teargas canisters were fired and the crowd retreated.

Lieutenant Rennie Elk eventually took Princess saying she would go to a place of safety.

Princess's present whereabouts are not known.
Aid for homeless

Chief Reporter

The administrators of the SHELTER fund have allocated R1,000 for use by 10 families left homeless through official action taken this week against "illegal residents of the derelict Zones hostels in Langa Township.

The allocation is to enable the families to erect temporary wood and iron huts at Nyanga on a site provided by the Western Cape Administration Board.

SHELTER has also provided tents for use in the Ocean View area by Fish Hoek squatter families whose homes were demolished by Fish Hoek Municipality last month. Material belonging to the families was either burnt or confiscated and the squatters sought refuge at Ocean View.

- Leading article, page 12
No sign of riot before Langa tear smoke fired

Staff Reporter

AFTER THREE nights in the icy open air and the arrest of more than 700 friends and relatives, the people outside Langa Commissioner's Court yesterday continued to behave peacefully.

Throughout the tense day, with the crowd continually swelling and demanding to be arrested, almost no hostility was shown.

Journalists, church representatives and police moved freely without threat in the crowd.

Young, of Claremont, who spoke to the police on behalf of the people,

A distraught Mr. Young, acquainted with police after the tear smoke was fired and questioned the validity of the laws under which they acted.

"Wrong System"

The police are enforcing the wrong system," he said.

"The police tell them to go home, but they have nowhere to go."

Mr. Young said that all the people wanted was a home where they could live in peace with their families.

"They feel their own brothers and sisters have been arrested, and they want to go to Pollsmoor and solidarity with them."

In the scramble to escape the tear smoke, four paybooks were dropped, together with blankets, shoes and clothing.

Investment curb lifted

ACCRU - an investment code.

No further restrictions on the level of foreign participation in mineral, oil and natural gas enterprises in Ghana has been imposed by the Ghanaian Parliament, under pending legislation, to maximum foreign participation in mineral enterprises was fixed at 45 percent.

Reuter
Where homes and hope come tumbling down...

SOME of the Fish Hoek squatters whose homes were demolished by the municipality recently are living in the open. Others have moved into camps elsewhere on the Peninsula.

During a visit to the area, I found several charred patches where houses had been burnt down and most of the land intervened was only the trees on shelter.

Nearby there was a trail of rain-soaked possessions.

The area between Clifton and Fish Hoek, stretching towards Noordhoek, has been the target of municipal house clearing operations recently.

RUBBISH DUMP

According to Fish Hoek's Town Clerk, Mr. E. B. P. Fy, the demolitions were carried out because of the squatters' neglect of the area which cannot be sold.

Mr. Nevin Bloom, 39, said that he was taken away from his home and the two other adults who shared his land to a house which had been built before the developments took place.

The house was on a hill and it was difficult to keep warm, he said.

Mrs. Bloom has six squatters families living in the house.

She has asked the municipality to build a new house for her and her family.

Mrs. Bloom is 32 years old and she has two children, a son and a daughter.

A GROUP of squatters women eat at the municipal rubbish dump every day for a supermarket can to bring them unwanted produce.

A few of the families have been housed in tents at the Anglican Church in Ocean View.

One of the women who has been housed is Mrs. Elizabeth Visagie, who used to work at Fish Hoek High School for about 12 years.

Willy has lived in this area all his life and he started living together about 16 years ago.

INACCESSIBLE

In the meantime, Mrs. Visagie said that her home is almost inaccessible.

She said some of the people who use to live in the house had moved into squatter camps at Vergenoeg and Crossroads, while many had just gone deeper into the bush to hide from the demolition workers.

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Willy has lived in this area all his life and he started living together about 16 years ago.
THE wild scramble for safety by part of the crowd at the Langa Commissioner's Court yesterday afternoon seconds after police fired tear smoke canisters into the crowd.

- No sign of riot before Langa tear smoke fired — Page 4.
The Committee of the Western Cape Chapter of Quantity Surveyors, Prize for the best student obtaining the highest marks in Professional Practice, P R Swift.

LTA Prizes for the best student in each of the courses of Building Economics I, II and III in the third, fourth and fifth years respectively, I: N D G Sessions, II: A R Low Keen, III: No award.

S A Brick Association Prizes for the best student in the subject of Building Construction, C W von During.

K Strong for the second best student in the subject of Building Construction.

M P Morkel for the student who has shown the greatest promise at the place of the first year.

Student Planners Award for the best student in the subject of Quantity Surveying.

P C Keen for the best all-round student in any year of study.

"Princess," becomes a tug-of-war. "Princess," is a nickname given by the community to a child who has been found wandering the streets. The child was picked up by the police at 9 a.m. yesterday. The police took the child to the hospital where she is being treated for minor injuries. The child was later placed in the care of a woman who has been assigned the task of caring for her. The police are investigating the circumstances surrounding the child's disappearance.

The baby was picked up at 9 a.m. yesterday by Ms. Sylvia Clarke at 9 a.m. yesterday. The police took the child to the hospital where she is being treated for minor injuries. The child was later placed in the care of a woman who has been assigned the task of caring for her. The police are investigating the circumstances surrounding the child's disappearance.
Gas fired at crowd

Govan Correspondent
CAPE TOWN — Caustics of teargas fired by policemen yesterday scattered a crowd of more than 1,000 blacks who had gathered outside the Lange Commissioner's Court, protesting against the arrest of hundreds of people evicted from the township's single quarters earlier in the week.

Men and women who had been shooting demands to be arrested along with the evicted squatters fled from the gas. The Anglican Archbishop of Cape Town, the Right Rev. Bill Burnett, later condemned the official action which led to the confrontation in Langa saying: "What God has joined, let no man put asunder." Was it really necessary to eject them from their rooms in the middle of winter?"

Hundreds of people were evicted earlier this week from where they had been living illegally in part of the Langa single quarters which are being converted into married quarters.

The evicted people camped out in the bushes between Crossroads and Nyanga townships until yesterday morning when police and administration board officials rounded them up and took them to the Lange Commissioner's Court to face charges of being in the Cape Town illegally for more than 24 hours and failing to produce documents on demand.

A spokesman for the firm of attorneys claimed about 150 people had been arrested, but later the Divisional Commissioner of Police for the Western Province, Brigadier D. B. Holmberg, said that out of 709 people originally held, only 611 had been charged.

Before the confrontation at Langa, about 20 people packed one of the small courtrooms, while hundreds of others waiting outside tried to follow the proceedings.

Most pleaded not guilty to the first count of being in the area illegally for more than 24 hours, but guilty to the second of failing to produce identity documents.

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Student Prizes Awarded

K Strung

Subject of building construction.

For the second best student in the

C von Duing

Subject of building construction.

For the best student in the

I Brick Association Prizes

III: No award

II: A R low Keen

I D G Sessions

Fifth years respectively.

II and III in the third, fourth and fifth years of building economics.

For the best student in each of the courses of building economics.

LIA Prizes

P R Swift

Professorial prize.

For the highest mark in the subject of obtaining quantity surveyors prize.

Cape Chapter of Quantity Surveyors, the committee of the Western

P C Key

In any year of study.

For the best all-round student.

Belt-John Prize

(Continued)
Protesting crowd flings stones at Cemex staff

Courtester during a protest against the Aussie

A black policeman attempts to prevent a crowd to disperse outside the Langha Commissioners' Court.

The police used tear gas as police officers attempted to disperse the crowd.

From Page 1

BUILDING

Cemex, McCarthy & Sons Building

Prize

Awarded to the final year student who has shown outstanding performance in the course. The prize is to be presented at the graduation ceremony.

The ceremony will be held on 10th of July at the university campus.

The prize consists of a certificate and a cash award.

The ceremony will be attended by all the members of the university faculty and staff.

The prize is sponsored by Cemex, McCarthy & Sons Building.

The ceremony will be held in the university auditorium, located at the main campus.

The ceremony will start at 3:00 PM and will last for 2 hours.

The ceremony will be broadcast live on the university's official channel.

The prize is open to all final year students enrolled in the course.

The students are required to submit their applications by the 1st of June.

The applications will be reviewed by the university's academic committee.

The final decision will be announced on the 10th of June.
Aftermath of Nyanga: women fined, police come under fire

CAPE TOWN — About 70 of the people evicted from the Langa barracks and arrested for camping in the open near Crossroads this week appeared in a special court at the Manenberg Police Station yesterday.

Most of the accused were women charged with being in the peninsula longer than 72 hours without permission and of not possessing or failing to produce identity documents. Most of them were convicted and fined up to R60 (or 60 days).

SINGING

Thousands of singing and dancing people yesterday lined a dune to watch the second large-scale police operation in two days against people camping, behind administration board offices in Nyanga.

Scores of people were arrested in the operation which “started” about midnight.

A group of women sat near the police saying they were prepared to be arrested with the others. The police did not take action against them.

The arrests were a sequel to the eviction of people living illegally in part of the Langa single quarters, which are being converted into married quarters.

Community workers from the Women’s Movement for Peace said they had a list of more than 1,000 people arrested but the Commissioner of Police for the Western Province, Brigadier D B Nolhagel, said the figure was 780.

Of these, 634 appeared this week in the Langa court and a special court at Manenberg.

They were remanded to Pollsmoor Prison and the hearings postponed till next week.

Sapa reports from Durban that the raids and arrests were condemned yesterday by Mrs. Helen Suzman, MP as “officialdom gone mad.”

Mrs. Suzman, Progressive Federal Party spokes-

man on the Department of Co-operation and Development as well as civil rights, said the actions of the township officials were giving ammunition to New Zealand demonstrators and others who found South Africa’s racial policies beyond the pale.

Mr. Brian Bishop, chairman of the Civil Rights League, was at Langa this week as part of a delegation from the Roman Catholic Commission for Peace and Justice.

APPEAL

Mr. Bishop, who had telephoned the Divisional Commissioner of Police, Brigadier D B Nolhagel, from the Langa court to appeal for restraint, believes the use of force could have been avoided.

His assessment is disputed by Brigadier Nolhagel, who said police had “done a superb job of work” in dispersing an illegal crowd without injuries to anyone.

 Mrs. M. Blake
 Cape Province
 Students who reside in the
 for two B Ed. M Ed or S 1 D
 The Whitton Award.

L. G. Moser
Science Education student. Awarded to the best postgraduate
The Shell Science Education Prize

FACULTY OF EDUCATION
Camp site raid: 161 in court

Staff Reporter

MORE than 150 people appeared before commissioners yesterday charged with trespassing at a site near Crossroads. The case had been adjourned until today.

The hearings were held in the Langa Commission’s Court and in a special temporary court at Manenberg police station.

By 6pm yesterday when the court adjourned, a total of 111 cases had been heard in Langa and Manenberg. A further 100 cases were heard at Manenberg on Thursday.

The accused, mostly women, were arrested at Jam on Thursday at a site near Crossroads where they had camped after being evicted from Lango’s Zones the previous day.

In terms of section 10(3) and 15(1) of the National Parks Act they were charged with remaining in the Cape Peninsula for more than 72 hours without permission and not being in possession of an identity document or alternatively failing to produce one.

Of the 111 cases heard yesterday, 91 were in Langa and 20 in Manenberg. Most of the accused were represented by attorneys appointed by the Athlone Advice Office (AAO).

Langa

All the cases in the Langa court were postponed to dates ranging from July 24 to 31. Most people were remanded in bail of R30 was granted in several cases.

At Manenberg, most accused were convicted and fined up to R60 (50 days). On the first charge sentences were suspended in a number of cases and bail was granted in at least one case.

In one case at Manenberg, the commissioner, Mr. J J Fourie, suspended a fine of R40 (40 days) imposed on a mother of four, Mrs. Proscilla Duvu, and told her to leave the Peninsula within 14 days. A bail ticket issued free of charge.

‘Necessity’

Miss Meer said Mrs. Duvu came to Cape Town from the Transkei in 1970 in order of her own ‘necessity’ and lived illegally in Langa. She had earned R5 a month as a domestic in Mount Fletcher and was earning R5 a day working in Cape Town. Mrs. Duvu was fined R50 (10 days) on the second charge.

Miss Vuyiswa Tlali, a Crossroads resident, said she was evicted in the Crossroads when the authorities decided to demolish Crossroads two years ago.

Mr. E. Mohamed, who appeared for Miss Tlali, said she had returned from home in the Crossroads and was evicted again. She had a reference book, but had left it at her aunt’s home in Crossroads. Miss Tlali was fined R30 (30 days) on the first charge and R50 (10 days) on the second charge.

The commissioners were Mr. J. van Waalwijk and Mr. J. de Kock. Mrs. Magdalene Nqimana and Sergeant P. F. P. Pete prosecuted, Mr. S. Meiring, Mr. A. J. J. de la Gala, Miss T. D. van der Westhuizen and Miss Y. S. Meer and Mr. E. Mohamed of A M Omar and Company appeared for the accused.
A police officer found leafy branches which formed a rudimentary shelter from wet weather for this homeless woman. The woman, who did not say her name and whose shelter was dismantled, remained where she was even when nothing was left around her. Her "shack" was the last to be removed yesteray from an open piece of ground near Crossroads where hundreds of people had spent the night in the open.

Baboons

The woman said she had just passed an ailment, and to which Mr. Fouere replied: "We are going to help you with your ailment if you don't do to people who think they are too good to carry do good deeds."

She told the woman: "All people, whether they are white, black or pink, have to have some documents when they are 16 years old. Only donkeys, baboons and baboons won't need to carry documents."

She was asked a total of 80s or 80s days.

A police officer, who said she had come to Cape Town last weekend from Oudtshoorn, said: "A baboon is the way to do business, and if you don't do it out in the field, you are going to lose your job.

Sergeant P. J. Batty pronounced.

Another 140 held near Crossroads

Staff Reporter

POLICE apprehended another 140 people yesterday morning after hundreds of homeless people had spent a wet night under makeshift shelters on an open piece of ground near Crossroads.

Analysis had been used to dispense a crowd of more than 1,000 people at the Langa Commissioner's Court on Thursday. The situation near Crossroads yesterday was tense but fairly quiet, with only a single police vehicle being stationed at a point on the scene in the afternoon.

Under the protection of a strong contingent of police in 12 vans, Peninsula Administration Board workers dismantled the shelters, which consisted mainly of leafy branches and sheets of rusted iron.

They were watched by about 800 people who encamped the scene of a battle on higher ground.

The Divisional Commissioner of Police in the Cape Brigadier D. N. Nolhagen said 160 men and women had been apprehended in Crossroads yesterday.

Investigations into the legality of their presence in the Western Province would determine whether or not they would be charged, he said.

Babies parted from mothers

By ZUBERDIA JAFFER

THREE babies were separated from their mothers when police raided Crossroads yesterday morning. Mothers took two of the babies to the Langa Commissioner's Court where they believed the mothers to be, but were not permitted to hand over the children.

They are Nokuphwa Seri, 10 months, and Nevulyi Baba, six months.

Their mothers, Mrs. Laura Seri and Mrs. Rosy Baba, were arrested yesterday.

Last night Nokuphwa was in the care of her aunt, Mrs. Nokuphela Seri, who found her with her sister, 10, after their mother had been arrested. Nevulyi was being looked after by a neighbour, Mrs. Nokuphela Nokuphela.

The third baby, known as Tshelahle, was in the care of a young woman, Kate Jass, who knew the mother of the child only as Dali.

A fourth baby, abandoned on Thursday, has still not been identified. She was taken to the Neumann Place of Safety by officials of the Administration Board.

Last night the "loiter mothers" were sorry that the babies had been separated from their mothers. "The child must be with his mother," she said. It was still on the breast "how can I care for it properly?"

Mrs. Nokuphela Seri said.

Mrs. Seri said she did not have enough food to feed another child.

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Mrs. Seri said she did not have enough food to feed another child.
Sebe attacks S Africa's
treatment of illegals

By BRIAN POTTINGER
Political Correspondent

THE Chief Minister of Ciskei, Chief Lennox Sebe, has branded the recent pass raids in Cape Town as futile effort to treat the symptoms of a disease rather than seek its cure.

Reacting to the arrests of hundreds of allegedly "illegal" black people in Cape Town over the last two days, Chief Sebe warned that the only solution would be the full-scale development of the homelands.

At the same time, he gave notice that the Ciskei would not accept any "repatriated" person in Ciskei who had not, in fact, originally come from the homeland.

His statement follows hard-line warnings on SATV last night by the Chief 'Commissioner for the Western Province, Mr Timo Bezuwendhout, that "illegal" Africans would be forced to return to their "national states".

Chief Sebe said last night that Bezuwendhout was doing these repatriations "until he reaches the grave" because people inevitably flowed to the urban areas in search of jobs.

He said the Ciskeian urban representative in Cape Town would have to satisfy himself that every person the administration board sought to "deport" was, in fact, from the Ciskei.

"There will be no question of loading people into ox-wagons and dumping them anywhere," Chief Sebe said that, according to his information, very few of the people arrested in the township raids in Cape Town were Ciskeians.

Those who could be proved to have come directly from Ciskei would not be accepted back in the homelands until full arrangements had been made by the relevant chiefs.

The fate of the Ciskeians arrested in the raid has become of cardinal importance in the light of imminent Ciskeian independence.

One of the key agreements reached between the Ciskeian and South African Governments in the "independence package deal" was that no Ciskeians would be removed from South Africa unless there had been full consultation between the authorities.

The treatment of the Langa-Nyanga arrestees could, therefore, affect future relations.
Police arrest 140 more near Crossroads

Own Correspondent
CAPE TOWN — Police arrested another 140 people yesterday morning after hundreds of homeless people spent a wet night under makeshift shelters on an open piece of ground near Crossroads.
The shelters were dismantled by Peninsula Administration Board workers.
After teargas was used to disperse a crowd of more than 1 000 people at the Langa Commissioner's Court on Thursday, the situation near Crossroads yesterday was tense but fairly quiet, with only one police vehicle being stoned as police left the scene in the afternoon.

Under the protection of a strong contingent of police in 12 vans, board workers dismantled the shelters, which consisted mainly of leafy branches and sheets of rusted iron.
They were watched by about 800 people who encircled the scene at a safe distance on higher ground and shouted abuse.

The Divisional Commissioner of Police in the Cape Province, Brigadier D B Nolshagen, said that 140 men and women had been arrested near Crossroads yesterday.

Investigations into the legality of their presence in the Western Province would determine whether or not they would be charged, he said.

By lunch-time all the makeshift shelters had been piled into trucks and taken to an unknown destination and the crowd became restless, although still keeping a safe distance from policemen.

By this stage, a group of women, some with babies on their backs, had quietly settled down close to the parked police vehicles. Police did not pay any attention to them although they said they were waiting to be arrested for being in the area illegally.

A few private cars, presumably belonging to those who had spent the night in the area, remained where they had been parked in the centre of the open field.

One woman, who had wrapped herself in a blanket and appeared to be ill, stayed put in her low shelter while policemen removed it from around her. She refused to speak, only indicating she had some pain in her throat, and remained seated on the bare ground until after police had left the area.

At about 13.00pm the police vehicles began to move out of the area in a convoy and rowdy elements in the crowd surged forward, stoning the last vehicle with half-bricks and large stones.

Two policemen, one with a teargas pistol in his hand, got out of the van and the crowd quickly scattered.

As the police vehicle left the area, a teargas canister was fired into a section of the crowd.

In a television news broadcast last night, the Chief Commissioner of the Department of "Cooperation and Development" in the Western Cape, Mr Tambo Besudenbok, threatened illegal black residents with deportation to the homelands.

The illegal blacks in the area are withholding about 800 housing units from those blacks who are legally here. The waiting list is just over 2 500 and illegal residents, many of whom are unemployed, just cannot be tolerated because they are jeopardizing the chances of those who are here legally," he said.

More Nyanga raid victims appear in court

Own Correspondent
CAPE TOWN — More than 160 people appeared before commissioners yesterday charged with pass law offences following Thursday's raid on a Nyanga East camp site.
The hearings were held in the Langa Commissioner's Court and in a special temporary court at Manenberg police station.

When the courts adjourned yesterday 161 cases had been heard in Langa and Manenberg. A further 109 cases were heard at Manenberg on Thursday.

The accused, most of them women, were arrested at 7am on Thursday at a site near Crossroads, where they had camped for the night after being evicted from barracks in Langa the previous day.

They were charged in terms of the Black Urban Areas Act with remaining in the Cape Peninsula for longer than 72 hours without permission and not being in possession of an identity document, or alternately, failing to produce an identity document.

Of the 161 cases heard yesterday, 91 were in Langa and 70 in Manenberg. Most of the accused were represented by attorneys appointed by the All Alone Advice Office (AAO).

All the cases in the Langa court were postponed to dates ranging from July 23 to 31. The majority were remanded at Pollsmoor Prison, but bail of R300 each was granted in several cases.

At Manenberg, most of the 70 people who appeared were convicted and fined up to R500 or 60 days, on the first charge.

Sentences were suspended in a number of cases and bail was granted in at least one case.

In one case at Manenberg, a fine of R50 or 40 days, imposed on another of Mrs Priscilla Dyasi, was suspended.

She was told to leave the Peninsula within 14 days using a rail ticket issued free of charge at the Langa Commissioner's Court.

Mrs Dyasi was fined R5, or 10 days' on the second charge.

The court was told she had been "forced to abandon" her four children "in the void" near Crossroads when she was arrested on Thursday and did not know where they were. She had also left her reference book behind at the Crossroads site.

The Committee of the Western
Lieutenant Ronnie Els holds a lost baby girl whom nobody claimed, shortly before teargas scattered a large crowd outside the high court building.

**Police left holding baby after pass raid**

A WEEPING baby girl, thought to be about three months old, became the object of a bizarre dispute outside the Langal Commissioner's Court yesterday.

Before the crowd was dispersed by police tear gas, the baby was pushed up to the police line by one of the squatters.

The baby was pushed up to the police line by one of the squatters. She had been living illegally in part of the Langal squatter quarters, which were being evicted. The baby was later found with others and returned to the police who had arrested her.

**Teargas fired at crowd**

CANISTERS of tear gas were hurled by policemen yesterday as a crowd estimated at more than 1,000 black people who gathered outside the Langal Commissioner's Court, protesting against police harassment of people evicted from the township's single quarters earlier in the week.

Many women who had been shot and beaten demanded to be returned to their homes, but police said they were illegal. The tear gas was fired to disperse the crowd, and 50 people were arrested.

**Report: CRAIG TYSON and MARK VAN DER VELDEN**

Pictures: JOHN RUBYTHON
Tear gas fired at crowd

CANISTERS of tear gas hurled by policemen yesterday scattered a crowd estimated at more than 1,000 black people who gathered outside Langalanga Commissioner’s Court, in protest against the arrest of hundreds of people evicted from the township’s single quarters earlier in the week.

Men and women who had been charging to demand their release along with the crowd of protesters, threw bagfuls of stones and stone chunks, which were thrown back by residents who had gathered outside the court.

The confrontation was preceded by a protest outside the court building, with thousands of people who had been charged with looting and murder.

The court was surrounded by armed police officers who had been blocking the entrance to the building.

The protesters demanded the release of their comrades who had been arrested during the previous day’s violence.

The police, who had been deployed to maintain order, responded by firing tear gas canisters into the crowd, causing panic and confusion.

The protesters then began to attack the police, throwing stones and other objects at them.

The police then fired back, causing further violence.

The scene was chaotic and tense, with police and protesters alike adding to the cacophony of sounds.

At least two people were injured during the clash, with one being taken to hospital.

The police eventually managed to clear the area, but not before the crowd had scattered and disappeared into the nearby streets.

The confrontation highlighted the ongoing tensions between the police and the protesters, whose demands for justice and fair treatment continued to escalate.

The following day, police announced that they had arrested 100 people in connection with the looting and murder.

The protesters, however, continued to insist on the release of their comrades and called for a fair and impartial investigation into the events.

The situation remained tense throughout the week, with police and protesters both vowing to hold firm in their demands.

Despite the violence, the protesters continued to gather outside the court, demanding justice for their comrades and the release of all those arrested.

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Babies, mothers shelter

By Chris Barron

"God you must be with me, because somebody is chasing me."

Translated from Xhosa, this was the sign which appeared on one of a number of Crossroads shacks which last night sheltered mothers and their babies from the rain.

Most of them had shelter of another sort — they were still in police cells following their arrest on pass laws offenses during yesterday's raids.

Some were given shelter in a Roman Catholic church in Nyanga and the rest found refuge from the steady drizzle in makeshift shacks and tents erected in the area behind the Nyanga Administration Board offices into which they moved early this week.

About 150 of these menfolk stood around in silent groups, hands in pockets and faces glum.

The smiles of the night before had disappeared, but the determination to remain in the Cape Town area as families had not.

"It doesn't matter what they do," said a mother and wife, who had been here with her husband, a worker at Koeburg for five years "we are staying."

Another mother was glad of a lift from the Cape Times to Tygerberg Hospital with the seriously ill one-month-old son she had been trying to get there all day.

in the day book that there had been a request to send a senior man.

Captain Odendaal tried to pacify the crowd and persuade it to disperse. An Anglican priest, the Rev. Chris Young, acted as an intermediary.

Captain Odendaal’s requests that the crowd disperse were repeatedly rejected. One member of the crowd, Mrs. Albertina Ntabethi, a domestic worker who said she had been without accommodation for two months, told reporters: "It is better to go to jail than to sleep in the bush again."

Throwing began.

"By 2:30pm it was clear that the attempts at negotiation had broken down, and the policemen guarding the court began throwing and firing gas canisters into the crowd. Screaming and coughing, the crowd retreated before the dense cloud of gas, leaving clothing, blankets and other possessions scattered over at least 100m of ground in front of the court.

Most people ran wind to
Police fire teargas at crowd outside court after 600 arrested in pre-dawn pass law raid

By Tony Spencer-Smith

Police fire teargas at crowd outside court after 600 arrested in pre-dawn pass law raid

The crowd gathered before the Langa commissioner's Court on Thursday after the three arrested during an earlier visit to the court were released. The court was already packed with spectators, many of whom were armed with umbrellas and other objects to protect themselves from the tear gas.

Mrs. Rachel Roberts, the leader of the crowd, told the Western Cape Freedom Party that the police had entered the court without permission and that the situation was completely out of control. Mrs. Roberts said that the police had fired teargas into the court, causing panic and chaos.

The police, however, denied any wrongdoing and said that the teargas was only used in self-defense.

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The week they cracked the whip

When they entered, there was a shout and they scattered, dropping presents in their haste. A slight movement in the crowd made them turn to see what was happening. A 10-year-old girl, wearing a red dress, ran to her mother, who was standing behind her, and cried, "Mommy, what's going on?"

"They're taking us to the police station," her mother replied. "The police are coming to get us."

"But why?" the girl asked, tears in her eyes.

"Because you've been misbehaving," her mother said. "You've been causing trouble and you need to learn a lesson.

The girl sobbed and asked, "Do I have to go to jail?"

"No," her mother said. "You'll just have to wait until we get to the police station and talk to the officers."

When they arrived at the police station, the girl was taken to a cell where she was held for a few hours. During this time, the police officers talked to her about her behavior and explained why she was being punished.

Eventually, the girl's mother arrived to pick her up. The mother thanked the police for taking care of her daughter and explained that the girl had been acting out because she was feeling overwhelmed by the stress of moving to a new city.

"We're doing our best to help her," the mother said. "But sometimes she needs a little extra support.

"We understand," the officer replied. "And we're here to help you. If you need anything, please don't hesitate to ask."
Homes promise

The crowd had formed around the area where the homes would be located. There had been a lot of trouble making arrangements for the homes, but now it seemed everything was going well. People who had been promised homes were overjoyed and many were crying tears of joy. Those who had not been promised homes were left behind, feeling angry and disappointed.

The locked the gates towards the residential area to keep out the curious. It was towards an open field near the main highway. At least five people had been seen entering the locked area, but they were stopped by the police.
200 Left Homeless

Downpour Hits

Official Remarks

THE CHIEF COMMISSIONER FOR THE WESTERN CAYE-MAYO BEAVERSON WELCOMES THE \n
18/1 06 2023

GNR
"Mr Andrew, who attended the Langa Commissioner's Court hearings last week, said: "Their remarks are ample proof of their unsuitability to serve as presiding officers. Their remarks were insensitive, offensive and provocative - an insult to thousands of blacks who are struggling against the odds to survive."

Mr Andrew said the commissioners' courts left a good deal to be desired. "But to have openly hostile presiding officers can only result in a complete loss of confidence in judicial procedures."

"Mr Andrew also questioned the wisdom of appointing a man acting under court officials." was answered by a "Mr J.J. Fourie". He said he could not hear what was being said. Telephoned a second time, he still had a problem in hearing, but after a few minutes he stated that he was not a magistrate but a radio technician.

A third telephone call to the same number was answered by a younger man who said he worked for the Bellville Traffic Department as a traffic officer. He said he did not know the magistrate. Mr Fourie asked if his father was at home, he said his father worked in the Transvaal and only he and his family lived at that number."
Rapped
Wrab’s
promise
to obey
the law

THE chairman of the West Rand Administration Board, Mr John Knoetze, has promised that his officials will no longer separate husbands from wives who qualify to live in Soweto.

He told the Rand Daily Mail there would be no further need for women who qualify for urban residence rights under Section 10(1)(c) of the Blacks (Urban Areas) Consolidation Act to take matters to court to have the rights respected.

In a statement yesterday, Mr Knoetze said he and his board were aware of the implications of last year’s Appeal Court judgment in the case of Mrs Nonceba Komana declaring ultra vires a regulation requiring black women to have a lodger's permit or residence permit to live with their husbands who “qualified” to be in prescribed areas.

Husband

His statement follows a week in which Wrab was rapped over the knuckles by Mr Justice Goldstone when he granted an order in the Rand Supreme Court that Mrs Mafiri Mthlango be permitted to live with her husband Mr Sikiy William Mthlango.

“We have made it perfectly plain,” Mr Knoetze said yesterday, “that it’s not necessary for any further blacks to go to the Black Sash or to lawyers or to court.”

His board was “carrying out the law as it stands now,” Mr Knoetze said.

“They can come along now and get their endorsements,” he said, adding that “we will treat each case on its merits.”

Referring to the outcry that followed Mr Justice Goldstone’s order this week, and to a number of cases in the past year in which women in identi-

Pledge

“I realise the implications of the judgment and we will carry it out directly according to the letter of the law and with understanding and empathy,” Mr Knoetze said.

If women who qualify for the 10(1)(c) endorsement had trouble at any of Wrab’s branches, Mr Knoetze said, they should refer their matters directly to Wrab’s director of labour, Mr A E Steenhuisen, or himself.

Mrs MAFIRI MHLONGO
All smiles yesterday
Anger

The baby -- temporarily dubbed "Princess" by Mrs. Sylvia Rahula -- who found her crying pitifully on the ground at about 5 a.m. after the raid -- became the focus of the anger and pain of the people whose lives are being torn apart by the past laws.

"Princess" apparently separated from her mother by the raid was put in the Langa Place of Safety, and nobody seemed to know who her mother was or what had happened to her.

Said the station commander at Langa Lieutenant Gert Nel: "We are still trying to find out who the mother is."

We have established that she was not one of the mothers arrested in the raid.

Mr. Bishop is a member of the Roman Catholic Commission for Peace and Justice. He and two other members of the commission, Mr. Thona Perez, the chairman, and Sister Rose of the Ternan, visited the Langa courts on Thursday.

Teargas

In his statement, Mr. Bishop says the officer in charge at the scene -- Captain Dolf Odenthal -- misinformed the brigadier about the situation shortly before the teargas was unleashed on the crowd of about 1000 gathered outside.

He said that when it had become clear that the police were contemplating action, although this was clearly unnecessary, he had walked on to the court steeple to speak to the officer.

It was apparent that the captain was losing his calm. I introduced myself and asked him to withdraw his riotous assembly order as it was more likely to provoke a riot than to avert one.
Langa mums evicted in driving rain

ABOUT 150 of the people, including mothers and babies, evicted from hostels in Cape Town’s Langa township last week spent a cold, wet weekend in an open field near Crossroads squatter camp.

About 1000 others were held in Pollsmoor prison waiting to appear in court today and tomorrow to face charges of being in the area illegally.

Yesterday the remaining 150 including mothers with babies on their backs gathered in driving rain to hold a prayer meeting and to elect a committee to represent them and gather assistance for them.

Singing “God give us strength, we will not tire” they pleaded with officials of the Administration Board who ordered them to remove a tin shack they had erected to shelter the babies.

A little girl — Princess — lost in the confusion and chaos of the Langa arrests, while chairman of the Civil Rights League, Mr Brian Bishop, tries to persuade police not to take action against an angry crowd.

EVICTION

The Administration Board officials continued to destroy any make-shift shelter erected by the people as protection against the winter weather but groups of people defiantly huddled under pieces of plastic and shelter made from branches and sticks.

These people were all evicted from Langa single quarters hostel last week and moved into the open near Crossroads. Over 600 of them were arrested on Thursday and another 140 on Friday.

The 161 appeared in court on Thursday and were charged with being in the area illegally.

The rest are also due to appear today and tomorrow.

The Administration Board officials
Pass laws: 170 in Langa court

ABOUT 170 people, all of whom were arrested in Crossroads on Friday, appeared in the Langa Commissioner's Court yesterday.

They were charged with being in the Peninsula for more than 72 hours without the necessary permission and with not possessing or, alternatively, failing to produce identity documents.

The majority pleaded not guilty and were ordered to be held in custody at Pollsmont Prison until August 3rd.

The two courtrooms were packed with spectators and 150 people gathered outside.
Transkei envoy slams evictions

Staff Reporter

THE Transkeian Consul, Mr A L Socikwa, has deplored the eviction of hundreds of black men, women and children from the “Zones” hostels in Langa during the coldest and wettest winter experienced in years.

About 1,000 people — mostly Transkeians — have been arrested in the past week for being in the Cape Town area “illegally”, according to Brigadier JH van der Westhuizen, chairman of the Western Cape Administration Board.

Mr Socikwa said yesterday that he had gone to the Langa hearings last week to ask for a list of Transkeians arrested in the police raids. He was told by officials that most of those arrested had failed to produce identity documents which would have shown where they came from.

He said he was told that fingerprints of those arrested had been sent to Pretoria for identification by the Central Reference Bureau.

“If these people have to be repatriated it should at least be done in an orderly and humane fashion — not that we approve of them being repatriated.”

“I would prefer to see their presence legalized and the granting of permits enabling these people to work in the Cape Town area.”

He said Transkeian representatives had been approached by many Cape Town employers seeking to register their workers. This indicated that work was available for many unregistered Transkeians, and that difficulties experienced in obtaining work permits were largely due to official policy.

But it was unlikely that the Western Cape Administration Board would allow these people to remain in the area for long. Mr Socikwa said.

“The problem is you will find that many of these people came here to work and the board will not allow them to do so.”

Brigadier Van der Westhuizen said a further 200 people had been arrested yesterday for being in the area without permission. Of the 1,000 arrested, 300 had been evicted from the Langa hostels.

Commenting on the fact that the people had been left homeless in mid-winter, he said the hostels had to be made available to contractors who had undertaken to upgrade them for use by families now on the waiting list for accommodation.

“The people were not just kicked out. We have been working on the hostels scheme for about two years, and the people staying there knew we were coming. We let them know, but they still stayed there.”

@ Interviews with officials, page 11
Mrs Mxanda tells her story but where does she go to now?

ROB MEINTJES

AGAINST a backdrop of drifting tear gas smoke and hundreds of scattered figures, a crowd gathered last week around a small group seated on an open land between Crossroads and Nyanga.

At the core of the circle was a Xhosa woman, Mrs Nowinothi Mxanda, telling her story, assisted by a volunteer interpreter.

Mrs Mxanda is one of the hundreds of homelesse After being evicted from the “Zones” hostels in Langa for residing their “illegally”

Piece of land

On Tuesday about 700 of these people occupied a piece of land adjoining Crossroads.

Before dawn on Thursday the new settlement was attacked by a police swoop on the hostel in the Crossroads.

People living there are telling how they came to Cape Town in 1958 to be with her husband who was working there.

“Nature being nature she also wanted children,” the interpreter explained.

Mrs Mxanda had six children. At first the family lived in a shack on the outskirts of Cape Town “because in those days the law was strict — no women were allowed to be at the single quarters.” Mrs Mxanda has never worked, but her husband managed somehow to support her.

Many others

Later they moved to the “Zones” hostels in Langa together with many others who were in the area “illegally.”

A few days ago they were chased out of the hostels.

Mrs Mxanda said they asked board officials “What must we do? We have no place to stay.”

The officials said “you have to go back to where you belong.” They asked us where we slept yesterday. ‘In the bushes,’ we said. ‘Then you can go back to the bushes.’ The officials said ‘So we came back here,'” she said.

“We came here without anything. But there were good people who gave us tents. We thought the office of the board would help us but there was no help. We hoped they would allow us to stay here like the people of Crossroads.”

On Wednesday night they made fires and sang. Then the police arrived.

“They arrested people and they were rude. They handled people like dogs — they handle dogs better than humans.”

Now everything is upside down. They keep on arresting people.”

“Was it like back home in the Ciskei?”

“Let me answer that question for you,” said the interpreter.

“When they start to talk about these homelands it makes me sick. Those who call themselves leaders in the homelands — as long as they eat bread with butter they do not care for the sick. People are still starving in the Transkei and Ciskei. There is no work. I have been there myself and I tell you there is no work. Fathers leave wives and children to starve there and come to work in the cities.”

“I do not think the boards or the police have a chance — because they are doing the law.”

The man behind all this is Dr Koornhof (Minister of Co-operation and Development).

Lot of people

“You must help me to settle these people,” the interpreter said.

“We want Dr Koornhof to do the same as we did for Crossroads. The people of Crossroads, these people from Langa have no rights.”
‘I was quoted out of context’, prosecutor

BY CLARE STERN

MR. FREDERICK FOURIE, the "hostile" prosecutor at the KwaZulu-Natal Supreme Court of Criminal Appeal, yesterday denounced as "outrageous" a statement by Mr. Van Wyk in his evidence before the Commission of Enquiry into the treatment of persons detained by the security forces.

Mr. Fourie said that Mr. Van Wyk had told the court that he had been incriminated by the "hostile" prosecutor.

"I have had a piece of evidence that Mr. Van Wyk did not tell the court what I have written in my evidence," Mr. Fourie said.

Mr. Fourie said that he had written a letter to the judge in the case.

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"I have had a piece of evidence that Mr. Van Wyk did not tell the court what I have written in my evidence," Mr. Fourie said.
Freedom songs greet evictions

A woman stolidly sits in her branches and plastic shelter near Crossroads as a police captain starts dismantling the structure, until . . .

SOWETAN REPORTER

POLICE yesterday swooped on the last 200 of the people who were evicted from the Langa barracks in Cape Town last week and have since slept in the open. The crowd offered themselves to the police willingly singing freedom songs.

Police arrived at about 1 pm in 21 riot vans and surrounded the area. The people packed their belongings and willingly lined up to enter the vans.

Another 100 are still being held and are due to appear in court while others were released last week on bail.

It is believed that the Administration Board will bus these people to the Transkei and the Ciskei as they have done in similar cases in the area previously.

They have offered free tickets to the Transkei and the Ciskei to these people, but the people unanimously agreed to refuse the tickets.
A National Party politician has described "outrageous" the remarks senior prosecutor, Mr J J Fourie, is reported to have made from the bench during pass law hearings last week.

The storm created by "offensive" and insensitive comments attributed to Mr Fourie has led to calls for his dismissal from the Langa Commissioner's Court.

The chief commissioner for the Western Cape, Mr Timo Bezuendehout said he would order a departmental investigation into Mr Fourie's reported remarks as soon as possible.

Asked whether the investigation would cover the comments made in May by another presiding magistrate, Mr L. van Wyk, Mr Bezuidenhout said: "I'll go no further on that matter."

Mr Fourie, acting as magistrate at Manenberg Court on Friday, was reported to say to a woman pass law offender: "I suppose you sleep with a different man every night."

**SOWETAN Reporter**

When the woman told him she had never possessed and identity document his reply was: All people whether they are white, brown, black or pink, have to get identity documents when they are 16 years old.

Only donkeys, cows and baboons don't need to carry documents.

The National Party MP for Belville, Mr Andre van der Walt said yesterday that if the remarks were correctly reported they were "outrageous."

But a prominent black community leader, Mr Wisdom Sekwegi, said:

"The insensitive remarks made by the presiding officer do not surprise the majority of blacks."

"To us these remarks are what apartheid is all about."

Mr Sekwegi said the remarks were "extremely provocative and dangerous."

"I have no idea what his这才 is and how he can compose himself in the workplace."

Mr Andrew called for everything possible to be done to attempt to alleviate the plight of those being forced to sleep in the rain and cold, irrespective of their ages or states of health.

"Dr Alex Boraine, PFP MP for Transvaal said:"

The gratuitous and insulting remarks made by Mr Fourie are an offence to the people appearing before him and to the profession of which he is part.

His attitude adds insult to injury when one remembers the cruel treatment handed out to people who seek only to have shelter and employment."

This little girl was found by Mrs Sylvie Kahia abandoned during the pass raid at Nyanga. The fabric desecration graphically depicts that of the hundreds evicted.
ZWELITSHA — Ciskei leaders have condemned remarks attributed to Mr. J Fourie, a senior public prosecutor at the Langa Commissioner's Court, during a series of pass law trials.

The trials were a sequel to the arrest of hundreds of people who had been evicted from the Langa single quarters because they allegedly stayed there illegally.

The Rev W M Xaba, Ciskei's Deputy Chief Minister, said Mr Fourie's remarks not only insulted the woman they were directed at, but also the entire black community of South Africa.

The remarks belied the attempts to alleviate the polarization of the various racial groups in the country.

Mr Fourie was reported to have said to the woman, "I suppose you sleep with a different man every night?"

When the accused said she did not have identity documents, Mr Fourie allegedly said, "Everyone had a family. Only donkeys, cows and baboons don't need to carry documents.

Mr Xaba said the raid which resulted in the trials spoke eloquently of the "cruelty of apartheid.

Chief Minister L. L. Sebe has condemned the pass raids, saying the presence of the alleged pass law offenders in the Western Cape resulted from the lack of employment in the national states.

He said the creation of more job opportunities in the homelands was one way of circumventing the tragedy of pass raids, as people from the homelands would find employment in their own areas and therefore not go to urban areas to make a living.

"The South African Government must speed up the development of the black national states and inject enough capital there for their development projects," he said.

Mr Xaba said the raids illustrated fully "that separate development has failed."

He said the South African Government concentrated all its development resources for black people on urban areas, leaving the homelands barren of both development and opportunities for its people.

He said black people were justified in looking suspiciously at the South African Government's co-prosperity projects.

"The arrangement prescribes that factories will be put up in the townships and urban areas, whereas our people will again flock and the dangers of the pass raids will always be an ever-present element," he said.

"This is all hypocrisy," Mr Xaba added.

Both he and Chief Sebe said that in terms of the Ciskei's agreement with South Africa, no Ciskeians could be repatriated to the Ciskei unless there was first negotiation between the two governments, which might see the justification for the repatriation.

The Transkei consul, Mr A L. Sokukwa, yesterday deplored the fact that the Langa evictions had taken place in mid-winter.

Mr Xaba said he had gone to the hearings last week to ask for a list of Transkeians arrested. He was told that most of those arrested had failed to produce identity documents which would have revealed where they came from, and that fingerprints had been sent to Pretoria.

"If these people have been repatriated, it should at least be done in an orderly and humane fashion — not that we approve of them being repatriated," he said.

Mr Xaba said Transkeian representatives had been approached by many Cape Town employers seeking to register their workers. This indicated that work was available and that work permit difficulties were largely due to official policy.
THOUGH it had been reported on the corpse, the Burger, National Party official, has questioned reports in Cape Town's English-language newspapers on events in Langa on Thursday when police dispersed a crowd outside the Commissioner's office with tear gas.

The newspaper and the reports totally contradicted six sworn reports based on interviews with two officials.

MOTIVES

The Burger quoted the Chief Commissioner of Police for the Western Cape, Brigadier D B Nothup, as saying the crowd of about 800 were threatening to storm the court and free arrested people. Mr L van Wyk, magistrate at the court, was reported as saying the police were called in when the crowd became threatening.

Adding "what are the facts" the Burger's main heading, article yesterday said the Argus report described the crowd as peaceful and showing almost no hostility while the writer must be believed" and signed the paper.

DIFFICULT

It found it difficult to believe that the two officials were wrong in expecting a stirring of the crowd and in believing the crowd was riotous. It was just as difficult to believe that Cape Town's two "pro-papers" deliberately suppressed these important facts.

The result was alarming Burger readers had reason to think the police action was justified. Argus readers might think the police had no reason to use tear gas.

"We in this country cannot go on like this," concluded the Burger.

TENENESS

The Argus in all its reports emphasised the teneness of the situation at Langa.

The order to fire, we reported, came after several tense hours in which the police feared that the crowd of about 800 - mainly women and children - was the area immediately in front of the court.

On the following day the Argus reported that the crowd had behaved peacefully outside the court the day before. Throughout the tense day there was almost no hostility was shown. Journalists, church representatives and police moved freely without threat in the crowd. Lately in the report there was reference to gross mistreatment.

The Argus crime reporter was in the crowd for some time. He heard no threats and in his view there was no sign that the crowd intended to storm the court building.

The Burger had no representative at the court at the time of the police action in the Board preceding it.

Mrs D. A. Noon, of Gardens and Mrs Joan Grover, chairman of the Black Sash, who were in the crowd when the tear smoke was fired, said today they would sign sworn statements that there was no threat by the people to storm the court.

Moments before the police fired the tear smoke there was absolutely no hostility in the crowd, Mrs Bishop said.

"They were clearly there to show their solidarity with those who were arrested. It was a peaceful demonstration."

Mrs Grover and the firing of the gas canisters had come as a complete surprise to her. "I would not have played in the crowd if I felt it was dangerous or they were threatening violence."

Mrs Bishop's husband, Mr A. W. Bishop, a representative for the Civic Rights League, was one of the people who pleaded with Captain Olenick, the police officer in charge at Langa on Thursday.

INCORRECT

"I told Brigadier Notthup on the telephone when I called him from the court that Captain Olenick's report that the people were threatening violence was incorrect."

He accepted an incorrect story and then passed it on to a newspaper in a form that was one more exaggerated," he said.

On Saturday the Burger published a report about Prince, the baby found abandoned after the raid early on Thursday morning.

"The report said the baby was saved by a police officer from being trampled by the crowd."

NO DANGER

The story was published and reproduced by several newspapers and an overseas television unit and at no time was the child in danger from the crowd, said the Argus crime reporter.

 Brigadier Notthup was not available for comment today as he is on leave.

Mr van Wyk also said the police had been called last Thursday when the belongings of the court were disturbed by an unseen crowd outside the court building.

INTERVIEW

In an interview at the court yesterday he said he had heard it said the people wanted to storm the court building to free the arrested people.

Asked whether there had been any court hostility action by the crowd, he said there had been none, but "one doesn't wait for it actually to start."

He said the police were called earlier in the day when the groups of singing women began to congregate near the court.
Women, children arrested

A group of men and women who watched the raid said they were determined to stay in the area until the authorities did something about their plight. They could move in with friends but they wanted to remain in the open until their presence was made legal and they were given proper accommodation.

Several women left in the area as all their possessions had been removed by the board officials and all they had left were the clothes on their backs.

Mr James Wupula said his wife and three children were arrested on Friday and he did not know where they were. He looked at all the police stations but he can't find them. I'm just sitting here waiting till they come back.

Mr Patrick Nini said he was qualified to live in Cape Town but had been told there was no accommodation for him and his wife. 'Now I've got accommodation. I took the rent card to the office and said that I must allow my wife to live with me. I tried to contact a board official but before I could see him she arrested my wife. She's gone I don't know where they took her.'

Like other men he was waiting for his wife to re-turn.

POLICE and Administration Board officials in 24 vehicles surrounded women and children camping in the open at Nyanga today and arrested them.

This was the fourth raid in less than a week on the people evicted from the Langa hostels. Since the families moved to land near the Nyanga Administration offices last week their shelters of iron, plastic and tree branches have been repeatedly broken down by board officials supported by police.

In today's raid dozens of policemen watched as mothers with babies strapped to their backs were taken to police vans. They were driven away as the women began singing and the noise of crying babies could be heard.

**Epileptic Baby**

Among the women arrested today was a mother with an eight-month-old epileptic baby. One of the women arrested yesterday was loaded into a van with her cerebral palsied child. Roman Catholic community worker Mary Sih said: 'We are terribly worried about the children. What effect will it have on that cerebral palsied child to be taken off to jail?'
Transkei envoy hits at Langa evictions

Own Correspondent

CAPE TOWN — The Transkei envoy, Mr A L Sosukwa, hit out at the eviction of hundreds of Black women and children from the "zones" hostels in the Cape Town area during the coldest and worst water experience in years.

About 1,000 people — mostly Transkeians — have been arrested in the past week for "illegally" staying in the Cape Town area, Brigadier J H van der Westhuizen, chairman of the Western Cape Administration Board, said. A further 200 people were arrested yesterday for being in the area without permission.

Of the 1,000 arrested, 300 were evicted from the Langa hostels, Brigadier van der Westhuizen said. "This is an indication of how serious the situation is. That so many people are here illegally is a problem that needs to be addressed.

Commenting on the fact that the people had been left homeless in mid-winter, he said the hostels had to be made available to contractors who had undertaken to upgrade the hostels for use by families now on the waiting list for accommodation.

"The people were not just kicked out. We have been working on the hostels scheme for about two years and the people staying there knew that we were coming. We let them know, but they stayed on.""}

Make-shift shelters subsequently erected by the homeless people near Crossroads have been demolished by police. Hundreds were arrested and tried in the Langa commissioner's courts for being in the Cape Town area without permission.

Mr Sosukwa yesterday deplored the fact that the evictions from the hostels had taken place in mid-winter. He also, said some of the hearings in the commissioner's courts had been conducted at night when it was bitterly cold.

Mr Sosukwa said he had gone to the Langa hearings last week to ask for a list of Transkeians arrested in the police raids. He was told by officials that most of those arrested had failed to produce identity documents which would have revealed where they came from.
Sardines

"I told her I could not understand why people could not just leave each other alone. "I told her I could not understand why people could not just leave each other alone. I was too tired to discuss politics or religion or any other matters."

"Out of context, the words 'sardines' were used in a derogatory manner and without any accompanying context or explanation."

"We're not racists," says top Tayi official.

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Woman wins right to be with husband

By Rashid Chopdat

Mrs Maffini Maria Mhlongo (40) can live with her husband in Johannesburg legally and her reference book should be endorsed accordingly, a Rand Supreme Court judge ruled yesterday.

Mr Justice Goldstone ordered, the West Rand Administration Board (WRAB) and its related office, the Municipal Labour Offices (MLO) to pay the costs.

The judge directed the Registrar "to communicate the court's displeasure" to the Minister of Co-operation and Development and WRAB over WRAB's actions in refusing to endorse the applicant to apply to the court for relief.

Mr Silika William Mhlongo of Pimville, Soweto, applied for an order declaring that his wife was entitled under the Black Urban Areas Consolidation Act 25 of 1945 to reside with him in Johannesburg and, directing the MLO to endorse her reference book to that effect.

In an affidavit, Mrs Mhlongo said she arrived in Johannesburg in 1959 and had since lived here with her husband.

She said: "On two occasions during 1974 the MLO placed an endorsement in my reference book granting me 'permission' to remain in the prescribed areas for the purpose of 'visiting' my husband."

In 1980 she asked the MLO to endorse her reference book recognizing her rights.

"After various visits to the MLO in New Canada, on August 21, 1980 an officer placed an endorsement in my book requiring me to leave Johannesburg within 72 hours," she said.

In January she took a lawyer's letter to the MLO at Albert Street, Johannesburg, where Mr Pretorius refused to give her an appropriate endorsement.

Mr Mhlongo said they lived in Pimville with his uncle, Mr B Mazebo, who had suitable accommodation for them and who wanted them to stay with him.

The MLO was disputing his wife's right to remain in the area though he was entitled to live in Johannesburg.

(continued)
A vital judgment in the Rand Supreme Court endorsed the right of blacks in urban areas to enjoy a family life if one of the parents has section 10 rights in terms of the Black Urban Areas Consolidation Act.

Mr Justice Goldstone yesterday ordered that Mrs Matli Mholong be allowed to remain with her husband, Mi Sileka Mholong, in Pinville, Pretoria. Mr Mholong has lived in the Johannesburg area since 1951.

The judge rebuked the Minister of Cooperation and Development, Dr Koornhof, for allowing officials of the department to separate the two.

Mrs Sheena Duncan, director of the Johannesburg advice office of the Black Sash, estimated that the office had dealt with 150 similar cases in the past year.

In August last year, the Appellate Division ruled that wives, unmarried daughters and sons under 18 be permitted to reside without a lodger's permit, provided one of the parents had rights under section 10 of the Black Urban Areas Consolidation Act.

This section gives urban residential rights to blacks who were born in an area and have resided there lawfully for 15 years or have worked for a single employer for 10 years.

After last year's ruling, Dr Koornhof said each case would be judged on the facts.

Mrs Duncan said West Rand Administration Board officials continued to act as if the judgment had not been made.

UNDEFEDED

She said cases brought through the Legal Resources Centre to the Supreme Court had not been defended by Wrab. The court had, therefore, not been in a position to pass judgment on it had in the latest case which was defended.

A spokesman for the Department of Co-operation and Development said the department was unlikely to comment before it had studied the judgment.

Mr J Knoetze, chairman of Wrab, was unable to comment today.

@ Page 7: Woman wins right to be with husband.
Serene and pragmatic, the women kept their children clean and fed while others sought whatever they could to form shelters.
Polish bid to avert strikes

WARSAW — The Polish Government had held talks yesterday with representatives of the Lot airline and doctors, in an attempt to avert threatened strikes this week, union officials said.

The talks in Warsaw on the dispute over the appointment by Lot employees of a general manager, the government refuses to recognize, centred on a possible compromise formula, they said.

The government argues that it must have the final say in who is appointed manager of Lot because the airline is part of the defence establishment.

Officials of the Solidarity free trade union said a government team was also negotiating in Szczecin with dockers.
Proud, resourceful people
— but in need of help

A YOUNG Mowbray mother summed up the sentiments of many when she said "When I heard that we — the only people in the world — were going to be deprived of the royal wedding broadcast, I thought it was totally unfair," she said.

"I thought lots of other countries have suffered and evil in them — why should we be the polecat? But these evictions are so terrible, I feel as if we deserve to be outcasts. I'm ashamed to be part of this society, and I don't know what to do about it."

"As we're trying to defend our presence in New Zealand, they go and do this," a Sea Point pharmacist said. "It's no wonder we're seen as bad, we are, if we can do that to human beings!"

Action

What can ordinary people do? A feeling of helplessness disheartens many people and stirs the urge to be a part of the kindness of this community, rather than part of its pervasive cruelty.

But there are people helping — white, coloured and black — middle class people who have never known such shattering insecurity in their own lives. And they say that their presence amongst those who have been rendered homeless and the more than 1000 facing legal charges has been warmly welcomed.

"It is easier for women," Mrs Di Bishop said. "We have never been shown any antagonism — we aren't seen as a threat. For men it is more difficult, but it is very important that women and more and more men show that they care. These people do appreciate it".

Mrs Bishop, Progressive Federal Party Provincial Councillor, for Green Point, has been working with various organisations including the Black Sash and the Women's Movement for Peace, both of which have been helping in the townships.

Mrs Barbara Versveld of the Black Sash said her most urgent need was for Xhosas to translate and for observers at the courts where people are being tried on pass charges. She, and various others, said that such a presence was welcomed and definitely benefited those charged. Sentences tended to be more lenient and the treatment of the people a little more humane, they said.

Anyone who can attend court hearings can call the Athlone Advice Office (28 69-3150) for more information, or go to the Langa court at 9 am. No permits or special permission are needed.

Mr Brian Bishop, Di Bishop's husband and chairman of the Civil Rights League, working with the Roman Catholic Commission for Peace and Justice, has been closely involved with the township people as well. He stressed the need for the presence of outsiders at the courts and at areas where families were left homeless.

"I, and many others who have been working with these people, said they were awed by the calm dignity and the tremendous spirit of mutual help amongst those in trouble. There has been no appeal for help from the community itself, but they suggested that warm clothes, sleeping bags or tents, blankets, contributions of food and even just sheets of plastic to give some protection from the wet would all come in useful."

"Drop them off at the nearest church," he suggested. "They will be passed on if you do."

Mrs Mompi Ramotshami or the Women's Movement for Peace said such contributions would definitely be of help, and said, "People need have no fear about the way they are used — they will be shared fairly. There is a really wonderful spirit of trust amongst these people and they have organised themselves very, very well to help one another."

"These are incredible people," Mr Bishop said. "Even as the officers came at them the women sat calmly holding their babies, with no bitterness on their faces. They were serene, singing."

With parents being hustled away to jail and shelters broken up by Administration Board officials, there was deep concern for the children. Babies were left crying, the mothers unknown, and older children were left alone in the night. Where are they now?"

There was no sign of them at the Langa Place of Safety, where the staff already had their hands full with their 14 charges, in need of clothes and blankets.

It appeared they had been absorbed into the community, taken in by relatives or strangers, probably already hard pressed for food and space.

Those working at Crossroads and at Langa and Nyanga this past week say they have encountered a proud self-reliance. "I think they have decided their time has come," one woman said.

Poverty

But aside from the evictions, and even for those with the legal right to stay, in Cape Town, there is poverty, and maternal aid could be used.

Bishop Stephen Nardo, who has been co-ordinating discussions between the different groups involved, said that apart from the money — possibly over R60 000 in bail and fines — clothes, blankets, food, etc are needed.

He said that those wanting to help could call the Catholic Welfare Bureau at 28 69-1232. The bureau is linking the efforts of various churches and other organisations, and will advise on what is needed most.
Cape Flats evictions deplored

THE chairman of the Cape Western Region of the SA Institute of Race Relations, Mr Richard Luty, last night issued a statement on behalf of the institute "deploiring the callous manner in which countless Africans on the Cape Flats have in recent days been uprooted and evicted from their homes and shelters in the middle of a severe Cape winter."

The statement read: "The regional committee of the institute expresses its sympathy with the uprooted people and warns against the hurt to race relations which can occur as a result of such action, which will inevitably be interpreted as a heartless assault on the African community."

The institute appealed "once again" to the authorities not to force people to move until alternative accommodation was available or until it had been established that shelter and employment were available in the areas to which they are sent or expected to go.

Arrest of squatters Gestapo-like — lawyer

A LAWYER yesterday described the arrest of squatters near Crossroads at 3am last Thursday as "Gestapo-like" and described a visit he had paid to the place they had been staying as a "sad experience."

Acting on behalf of the Athlone Advice office, Mr Jo Neser was defending one of the arrested, Miss Noma-khwezi Piona Chiliba, against charges of being in the Transkei without permission and of not possessing or failing to produce identity documents.

She was found guilty of the first charge and fined R60 or 30 days in jail. On the second count she was cautioned and discharged.

Chiliba, 22, told the court she had four children, ranging in age from 7 to 13. Three of them were staying with relatives in Traskei, where she had left in 1968 to seek employment in Cape Town, where her 18-year-old child was with her in the Peninsula because he was an epileptic and required regular treatment.

Hospitals in Transkei and Queenstown, she said, had been unable to cure her son and he had been referred to the Eben-Dongs Hospital in Worcester. After unsuccessful treatment there she had been advised to take him to the Red Cross Hospital.

But the last she had seen of her son was when the police had arrested her on Thursday morning.

Describing the arrest, Chiliba said the police had arrived in vans and ordered everyone to get in.

Because she was scared she had obeyed without fetching her son who was sleeping nearby. She had, however, told policemen about him and been assured that he would be taken care of.

Her eyes filled with tears Chiliba said she had no idea where her son was or what had happened to him.

Miss Chiliba emphasized that she had identity documents, including a stamp indicating she was undergoing medical treatment, but that police had not asked for these documents when they arrested her.

She had left them behind along with her other personal possessions in a suitcase which was now missing.

Mr Neser argued that it could have been burned by Administration Board officials during a clearing operation they had conducted in the area since the arrest.

He called Mr N. Koornhof, a cousin of the Minister of Co-operation and Development, Dr Piet Koornhof, who had been present, to the witness box to testify in support of this contention.

Mr Neser said Miss Chiliba should be found not guilty "in the light of justice and the future of our country."

At this point he was interrupted by the magistrate, Mr L. van Wyk, who said it was not his job to get political and attempt to arouse the sympathy of the court.

"We have wasted enough time with this case already," he said.

Mr van Wyk said he sympathized with "these people, but I am not in a position where I can get involved."

He said the fact that Chiliba's son was getting medical treatment in Cape Town was a secondary reason for his being in the area, the original reason being that she came to seek work.

Special courts were set up at the police stations in Mankenberg, Guguletu, Bishop Lavis and Athlone yesterday to deal with people arrested in a pass law raid near Crossroads on Monday.

A total of 125 people were remanded until August 4.

Staff Reporter

Court permits a hunt for suitcase

AN OPEN piece of land near Crossroads was the scene of a brief and bizarre hunt yesterday for a suitcase, said to contain the reference book of Miss Nomakhwezi Chiliba, a Guguletu woman by the commissioner at the Lange courts to hunt for the reference book. Chiliba, arrived on the open land in an official vehicle, accompanied by a contingent of Administration Board policemen.

The official vehicle was accompanied by a sports car driven by Chiliba's two defence attorneys, Mr Jo Neser and Mr N. Koornhof, cousin of Dr Piet Koornhof, Minister of Co-operation and Development.

Curious onlookers gathered around the small group as Chiliba stopped at a pair of soiled shoes lying on the ashes of an old fire.

"These are my sister's shoes," she said.

"Please find your reference book. That is all we want," said an Administration Board policeman.

Chiliba said that at the time of her arrest on Thursday last week, her reference book had not given her the opportunity to produce the reference book.

Any search would have been complicated by the fact that the bushes were rapidly disappearing under the axes of workmen supervised by members of the SAP and Administration Board police.

They had been assigned to clear and burn bushes and wood which had provided shelter for people left homeless last week by official action against people in the area "illegally."

"I will not argue with you," said the policeman. "You said your reference book was in the bush — why say it was in a suitcase."

Chiliba: "It was in my suitcase. Where is my suitcase?"

Policeman: "I am not responsible for your suitcase.

Officials said that if her reference book had been left at the scene in a suitcase it would be impossible to trace it because "several people" had slept in the vicinity since Thursday.

Then a man in plain clothes took Chiliba by the arm and escorted her back to the police station.
'Onslaught against blacks'

OPPOSITION spokesmen and representatives of 21 community-based organisations yesterday 'called on the Government to end the continued onslaught against homeless and destitute black people.'

The representatives met in Crossroads and called for the immediate and unconditional release of those who had been arrested and the abolition of the pass laws system.

Mr Ken Andrew, Progressive Federal Party MP for Gardens, said urgent action to improve the unhappily lot of black people should be implemented 'before it is too late and racial polarisation and mistrust become irrecoverable.'

Commenting on the latest arrest of 113 people in Nyanga in the past week he said the authorities might well be proud that they had 'tidied up' the area in the best tradition of rigid apartheid ideology.

'But in reality the latest example of heartless social engineering has brought misery to thousands and will have no long-term effect on the number of blacks in the Peninsula.'

'BASIC RIGHTS

Mr Andrew said the Government must stop deluding itself and its supporters that it could ignore the legitimate rights of black people to housing, ownership, family life and basic citizenship rights.

'For a Government which calls itself Christian to behave this way is quite unacceptable.'

He said the Government should not fool itself that another victory had been won in its fight to implement its discriminatory labour preference policy in the Western Cape.

Mrs DI Bishop, Progressive Federal Party MP for Gardens, said there was no better example of man's inhumanity to man than the arrest of 1,139 people in Nyanga in the last week.

Commenting on the arrest of 1,139 people who had been living in an open field in Nyanga, exposed to the cold and rain, Mrs Bishop said: 'We are all enmeshed in a repulsive web of legislation which has a stranglehold on the lives of every South African.'

She said the legislation had the cruellest effect on the majority of the population.

CRUEL

'We have all been individually brutalised by living under this apartheid regime, but must have not been arrested, subjected to cold and wet, to the comfortless prisons and police cells and the stark realities of the Pollsmoor remand yard.'

In the statement issued by the 21 organisations it was further said: 'We feel that this is their land therefore they should be given place to stay here.'

CROSSROADS

The organisations condemned the removal of people from their homes and also rejected statements made by authorities in which they denied they removed shelters at Crossroads, leaving mothers and children in the rain and cold.

It also rejected the statement by authorities that the arrested people had taken the place of permanent residents in the Western Cape.

A CAPE TOWN hiking the rain and snow in the weekend — survived — experienced Mountain the group.

According to Mrs Helen February, a member of the Cape Province Mountain Club, they had used emergency food rationing and special methods of keeping warm to survive the freezing winter weather.

ARGUS ACTION

SHE lost more money than weight. Argus Action is on Page 24.

TONIGHT

FEATURED in Tonight: Send-up opera series for the box.

See page 21.
Court raps Koornhof for trying to keep couple apart

A RAND Supreme Court judge has rebuked Dr Piet Koornhof for letting his officials try to separate a man from his wife.

Mr Justice Goldstone ordered that Mrs Mfaro Mhlongo, 41, be allowed to stay in Johannesburg with her husband, Mr Sileka William Mhlongo, 39, of Pinetown.

He directed the municipal labour officer of Johannesburg, an officer employed by the West Rand Administration Board, to endorse Mrs Mhlongo's reference book to the effect that she is allowed to remain in the prescribed area of Johannesburg.

Mr Justice Goldstone then directed the registrar of the Supreme Court "to communicate the court's displeasure to the Minister and to the West Rand Administration Board in regard to the board's action which forced the husband to apply to court for the order.

The order followed an application to the Rand Supreme Court by Mr Mhlongo asking that his wife be allowed to stay with him in Johannesburg.

Endorsement

Mr Mhlongo stated in his application that a board official had told his wife and an attorney that he refused to make the endorsement in her reference book.

In an affidavit before the court, Mr Mhlongo said he was employed by Hulett's Metals Pty Limited and its subsidiary, Metal Sales Company Pty Limited, Johannesburg, as a forklift driver. He lived in Pinetown, Soweto.

He was born in Museselwa in 1932, came to Johannesburg in 1951 and had resided here ever since, he said. Between 1951 and 1970 he was employed at the Johannesburg City Council and the Pepsi Cola company. Since November 15, 1970, he has been in his present employment.

He was qualified to reside in the Johannesburg area and the municipal labour officer of Johannesburg has acknowledged this fact by placing two endorsements in that effect in his reference book.

He was the holder of a "lodger's permit" issued by the West Rand Administration Board on April 34 last year, Mr Mhlongo said.

He married his wife at Johannesburg on April 27, 1977. She first entered the Johannesburg area in 1969 and since then she has lived with him. From time to time she left the Johannesburg area on visits but each time returned with the intention of permanently residing with him, Mr Mhlongo said.

The last time that she left the prescribed area of Johannesburg in this fashion was during 1980 after she had visited her sick son in Lydenburg.

He and his wife lived with his uncle. Mr B Maseko, Mr Mhlongo said. Mr Maseko has been registered as the tenant of his house by the West Rand Administration Board. There was a suitable and adequate accommodation for Mr Mhlongo and his wife in this house and his uncle wished them to stay with him.

The West Rand Administration Board, through the municipal labour officer of Johannesburg, disputed Mrs Mhlongo's right to remain in the Johannesburg area, Mr Mhlongo said.

No response

On January 8 this year his attorney wrote to the labour officer that his wife was entitled to live in Johannesburg with him. The attorney called on the officer to acknowledge this fact by placing an endorsement to this effect in her reference book. Neither the West Rand Administration Board nor the labour officer responded to this letter except that the labour officer, through a Mr Pretorius, verbally told Mrs Mhlongo and her attorney that he refused to make the endorsement.

Mr Mhlongo told the court that on two occasions the labour officer had placed endorsements in her reference book granting her "permission" to remain in the area for the purpose of "visiting her husband".

During 1980, she tried to regularise her position by requiring the labour officer to place an endorsement in the reference book recognising her rights. After various visits she entered the labour officer's offices at New Canada an officer placed an endorsement in her reference book on August 26, 1980, requiring her to leave the Johannesburg area within 72 hours.

Mr Justice Goldstone granted the application and expressed his displeasure with the board's actions which forced the husband to have to come to court.
Plea to treat black trek as emergency

THE Government should view the trek of black people to urban areas as a national emergency calling for extraordinary measures, the Cape West Chamber of Commerce said today.

In a statement, the chamber deplored the "valiant, unceded in which countless Africans on the Cape Flats have in recent days been uprooted and evicted from their homes and shelters in the middle of a severe Cape winter.

APPEAL

The chamber appealed to the authorities to treat the consequences of this world-wide phenomenon with the seriousness it merits. Mr. Harold Gray, the chairman, said on behalf of the chamber that the trek was an attempt by the Government to evict the black people to urban areas as the consequence of an economic and agricultural policy and to deal with their problems as a national emergency.

The chamber warned the Government that its action would be interpreted as an illegal assault on the African community.

Dogs problem follows evictions

IN THE wake of last week's evictions and pass suspensions, the numbers of deserted dogs, most of them neglected, are running rampant.

The SPA, in a rescue operation last night, cleared the streets, but many dogs were found in the area.

"It was found, however, that there were many more apparently abandoned dogs in the area, and that most of them were suffering from mange and other ailments," said a SPA official.

PUT DOWN

The 20 animals collected, 17 adult dogs and 3 pups, taken back to the SPA's clinic where they will be treated.

Mr. Arndt said that the need for a sanitisation and disease control programme was now more urgent than ever.

A special operation will be undertaken by the SPA on Tuesday using an additional two vans.

Appeal to aid pass sweep victims

A GENERAL appeal has gone out from welfare organisations in Cape Town for moral and material support for the 1100 arrested in the recent pass sweep and for those still living in the open.

African National Congress spokesman, Mr. John Philip, said that at least 70 were thought to be among those in the open.

The Western Province Council of Churches is acting as a collection point for money to help these arrested pay bail, and, if convicted, forfeit their bonds.

"Several courts in the Peninsula are hearing the cases of the more than 1100 arrested in pass law cases by the police and officials of the Administration Board of the Western Cape.

BLANKETS

Welfare organisations have appealed for blankets, disposable supplies, tinned food, high-protein powder, and heavy-duty plastic sheeting to alleviate the plight of those living in the open.

A general appeal has been made to the African Women's National League for their assistance.

Mrs. M. Ramotshwane, the Women's Movement for Peace, said moral support was also very important.

"It is important for people to go to the courts to give support. They could also write to the President and to the Chief Commissioner of the Administration Board," said Mrs. Ramotshwane.

Mrs. J. Keate, president of the National Council of Women, said she was bitterly distressed by the situation.

"I was there and saw the sorrowful faces of tired black people who were looking for any means of shelter."

She urged people to contribute, particularly blankets and plastic sheeting.

"If someone is not using a blanket now in this weather, they don't need it. If anyone has seen a black person in the street, they should offer to help," she said.

Her telephone number is 61-7992.

Mrs. V. West, of the Athlone Advice Office of the Black Sash, and the presence of whites in the courts during the pass law hearings had always made an enormous difference.

"And even more so now. Hundreds of people are going through every day and an observing presence is very important," she said.

She appealed also for anyone able to help with a taxi to transport those arrested.

Her telephone number is 69-6250.

Taxes spent on 'misery'

Provincial Reporter

IE WAS a sad day for taxpayers this week. The lives of hundreds of people were misery, and the money was being spent on channels to help people, Mr. Gordy Head, chief Opposition spokesman on Finance and Economic Affairs.

On the eve of next week's Cape Town Budget, Mr. Head revealed Progressive Federal Party MP for Mossel Bay, referred to the arrest of more than 1100 men and women in the Peninsula.

"It is absolutely scandalous that the resources of the State are being employed to make people's lives a misery by arresting hundreds of people, and that the money is to be spent on keeping them in jail," he said.

"It is time for a real change in priorities. We should spend less money on unnecessarily arresting people and more on helping them.

PAY PRICE

In an interview, Mr. Head said, "As long as the existing admission practices persist, the Cape Province will pay the price, the man in the street will pay the price and, above all, the country will pay the price which is unacceptably in terms of basic rights and services."

In assessing the budget, Mr. Head said, "It had to be remembered that the bulk of the Cape's revenue came from a Central Government grant. He expected that to exceed 80 percent of the Cape's total revenue in the coming year.

The fortune of the Cape is therefore inextricably linked with that of the Commonwealth whole, he said.

"As long as the National Party persists in implementing its policy, this is going to have heavy economic consequences."

"To resolve this, we should both look at the numbers and the political situation to see what can be done."

"In the end, it is the man in the street who is going to suffer and we are not going to be able to resolve this problem as long as the Commonwealth still continues to persist in the status quo."
A committee formed from 21 community organizations to support evicted Langa residents now living in the open near Crossroads has condemned the evictions and called for the abolition of the pass laws and the unconditional release of all those arrested.

The Crossroads Support Committee, which was formed at a meeting in the Nkolo School at Crossroads on Monday night, comprises representatives from trade unions, civic associations, youth movements, student groups and a women's organization.

A spokesman for the committee, Mr Mxolisi Maqhangeni, said the committee rejected a statement by the police in which they denied removing materials used to build shelters by the people.

"We call for the immediate and unconditional release of those who have been arrested (and) for the abolition of the pass laws which we feel are the cause of this act. We appeal to the community at large to support our people," Mr Maqhangeni said.
Wrab denies ignoring judgment

Chief Reporter

Mr/John Kloetze, chairman of the West Rand Administration Board, said today the board was carrying out the law as enacted by the recent court judgment which enabled black families to live together.

This statement follows criticism by the judge of the Board's refusal to accept the advice of the courts.

The judge expressed the courts' extreme displeasure at the apparent disregard by the Board of the Appellate Division judgment last year.

This judgment enjoined the right of wives, unmarried daughters, and sons under 18 to live with parents who had residential rights under section 10 of the Black Urban Areas Consolidation Act.

Mr Kloetze said Wrab was aware of the implications of the court case and was acting in accordance with the judgment.

He said there was no need for anyone to apply to the courts as the board was carrying out the ruling.

RAISE ISSUE

But Mrs Helen Suzman, opposition spokesman on urban black affairs, said today she would raise the matter of officials' refusal to accept the court's ruling in the coming parliamentary session.

Mrs Suzman said officials of the Department of Cooperation and Development were simply obeying the law and were going against instructions.

CIVIL RIGHTS

Student in Examinations awarded on merit

J H Rees

J H Mew

D P Mele

J L Curn

P M Sal

Fourth

Miss N

Third

Miss

Second

For the best students in each Corporation Medal.
Mr John Knoetje, chairman of the West Rand Administration Board, said today the board was chagrined at the way in which the law had been ignored and how it had been used to keep black people apart.

This statement follows criticism in a judgment by Dr Justice Goldstone in the Rand Supreme Court this week, directed against white officials.

The judge expressed the court's extreme displeasure at the apparent disregard by the WRC of an Appellate Division judgment last year.

This judgment ensured the rights of wives, unmarried daughters and sons under 18 to live with parents who had residential rights under section 10 of the Black Urban Areas Consolidation Act.

Mr Knoetje said WRC officials were aware of the implications of the court case and was acting in accordance with the judgment.

He said there was no need for anyone to apply to the courts as the board was carrying out the ruling.

RAISE ISSUE
But Mrs Helen Suzman, opposition spokesman on urban black affairs, said today she would raise the issue of white officials who flouted the law in the coming parliamentary session.

Mrs Suzman said officials of the Department of Co-operation and Development were possibly not obeying the law and were going against instructions.

From their own Parliament, officials had been directed over the past 30 years to make it as difficult as possible for blacks in urban areas, she said.

Mrs Suzman asked whether the department had taken steps to apply the Appellate Division judgment.

The reply from the Deputy Minister, Mr Morrin, was that a circular had been sent to all chief commissioners and administration boards on August 25 last year.
Pass offences: 47 more people in Langa court

Staff Reporter

The Langa Commissioner’s Court yesterday again dealt with truckloads of people arrested near Crossroads last week and brought from prison to stand trial for being in the Peninsula illegally and not having reference books.

By 4pm 47 people, many of them mothers with infants strapped to their backs, had been found guilty and in most cases fined R60 (or 60 days)

Thirty-six people were remanded, the majority till today and the rest till July 20. August 5 and August 10. Suspended sentences were imposed on four people and 10 were discharged.

Miss Nokoelo Sanjani, 26, was given a suspended fine of R60 (or 60 days) after she told the court how she had last seen her two children, aged 3 and 5, just before last week’s Administration Board raid in which she was taken to prison before she had time to fetch them.

They had been sleeping with her sister. she said, but her sister had also been arrested.

The magistrate, Mr L van Wyk, said he found it “impossible” to believe that board inspectors “would just have left them there” in the bush.

He suspended her sentence on condition she left the Peninsula immediately.

In another case the court heard that Miss Nomoliso Khamo had come from Lady Frere in Transkei in 1989 because she could not find employment there.

Now she had work picking grapes in summer and selling second-hand clothes in winter. The money she earned was sent back to Transkei to support her three children who were staying with her mother.

The magistrate, Mr Fousse, found her guilty of being in the Peninsula for more than 72 hours without permission and fined her R30 (or 30 days).

“I think you’re a bit obstinate in this,” he answered when she emphasised that she had no intention of going back to Transkei no matter what the court found nor what sentence she was given.
Churches condemn evictions

Staff Reporter

CITY church leaders have condemned the eviction of families from Langa Barracks and the subsequent arrest of men and women with babies as "callous" and "inhumane".

In a statement issued yesterday, the Anglican Archbishop of Cape Town, the Most Rev Bill Burnett, the Roman Catholic Assistant Archbishop of Cape Town, the Very Rev Stephen Nkadwane and the chairman of the Western Province Council of Churches, the Rev John Ulster, appealed to the authorities to "reconsider the matter carefully and permit a site-and-service scheme at Crossroads.

"We believe that in this entire exercise, certain basic human rights have been ignored. There is the right of married people to family life. They also have the right to a home, no matter how humble." "At the same time, they have the right to live in circumstances where they can earn enough to live on and, as human beings, they have the right to be respected as such by public officials and private citizens," the churchmen said.

They called on the authorities to determine the root cause of the situation and appealed to "all men of goodwill" to give assistance to the homeless people.
Cops demand bribe-claim

A SCHOOLTEACHER yesterday alleged police pulled him out of a car, demanded his pass and when he failed to produce it, promised to free him if he offered a bribe.

Mr Jabulani Mlangeni, 29, a teacher at Isuthile High Primary in Soweto said the police actions did not surprise him.

He was embarrassed when he was “dragged like a criminal” in full view of the public on a Saturday morning in Johannesburg’s President Street.

“Until pass laws are scrapped we as blacks will forever remain victims of such police actions.”

He said he had heard bribe stories involving the police and members of the public “This time it happened to me.”

Mr Mlangeni said he was set free after he had pleaded with the police and repeatedly told them that he did not have any money.

COMPANIONS

He was in the company of his colleagues on their way to a conference in Randburg. It was about 10.30 am and they had parked the car in President Street when the alleged incident happened.

Mr Mlangeni said that one of his companions was stopped and asked for his pass by the police. Then the police grabbed him and pushed him into the police van.

Mr Mlangeni said he did not have his pass with him and he found the police van packed with arrested men and women. He was released after his colleagues told the police that they were teachers going to a conference.

He took down the registration numbers of one of the police vans soon after he was released.

By MANDLA NDLAZI
IT is 9.10 am and dozens of policemen plus 24 police and Administration Board vans surround a desolate piece of wasteland. The object — to round up women and children evicted from Langa the week before.

In the bitter cold, women sing from inside the vans, policemen warm themselves around the squatters’ fires. At the policemen’s feet are worn mattresses and blankets, plastic bags full of clothes, a lone umbrella. A policeman complains about the ‘mess’.

‘Bloody papers everywhere,’ he mutters. ‘It’s a scandal.’

Beyond the circle of police, Nawindle Ngongo huddles against a rock. A mother of four children, she looks shocked, dazed. ‘I’m very heartstung and very scared,’ she says pulling her blanket around her. ‘I don’t know what to do.’

Her husband is a migrant labourer. She came down from Transkei in May to join him because ‘we’re starving there’. Evicted from Langa last week, she built a corrugated iron shelter at Nyanga. Board officials pulled it down so she slept under a piece of canvas. When it was confiscated, she found a piece of plastic to sleep under. It was taken by officials. Now she has only her blanket left.

But like other women who escaped the police raids she intends staying where she is. For a passive resistance movement has grown among the evicted people staying at Nyanga in spite of four police raids and more than 150 arrests in the past week. The people are determined to stay put until the authorities find a solution to their problems. And that solution is not returning to the homelands.

‘We know we have no right to be here,’ said a spokeswoman for a group of mothers. ‘Our children are sick and we are starving in the Ciskei and Transkei. We have come here to be with our husbands. Can’t the Government give us rights? After all we are all South Africans and we were all born in the same country.’

Roman Catholic community worker Mary Sih says: ‘They don’t want to move deeper in the bush. They don’t want to go into other people’s homes, they don’t want to go into any building which hasn’t been given to them. They want to stay here in the open as a group until a solution is found. They want accommodation and they want to be allowed to live with their husbands and children.’

Patrone Tamba, whose husband has been in Cape Town since 1974, says: ‘We must stay here. We can’t do otherwise. We have nowhere to go. I had a piece of plastic, but they took it away. Now I must take my child and sleep under the bushes.’

Madelma Mot has had her shelter removed three times since last Wednesday. ‘I’ve got left now in my court, but they’re not moving even now. We can’t hang here.’

Since arriving in Cape Town in 1966 she has lived in fear. ‘We can’t do nothing. Now they can just arrest us.’

At least 61 children have been held with their parents. Witnesses claim that an eight-year-old cerebral palsy sufferer and a baby who suffers from convulsions were among those taken away in police vans.

The fathers wait patiently on the dung among browsing goats for their families to return.

Sidwell Mbangeli says his wife and three children were taken away on Friday. ‘She’s been in Cape Town a long time. Now they’ve taken her away. They took my children too. Their plastic has gone and so have their clothes and blankets. I feel very bad. I’ve looked and looked for her, but I don’t know where they are keeping her. I must just stay here until she comes back.’

Madoja: Dassie’s wife was arrested, but his two children, including a 12-month-old baby were left behind. ‘I’m so upset, I can’t help the children. They are crying for their mother. At night I put up a plastic shelter for them, but I don’t have enough blankets to keep them warm.’

Anyone who has blankets, clothes, food or disposable nappies to donate to the evicted people can contact the Catholic Welfare Bureau at 43-1232.

The public can leave their donations at the bureau, 57A Somerset Road, Cape Town, provided they clearly mark them for ‘The African Woman’s Fund’.

Anyone wanting to help with money for bail or fines can contact the Reverend Dan Ulster of the Western Province Council of Churches, telephone 45-1139 or 45-1138.

Linda Vergnan
Table 5.1

Perinatal Mortality Rate per 1000 live births

<table>
<thead>
<tr>
<th>Year</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1967</td>
<td>45.9</td>
</tr>
<tr>
<td>1968</td>
<td>46.5</td>
</tr>
<tr>
<td>1969</td>
<td>44.2</td>
</tr>
<tr>
<td>1970</td>
<td>41.1</td>
</tr>
<tr>
<td>1971</td>
<td>38.6</td>
</tr>
<tr>
<td>1972</td>
<td>42.0</td>
</tr>
<tr>
<td>1973</td>
<td>45.2</td>
</tr>
<tr>
<td>1974</td>
<td>39.2</td>
</tr>
<tr>
<td>1975</td>
<td>33.3</td>
</tr>
<tr>
<td>1976</td>
<td>34.0</td>
</tr>
</tbody>
</table>

(Source: Reports: Gynaecol.)

Table 5.2

Deliveries in Inst

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whites</td>
<td>38%</td>
</tr>
<tr>
<td>Coloureds</td>
<td>73%</td>
</tr>
<tr>
<td>Blacks</td>
<td>74%</td>
</tr>
<tr>
<td>Asians</td>
<td>83%</td>
</tr>
</tbody>
</table>

(Source: Medical Officer of Health Report, Cape Town, 1976.)

Home deliveries are thus still carried out by private midwives and non-medical staff - firends, family or traditional midwives.

The success of the MOUs in achieving their aims can be seen in the following. In Graph 4, it can be seen that while the total number of deliveries carried out by the Peninsul'a Maternity Service has increased since 1973, the number of deliveries excluding MOUs has declined. The pressure on the hospitals has thus been reduced. Furthermore, the normal deliveries are now conducted at Groote Schuur. This reduction in workload has created 'breathing room' so that all high risk cases can now receive the necessary care.

While no transport is provided for the patient to the MOUs or ante-natal clinics, these are closer to the patients' homes and thus less travelling expense is incurred in travelling to the clinics than to hospital.

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The Peninsul'a Women's Federation is by far the largest women's organization in South Africa. It has a total membership of over 120,000. The Federation is divided into local branches, each of which has a branch council. The council is elected by the members of the branch and is responsible for the administration of the branch.

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The address is 208 Miller Street, Point Road, Groote Schuur, Cape Town. The branch office is open from 9 am to 12 noon and 2 pm to 4 pm. The branch President is Mrs. J. E. Groenewald. The branch Secretary is Mrs. A. C. Smith.

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Source: Annual Reports of the Cent. of Obstetrics and Gynaecology, UCT CPA.

District deliveries: St. Monica's and Somerset up to 1970.

Graph 4: Deliveries 1966-1976

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Graph 5: Total deliveries vs. deliveries excluding MOUs

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Graph 6: Yearly deliveries 1966-1976

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Graph 7: Monthly deliveries 1966-1976

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Graph 8: Weekly deliveries 1966-1976
Churches condemn evictions

THE Western Province Council of Churches has condemned the eviction of hundreds of people from the Langa bachelor quarters and the subsequent arrest of many of them on pass law offences.

A special meeting was called yesterday to consider the churches' position and response to the distressing treatment of workers, women and children by officials of the Administration Board and the police in enforcing influx control.

In the statement the WPCCC said: 'Many people had been deeply shocked by the evictions in Langa. Although it was true the bachelor quarters were due to be renovated and upgraded for family quarters and there were certain legal aspects surrounding the action, it still left a great deal to be desired.'

CALLOUS

The circumstances of the evictions were very callous. They took place in mid-winter in appalling weather and no alternative accommodation was provided.

The council described the subsequent arrests of men and women with babies 'as inhuman, to say the least.'

'Ve believe that in this entire exercise certain basic human rights have been ignored.'

FAMILY LIFE

Married people had a right to a family life and a home, no matter how humble.

They had the right to live in circumstances where they could earn enough to live on and as human beings they had the right to be respected as such by public officials and private citizens.

The council appealed to the authorities to permit the urgent establishment of a site and service scheme for the new homeless people involved and to determine and correct the root causes of the situation.

It also appealed to 'all men of goodwill' to give whatever assistance they could in this situation of dire human need.

Service to focus on parted families

Religious Reporter

THE disruption of family life in the Peninsula's black areas will be central to a service to be held at St Augustine's, Church Campground Road, Rondebosch at 3pm on Sunday.

The service will also mark the start of the annual 'Month of Compassion' observed in many Christian churches in South Africa each August.

The main speaker will be the Rev. Stephen Naidoo, Auxiliary Bishop of the Kathohi Archdiocese of Cape Town, who recently returned from a visit to resettlement areas in Transkei.

THE PLAGUE

He will discuss the plight of those who are 'relatively in terms of government policy.'

Dr Margaret Nash, medical education officer of the South African Council of Churches, will speak on 'the pain of the uprooted.'

Dr Nash is the author of two recent pamphlets, entitled Children in Resettlement Areas and Women in Resettlement Areas.

The third speaker will be Father S. F. Luckett, Anglican priest, to the Crossroads community.

The service, open to all, will be held at St Thomas's Church under the auspices of the Western Province Council of Churches.

3.1. Cost Effectiveness

Analysis of the method which uses this additional aid should yield the same benefit whatever the amount of money spent. It is not on. If this were not so, it is likely that the programme is not working. A program should, if it is brought to bear on policy decisions, be systematically evaluated.
Human rights stand is welcomed

HUMAN rights groups are hoping that a judge's expression of displeasure at an attempt by Government officials to separate a man from his wife will force bureaucrats to change their attitude in similar instances involving blacks.

The judge's remarks were widely welcomed by the groups yesterday, and were seen as endorsement of an Appeal Court decision in the Komani case last year, which declared ultra vires a regulation requiring black women to have a lodgers permit or a residence permit to live with their husbands who "qualified" to be in white-designated urban areas.

In the Rand Supreme Court on Tuesday, Mr Justice Goldstone ordered that Mrs Matsho Maro Mphango be allowed to stay in Johannesburg with her husband, Mr Stelita William Mphango.

He directed the registrar of the Supreme Court "to communicate the court's displeasure" to the Minister and to the Western Cape Administration Board in regard to Wab's action which forced the husband to apply to the court for the order.

The Black Sash's Mrs Joyce Harris, whose organisation handles scores of influx control problems daily, commented: "I am absolutely delighted at the judge's remarks because the case exposes the extent to which the authorities have been ignoring the Komani judgment."

At the time, the Minister of Co-operation and Development, Dr Piet Koornhof, said no general conclusion could be drawn from the Appeal Court decision, and each case would have to be judged on its merits.

Mrs Harris said yesterday: "We hope that the strong words from an authoritative person as Judge Goldstone will carry more weight with the department than we have been able to exert, and that the people falling under the Act's jurisdiction will benefit accordingly.

Prof Johan van der Vyver, vice-president of Lawyers for Human Rights, said: "The laws that were at issue in this case are those that, inter alia, infringe basic family rights."

"The interpretation of our constitution in such cases is replete with respect to the provisions of the South African Bill of Rights," he said.

By AMEEK AKHALWAYA

The court's attempt to alleviate the effects of the Black Urban Areas Consolidation Act, by asserting that a wife is entitled to live with her husband in cases where he qualifies for residential rights in an urban area, must be welcomed," Dr Koornhof said.

"The comment of a judge on the injustices created by the Act would be quite appropriate."

The chairman of the Democratic Lawyers' Association, Mr Z Yacoob, said "While it is encouraging to note that South African law can, in some instances, be interpreted in such a way as to produce a just result, the implications of the judgment must not be pushed too far."
Judge says he criticised Wrab, not Koornhof

Mail Reporter

THE TRANSVAAL Supreme Court judge who, in an order this week, untangled the lives of a married couple separated by the pass laws, has issued a statement making it clear he had not criticised Dr Piet Koornhof.

The criticisms contained in his judgement were, he said, directed at officials of the West Rand Administration Board (Wrab).

In a judgment on an application in the Rand Supreme Court on Tuesday, Mr Justice Goldstone made an order following an application by 49-year-old Mr Sileka William Mhlongo, declaring his wife, Mrs Matini Maria Mhlongo, was entitled to stay with him in Johannesburg.

The judge also ordered the municipal labour officer of Johannesburg, an officer of the West Rand Administration Board, to endorse Mrs Mhlongo’s reference book to allow her to remain in the prescribed area of Johannesburg.

Mr Mhlongo had told the court that he and his wife had lived together in Johannesburg since 1959 and had been married since 1977. However, Wrab, through the labour officer, refused to acknowledge Mrs Mhlongo’s right to remain in the Johannesburg area and to make an endorsement to that effect.

Disregard

In a statement to the Rand Daily Mail Mr Justice Goldstone said the contents of the court file had not fully reflected what had occurred in theMotion Court, when he made a request to the registrar (The Mail’s report was based on the court record).

Judge Goldstone said yesterday: “No criticism was levelled at the Minister of Cooperation and Development, Dr Koornhof.”

See Page 3
Evictions—and the rural crisis of poverty and unemployment

By BARRY STREEK of the Daily Dispatch, East London

IT has been bitterly cold in Cape Town recently. It has also been very wet, making conditions pretty miserable for everyone. Yet, this is the weather that white government officials at the Peninsula Administration Board chose to erect a group of Ciskei and Transkei refugees in the bachelor quarters in Langa.

In many circumstances, it was a miserable deed, even if it was logically administering the consequences of the pass-law system, but this month’s weather has undermined the callousness and inhumanity of the action.

For years, I have heard ministers telling both Parliament and black people that the policy of separate development will benefit black people and that those people from the “independent” black states will be better off than those black people who do not live with the independent states.

Lecturing

I have heard the former Minister of Bantu Administration and Development, Dr Piet Koornhof, waxing lyrical, extolling the virtues of the system. And I have heard the present Minister of Co-operation and Development, Mr Peter Kropiet, saying that only he can, about how wonderful separate development really is, particularly for black people.

But, last week, the government, through its agents in the Western Cape showed that it was all a lot of hot air. The Peninsula Administration Board showed quite conclusively that citizenship of the independent Transkei or the about-to-be-independent Ciskei did not make the slightest bit of difference to the government’s hated pass laws.

It would be beyond comprehension for the government to act in this way against a group of illegal Italians, English or Portuguese immigrants. The outcry, if it was mad enough to act in this way against white people, would be tremendous.

But because the unfortunate people who are regarded as “illegal” are black, the government apparently feels that it can act in this way.

What it effectively amounts to is that we even have apartheid in diplomacy. We have white foreigners and black foreigners — and they will be treated differently simply because of their colour.

Hasn’t varied

Basically, the situation is very clear. It was reflected in the Wehahn and Krikert reports and it has been reflected in various government statements. It basically hasn’t varied since last century and whatever guise a Nationalist spokesman like to give it, whatever labels, it is still the same.

Black people are not wanted in the cities, in the so-called white areas, unless they are required for the labour.

They are not normal human beings who aspire to ordinary family life. They are not fathers who want to be with their children during the formative years. They are not husbands who want to share their lives with their wives. They are not women who simply want to be with their men. They are not lovers.

They are work units. They are not citizens with political and social aspirations who have the right to demand that the government they pay taxes to should be responsible to them. They are rather people who should be grateful to the government for what it is doing, and should accept their place in life without complaining.

They must accept that ordinary family life is not a right or something to aspire to. They must accept that the bulk of their adult life is to be spent as a migrant worker, spending 11 months in the cities working and one month back home with the family.

Way back in 1921, the Standal commission said “The Native should only be allowed to enter the urban areas, which are essentially the white man’s creation, when he is willing to enter and to minister to the needs of the white man, and should depart therefrom when he ceases to minister.”

The last week Cape Town showed that policy, insofar as it affects black people, has not changed. They should leave the white areas when they have finished ministering to the white man. Under no circumstances can they be there “with permission” unless they are ministering to white people.

‘Appendages’

Some 40 years later, a deputy minister talked about the “superficial appendages” who would be returned to the homelands when they no longer served the needs of white people. And 60 years later, the government, through a department whose political head, Dr Piet Koornhof, has indeed shown compassion on occasion, is still implementing the same inhuman policy.

What has materially changed since then is the, steadily deteriorating, the rural areas called the homelands. Whereas there is evidence that even as late as the 1920s and 1930s the rural areas were providing some means of support for the people. In them, they are no longer capable of doing so. Indeed, in the very area which last year’s victims allegedly came from, there is a massive and continuing unemployment crisis.

Apartheid ideologies, government officials executing policies that the police, every single means of control, the state apparatus can master, are not going to prevent the people of South Africa from leaving their homes to find work and (try to) survive. While the grinding poverty and depression of the rural areas exists, while the so-called white areas ignore that crisis, the pressures are going to continue.

Devastating

There is a crisis in the rural areas of South Africa, a crisis that could have devastating consequences, and the longer it is ignored by the government and by capital, the bigger its proportions will assume.
Long days of hiding are over for Mafiri

By Jon Qwelane

She had few places to hide because overcrowded houses had seen to that. Neither her five domestic workers in the sub-
hurb nor her husband who qualified legally
to reside in Johannesburg, could give her shelter for fear of the local police. At the door of her Johannesburg home, 39-year-old Josephine Mafongo of Pinetown was bright-eyed as she realised her dream of being like other women living happily with her husband William.

The pass laws saw to that and officials ensured
from them no reprieve that they gave her exactly 42 hours to be out of Johannesburg last year.

But this week, Mr Justice Goldstone of the Rand Supreme Court ruled that Mrs Mafongo could live legally with her husband and also that her reference book should be accordingly endorsed to that effect.

Judge Goldstone went further and directed the Registrar of the Supreme Court to communicate the court’s decision to the Minister of Cooper-

The seven years

A day after the ruling Mrs Mafongo was proud of her life, an endorsement from her reference book which enabled her to live in Johannesburg.

And so ended a struggle for that verry young woman who

The seven years she spent in prison were

She first had her reference book cancelled on November 14, 1974 declaring her "a visitor" to her hus-

By then she had lost her job as domestic worker in Hillbrow. North because her em-

The crunch came on August 31 last year when she was given until the 24th of that month to be out of Johannesburg. It was only then that she was told her husband’s only hope was to marry a woman with the proper residential conditions.

CRUNCHING

“I felt my whole world crumbling around me. To think that we have five children who needed both of us to look after them and support them, and yet here I was being told to leave,” Mrs Mafongo recalled.

She said the whole thing was especially hard on the children because whenever they thought of returning to Lydenburg from where they originally came, they had no place to stay in Johannesburg but had to be with relatives in Johannesburg town in the East Rand.

Said Mr Mafongo: “We could not get a house because of the troubles with my wife’s reference book. That, despite the fact that I have been continuously living in Johannesburg for the past 30 years now.”

BLACK SASH

It was then that the couple visited the Black Sash’s advice

The Sash’s office in Lyndenburg, where their mother was born

The couple’s dream was finally realised. But for the time being, though, she still is not over the joy of knowing that for her, pass law burdens are a thing of the past.

And Mrs Sheena Duncan of the Black Sash, while speaking the Supreme Court ruling as an

other milestone in her organization’s struggle to keep families together despite official measures to apply the influx control regulations.
Many missing after
pass law raids claim

Staff Reporter

A COMMUNITY worker has
revealed a dead-end situa-
tion for many friends and
relatives who have tried to
pay bail for people arrested
on pass offences last week
and charged at the Langa
Commissioner's court.

Miss Ann Andrews, who
has been attending the hear-
rings of those arrested near
Crossroads, said yesterday
she found it "very disturb-
ing" that numbers of people
seemed to "disappear" from
court and prison records
after they appeared in court
and were granted bail.

Since Monday, she said,
she had been given "strings
of names of people who have
just gone missing and cannot
be traced."

In one case a woman had
gone to Pollsmoor to pay bail
for her boyfriend. Although
she had seen him there and
had confirmed that R30 bail
had been extended and his
case postponed till July 27,
prison authorities had de-
nied bail had been granted.

"Yesterday afternoon at-
ttempts were made to estab-
lish whether bail had been
granted at the Langa court,
but his name could not be
found in the records.

Furthermore Pollsmoor
had lost all trace of him and
denied that he was there at
all. Now the woman is ex-
ceedingly distressed because
he suffers from asthma."

A senior prosecutor at the
Langa court, Mr J J Fourie,
said problems were created
by people giving names in
court which differed from
those by which they were
known among friends and
relatives.

The hearings of those ar-
rested at 9am on Thursday
last week on pass law
charges continued yesterday
at the Langa court.

Seventy-five cases were
postponed till today. Ten
people were fined R60 (or 60
days) Twelve cases were
withdrawn.
MRS HELEN SUZMAN, Opposition spokesman on urban black affairs and on civil rights, said today she would raise in the coming session of parliament the issue of officials who flouted the law.

Mrs Suzman said officials of the Department of Cooperation and Development were simply not obeying the law and were going against instructions from their own department.

This follows a case in the Rand Supreme Court this week in which Mr Justice Goldstone expressed his displeasure at the West Rand Administration Board.

The case involved an application by Mr Sileka Nhlongo to allow his wife Mrs Mjavini Nhlongo to stay with him in Soweto.

Mrs Suzman said Section 10 (1) C of the Black Urban Areas Consolidation Act exempted widows and unmarried daughters and sons under 18 from the 72-hour limit, if one of the parents had residential rights in terms of Section 10 (1) A and B.

In terms of this, blacks born in or residing lawfully for 15 years in an area or who have worked for 10 years for one employer, have residential rights.

Mrs Suzman said officials had been indoctrinated over the past 30 years into making life as difficult as possible for blacks in urban areas.

She said South Africa was the only Western country in the world where married couples needed a law to enable them to live together.
This is a striking departure from ordinary criminal procedure law where the accused is always on the box. Furthermore, in many instances the accused are not granted bail or represented by legal counsel and some prosecutions double as interrogations.

Monama went on: "As regards the right to communicate with their legal advisors there are several allegations that the accused are denied the right to communicate with their families and or employers. This cuts off access to legal representation, though there may be other practical difficulties in the direction to deliver the accused to their rights. Moreover if there is no means to exercise the direction in the case of immediate trial the accused." The Act provides for higher justice, and accordingly no automatism of the accused. The result is that the participation of the Supreme Court is limited.

Further anomalies in the treatment of white offenders -- the employers' trials are conducted in separate courts. The offenders involved are contravenes of substantially the same Act. Why should the trial be conducted in a separate and different court when the commissions courts are specifically created for that purpose?"
The waves of black men legally resident in "prescribed" areas have, in my view, unequivocally won the right to live with their families in their own homes. A number estimated in the thousands of black women and children—what the law calls "aliens"—have been allowed to remain in some towns in the State of New South Wales. In a judgment which removes to the Komani case the ruling in the Doornfontein case, the judge has held that the ban on applications by such women to marry black men is unconstitutional.

With the ruling Mr. Justice Calman has issued a remarkable directive: "Constitutionally, the Court has the power to do anything in the execution of the mandate..." The decision is a clear indication of the Court's determination to enforce the Constitution. In terms of Section 10 of the Doornfontein case, the Court has the power to declare illegal any act which encroaches on the rights of black men or women. The decision is a victory for constitutional rights, and it is a sign of the growing awareness of the need for constitutional protection in our society.

The Court action

To date, only Duncan has been granted a permanent Section 10 endorsement in his case. This is a precedent that will have far-reaching implications. The Department of Native Affairs has been asked to take notice of this decision in the Komani case. The decision has been hailed as a victory for constitutional rights, and it is a sign of the growing awareness of the need for constitutional protection in our society.

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Two extra judicial officers are being flown to Cape Town to assist in hearing the largest number of pass law cases in many years.

Mr Timo Bezuidenhoud, Chief Commissioner for the Western Cape, said the officers were being sent to Cape Town by the Department of Co-operation and Development and would start hearing cases at the Pollsmoor Prison courts from next week.

Staff shortage

It had been necessary to ask for the extra presiding officers because of a lack of staff in his department.

"Everybody is short of staff. There are seven vacancies in my office alone," Mr Bezuidenhoud said.

More than 1,500 black people have been arrested on pass-law charges by police and officials of the Administration Board of the Western Cape since last Wednesday after mass evictions from the Tangs barracks.

People had to move into the open when they were evicted from the hostel — which they were "occupying illegally" — as authorities started to convert them into "married quarters.

Rights

The majority of the people arrested have pleaded not guilty to charges and the Athlone Advice Office of the Black South Africa is trying to ensure that all those appearing in court are defended.

Mrs Val West of the Advice Office, and a group of about 15 lawyers who worked on a roster basis for the office, were appearing pro amico for those arrested in the past week.

"These are criminal charges and people have rights to representation under criminal charges," Mrs West said.

She said earlier that there had been a decision among those arrested to plead not guilty as most of them felt they had not done anything wrong in coming to the area.

Court ruling

The Commanding Officer of Pollsmoor Prison, Brigadier Otis de Portago, said one of the advantages of "using" the Pollsmoor courts was the easy access of the prisoners.

"Transporting all the people to court, and back every day, is quite difficult," he said.

Asked for comment on a ruling in the Rand Supreme Court this week that endorsed the "right" of blacks in urban areas to remain with their families if one parent has Section 10 rights, Mr Bezuidenhoud said it was difficult to comment until he had seen the judgment.

The Appellate Division ruled in August that wives, unmarried daughters and sons under 18 be permitted to remain without a lodger's permit, provided one of the parents had rights under Section 10 of the Black (Urban Areas) Consolida-

tion Act and had entered the area legally.

Mr Bezuidenhoud said his office had studied the Appellate Division ruling and had given permits to about 50 people since it was made.
Woman goes free after 8 days in jail

Staff Reporter

AFTER eight days in jail a woman was yesterday found not guilty of being in the Peninsula for more than 72 hours without permission and discharged.

The Langa Commissioner's Court heard that Mrs Nokhavali Zwelimajnt, 30, was arrested at 3am on Thursday last week, one day after arriving from the Transkei to visit her husband, a contract worker in Cape Town.

Since then Mrs Zwelimajnt, who has a young child with her and two children at home in Willowvale, has been awaiting trial in jail.

Pass law cases were heard at Pollsmoor Prison yesterday, as well as at the Langa Commissioner's Court, in an effort to relieve the logjam created by the arrest of more than 1150 people who moved into a vacant lot near Crossroads after being evicted from the "Zones" hostel in Langa.

Flown in

Judicial officers have been flown to Cape Town to assist those who have been hearing these cases at the Langa court since Monday.

The going was slow at both courts yesterday, with only three cases being heard at Pollsmoor by 1pm and 14 being heard in the two Langa courts by 4.30pm.

Lawyers working on a roster basis for the Athlone Advice Office appeared prominent for the majority of the accused, as they have done all week.

Three people were fined R50 (or 90 days) and two received fines of R30 (or 30 days). Three suspended sentences were granted and five people were discharged.

Pension

Miss Elizabeth Cum bin, 30, was given a suspended sentence of R60 (or 60 days) after the court heard that she had come to Cape Town in 1973 from the Ciskei to earn money for eight relatives and two children.

Before she came they had been supported by her grandmother's pension of R62 every two months.

In 1975 she became a live-in domestic, but lost her job five years later when her employer moved to Johannesburg.

Since then she had been unable to get a permanent job because prospective employers were afraid of employing somebody without a pass.
Chief Reporter

THE Cape committee of the South African Jewish Board of Deputies said yesterday that it associated the Jewish community with a statement this week in which church leaders condemned the eviction of families from Langa Barracks and the subsequent arrest of men and women and 4 babies.

It appealed to the authorities to "stop and reconsider their action".

In a written statement the committee said "In particular if (the) committee is appalled at the law being enforced in the way and under the conditions it is being carried out.

"It appeals to the authorities to stop and reconsider their actions and calls upon people of goodwill to support the appeals being made to relieve the sufferings of the homeless."

The church leaders referred in their statement to the evictions and subsequent arrests as "callous and inhumane"

Signatories to the statement were the Anglican Archbishop of Cape Town, the Most Rev Bill Burnett; the Roman Catholic Assistant Archbishop of Cape Town, the Rt Rev Stephen Naidoo, and the chairman of the Western Province Council of Churches, the Rev John Ulstein.

The church leaders appealed to the authorities "to reconsider the matter carefully" and to permit a site-and-service scheme at Crossroads.

They called on the authorities to determine the root cause of the situation and they appealed to "all men of goodwill" to give assistance to the homeless people.
Langa evicted

Staff Reporter

HOMELESS black families living on a site near Crossroads have called for an urgent meeting with the Minister of Co-operation and Development, Dr Piet Koornhof, to discuss their plight. Gathered around a fire at the site last night, several men and women said they wanted to see Dr Koornhof to discuss their eviction from Langa's Zones barracks.

The families, who spent last week in makeshift shelters in cold, wet weather, include women with babies and young children.

About 70 people gathered at Crossroads last night, their numbers swelled by a number of women released from Pollsmoor Prison yesterday after paying bail or fines. A spokesman for the group said about 20 women were released from prison yesterday and brought to the site in three prison vans. Several women were brought back with babies and children.

While most of the crowd gathered around the fire for warmth, some women prepared supper from food donated by members of the public.

The spokesman said there were only a limited number of blankets — some of the group would have to bed down on the hard ground or remain up.

Church and community leaders mingled with the crowd, spoke to those released from prison and asked the needs of mothers and children. Among them were the chairman of the Western Province Council of Churches, the Rev John Uiter, the chairman of the Civil Rights League, Mr Brian Bishop, and an official of the Athlone Advice Office, Mrs Val West.

Woman goes free after eight days in jail, page 2

A GUGULETU resident and member of the United Women's Organization (Uwo), Mrs Fransina Mamfanya, was arrested near Crossroads yesterday, with a large number of women evicted from Langa Zones last week.

The chairwoman of Uwo, Ms Mildred Lesa, who witnessed the arrests, said police and inspectors from the Peninsula Administration Board arrived at Crossroads in 22 vans and rounded up women, many of whom had already been fined in the commissioners' courts last week. Only women who could produce bail dockets were not arrested.

Ms Lesa said she and Mrs Mamfanya were looking for a suitable site for a group of doctors who were due to visit the area today.

She said Mrs Mamfanya, who lives in NY 13, Guguletu, was arrested with the other women, although she told the officials that she had a reference book.

Brigadier J H van der Westhuizen, chief director of the Peninsula Administration Board, said last night that he had no knowledge of Mrs Mamfanya's arrest, but would make inquiries.
A freezing weekend for illegal squatters

About 300 people spent the weekend huddled around fires and without shelter in the wet, cold and rain on an open field adjoining the Crossroads squatter camp. They were among more than 1,000 people evicted from the zones (shanty towns) in Langa on Wednesday. They were deemed illegal tenants.

According to police, 920 people — mostly women — were arrested in Nyanga last week on various law offenses. On Thursday a crowd of people more than 1,000 was gathered outside the Langa Commissioner's Court where they had gathered to protest against the arrests and to demand that they be taken into custody as well.

500 CASES

On Thursday and Friday about 500 cases were heard at two courts in Langa and a special court at Tamberg police station. Fines of up to R65 were imposed. A number of cases were postponed. Most of those convicted could not pay the fines and were imprisoned.

On Friday another 140 'illegals' were arrested near Crossroads. A number of babies were separated from their mothers.

The United Women's Organization (UWO) has strongly condemned the police action, particularly the detaining of defenseless children and babies as well as women some of whom were pregnant.

According to a late report, the remaining 200 people evicted from the zones were arrested on Monday afternoon in Nyanga.
Jews, churches slam pass law evictions, arrests

The Cape Jewish community has joined the Western Province Council of Churches in condemning the Langa bachelor quarters eviction and the arrest of many on pass law offences.

The Cape committee of the South African Jewish Board of Deputies associated Jews with the church leaders' condemnation.

The committee attacked the circumstances of the evictions and said married people had a right to a family life and home, no matter how humble. In the entire exercise basic human rights had been ignored.

In particular we are appalled at law being enforced in this way.

"We appeal to the authorities to reconsider their actions and call on people of goodwill to support appeals to relieve the homeless."

GOD IS JUST

The African Methodist Episcopal Church has protested against this State action by a so-called Christian Government, and "wishes to warn whites that God is just God."

"We are not interested in excuses on SABC-TV by the chairman of the Western Cape Administration Board, Brigadier J H van der Westhuizen."

"It is unchristian, inhuman and immoral to kick people out of their homes in the middle of the coldest winter for years and then have them arrested like criminals."
TWO policemen today ordered PFP youth workers to dismantle their table set up in a Pinelands shopping centre to collect goods for the victims of the Langa evictions.

The police said they were acting on a complaint from a member of the public.

The collection point was shut down for two hours while PFP workers sought confirmation of the verbal permission they had obtained to put up the table.

The chairman of the Pinelands PFP youth committee, Mr John Costello, said they had obtained verbal permission to erect tables from Pinelands municipality and the owners of the site.

After being ordered to dismantle the tables they contacted the municipality again who said it was customary to give permission verbally.

They went to the Pinelands police station where the acting station commander agreed to let them set up the table.

"In spite of being shut down for two hours we have collected a large amount of goods including tins and sleeping bags in aid of the Crossroads people," Mr Costello said.

The PFP MP for Gardens, Mr Ken Andrew who was called to assist, said it is amazing and an indictment of a sick society when people complain about others attempting to collect blankets, clothes and food, essentially for women and children who are living in the open with nowhere to go.

"These young people concerned with the plight of those evicted from the Langa barracks should be congratulated, not harassed, for being prepared to do something about it." He hoped their example would be followed by thousands of Cape residents giving generously indicating that they retained a sense of justice, fairness and common humanity.
8 days in jail, but woman is not guilty

Mail Correspondent
AFTER eight days in jail a woman was yesterday found not guilty of being in the Cape Peninsula for more than 72 hours without permission.

The Langa commissioner's court heard that Mrs Nokhavuli Zwelimjim, 30, was arrested at 3am on Thursday last week — one day after arriving from the Transkei to visit her husband who is a contract worker in Cape Town.

Since then Mrs Zwelimjim, who has a young child with her and two children at home in the Transkei, has been awaiting trial in jail.

Pass law cases were yesterday heard at Pollsmoor Prison and at the Langa commissioner's court in an effort to relieve the logjam created by the arrest of more than 1,500 people who moved into an empty lot near Crossroads after being evicted from the "Zones" hostel in Langa.

Judicial officers have been flown to Cape Town to assist those who have been hearing these cases at the Langa court since Monday.

The going was slow at both courts yesterday, with only three cases being heard at Pollsmoor by 1pm and four being heard in the two Langa courts by 4:30pm.

II A R Low Keep

I N D C Sessions

Fifth year respectively.

II and III in the third, fourth and the course of building economics, I

for the best student in each of

LTA Prize

P R Swift

Professorial Practice

for the student obtaining the highest mark in

Supervisors' Prize

Cape Chapter of Quantity Surveyors

The Committee of the Western

P C Key

In any year of study.

For the best all-round student

Bell-John Prize
Bitter Exposure Faces Homeless

By Kerri Molloy

PUBLIC response to appeals for the Langata and Nyanga homeless has been good but more warm clothes, food and blankets are needed.

Sister Catherina Masere, a staff member of the Women's Missionary Society, said: "We have had a good response but people need more warm clothes, food and blankets."

"There is a high loss of body heat from the head region so it is important to wear a headscarf as well," she said.

She stressed that children should not cover their hands with plastic, which could cut down on their natural heat loss.

Survival Bag

Mountain climbers have found a cheap and effective way of preventing loss of heat by wearing the "survival bag".

The bag is a 182 cm by 61 cm plastic sheet available at camping shops for less than Sh1. The bag is used in a sleeping bag, particularly by those who are not used to sleeping in cold weather. The bag is used to trap body heat, by using the bag to reflect the heat of the body. The bag is also used to keep the body dry and warm.

The bag can be used as a water-resistant blanket, covering a hole in the ground. This can prevent the body from losing heat to the ground. The bag can also be used as a wind-break, protecting the body from the wind.
This unique inhumanity

And why husbands and wives are now being allowed to live together

Mrs Johanna Motsie... at last she can live with her husband.

"TAKE notice that..." (hereinafter called the Applicant) intends to make application to this Court for an order declaring that his wife... is entitled in terms of Section 10(1)(e) of the Blacks (Urban Areas) Consolidation Act no 3 of 1969 to reside with him in Johannesburg.

TWEET in the past two weeks, notices of motion worded in this way have been laid before judges of the Rand Supreme Court.

Twice in the past two weeks, orders have been granted, entitling women to live with their husbands.

Twice in the past two weeks, the West Rand Administration Board, whose officials were responsible for refusing the required permission, have failed to oppose the applications, making their granting a mere formality - not a costly and time-consuming one.

Now, after 10 months of confusion, Wrab chairman, Mr John Knoetje, yesterday made a firm statement of intent.

By PAT SCHWARTZ

The statement came at the end of a week in which Mr Justice Goldstone, in ordering that Mrs Mathilda Motsie-Mhlonzo be permitted to live with her husband, Mr Sifika William Mhlonzo, directed the registrar of the Supreme Court to communique the court's displeasure to the Minister (Dr Koornhof) and to the West Rand Administration Board in regard to the action of the Wrab officials who forced the husband to apply to court for the order.

What, in fact, has the outcry been about? What were the issues that prompted a judge to make such an order?

Leaving aside the unique humanity of a situation in which adult wives need permission to live with adult husbands, the reasons for Mr Justice Goldstone's displeasure can be found in a landmark decision of the Appeal Court in Bloemfontein last year.

The events of the past two weeks, and, in fact, the past 19 months, have seemed, until this week, to reflect a remarkable unconcern on the part of the bureaucracy for the word of the highest court in the country.

On August 19, last year, in the case of Mrs Nomcebo Komani, judges of the Appellate Division in Bloemfontein declared ultra vires a regulation requiring black women to have a lodgers permit or residence permit to live with their husbands who "qualified" to be in white-designated urban areas.

But, in the absence of a clear directive, officials seemed to be unable or unwilling to apply the Komani decision to other, identical cases brought before them.

In November and December last year, two further Supreme Court applications were brought.

In both cases, the West Rand Board gave notice that they were going to defend the case. In both, they failed to do so and, after months of seemingly unnecessary delay and distress, they acknowledged that the applicants were entitled to the 10(1)(e) endorsements and duly granted them.

Five months after the important Komani judgment, on January 27, Mrs Ntemi Johannes Motsie, a woman in an identical situation to that of Mrs Komani, was endorsed out of the prescribed area of Johannesbarg.

Her case was not handled simply by a stamp-issuing clerk, the matter was brought to the attention of two senior officials - the labour officer and the chief commissioner for the Witwatersrand who hears appeals - but her rights were not granted.

To date, more than 40 similar cases have been referred by Johannesbarg's Black Sash Advice Office to the Legal Resources Centre for action. Applications have been made to the Supreme Court on behalf of six of the women concerned.

Now, it would appear, things will be changing.

Wrab chairman Mr Knoetje said yesterday there would be no further need for women to go to the Black Sash, in Johannesburg, or to the courts to get the precious 10(1)(e) endorsement.

Cases brought to Wrab's branches, he said, would be treated with "empathy and understanding" and cases handled "strictly according to the letter of the law".

Earlier this week, Black Sash Advice Office supervisor, Mrs Sheena Duncan, said her office had received a request to consider the case and that the issue would be raised with the Ministe.

There were many cases, she said, that were handled "under the blanket of secrecy" and that the issue of the "right to live together" was "essential for the health of the community".

She said the issue of the "right to live together" was "essential for the health of the community".

And, as in the past, the bureaucracy has come out in support of the women, who have been granted permission to live with their husbands.

Yet many of them had been delayed by "various holds" and demands for documents and affidavits which were quite unnecessary.

And, after the endless comings and goings that the bureaucracy demands, many of them still ended up with permission refused and the dreaded stamp in the reference book declaring them "endorsed out".

Mrs Duncan emphasized that she did not blame the administration board for the situation.

"They are unable to make any policy decisions. They merely sit there doing which they are told to do, to place the full responsibility for this on Dr Koornhof and his department.

Now at last, it appears, that this responsibility has been shoulder.

In Mr Knoetje's book, at least, the record is straight.

"What has gone before is water under the bridge. Soon or later you must start collecting yourself and putting things right if they are wrong.

And that statement, well, it's no more than what has been relieved by the Komans and Motsus and Mhlonos still to come.
K Strong

Subject of building construction.

For the second best student in the

C W von Duing

Subject of building construction.

For the best student in the

II A Brick Association Prizes

III: No award

II: A R Law Keen

I: D G Sessions

Fifth years respectively.

II and III in the third, fourth and

the courses of building economics.

For the best student in each of

LIA Prizes

P R Swift

Professional practice.

With the highest marks in

the student obtaining

Surveys' Prize

Cape Chapter of Quantity

The Committee of the Western

Surveying

P C Key

In any year of study.

For the best all-round student

Ball-John Prize

(continued)
The joyful Mhlongo's after being told they could live together legally

The Supreme Court judgment has done more than confirm the Mhlongo's right to live together. It has confirmed that administration boards throughout South Africa have been ignoring the law by refusing to allow women such as Mrs Mhlongo to live with their husbands.

This was first established when a Cape Town man, Veli Komani, challenged in court the local administration board's legality in refusing to allow his wife to live with him. In August last year, only 18 days before Mrs Mhlongo was ordered out of Johannesburg within 72 hours, Mr Komani's case was heard by the Appeal Court in Bloemfontein, which upheld his appeal.

Since then, however, the Black Sash in Johannesburg alone has been approached by about 150 women or their husbands following Wраб refusal to recognise their right to live in urban areas. But, as the Black Sash's Mrs Sheena Duncan pointed out this week, they are approaching her organisation represent a tiny minority of those whose rights the administration boards have refused to recognise.

Asked for comment yesterday Dr Koornhof said: "I've set certain targets and have set a process motion that I'm doing. A huge undertaking is linked to the formation of the Grosskop Commission (which is studying the controversial new deal for urban blacks) and is going to go before Cabinet.

"Until decisions have been taken, I think the idea of me grossly unfair.

Problems

But in August, depute a letter to Wраб from LRC attorney, Mr Geoff Budienne, Wраб officials gave her 72 hours to leave the Johannesburg area.

The case came before Mr Justice Goldstone on Tuesday. The result left Mrs Mhlongo weeping with joy — but not without problems.

Although she and four of these five children can now live legally in Soweto — their eldest son, born in 1966, is excluded, as are all sons over 18 and all married daughters — the couple have had to live in a room only big enough for their bed and cupboard.

Because Mrs Mhlongo was not, according to township officials, living legally in Soweto, the couple could not apply for a house. They are now free to, but the waiting list is already five years long, so all but their youngest son, Mpho, will stay with Mrs Mhlongo's mother in Lydenburg.

"The law is heavy," Mr Komani told the Sunday Tribune at his tiny Pomville, Soweto home last week. "Now we are free, these people have been very good to us (the Black Sash and their attorney)." But we must have a house.

"I sang and danced when I heard what the court decided," Mrs Mhlongo added. "But I must still be separated from my children because we have no house."

A MIDDLE-AGED Soweto couple have won their desperate seven-year battle through a maze of apartheid red tape to live legally together as man and wife — but their victory may have come too late for thousands of others.

Twelve years ago, Mrs Maria Mhlongo moved to Johannesburg to live with her husband William — father of their four children. She lived in ever-present fear of a knock on the door and a rough demand: "Where's your pass?"

On Tuesday, for the first time since her arrival, Mrs Mhlongo, 41, can openly live with the man she married by traditional custom 27 years ago, after a judgment handed down in the Rand Supreme Court by Mr Justice Goldstone.

The judge, who instructed Administration Board officials to stamp hers pass with the treasured Black (Urban areas) Consolation Act section 10(1)(C) stamp, also directed the registrar of the court to "communicate the court's disapproval" to both the West Rand Administration Board and to the Cabinet Minister concerned, Dr Piet Koornhof, that the matter had come to court at all.

The effect of the judgment was to invalidate attempts by Wраб officials denying Mrs Mhlongo the right to live legally in Soweto.

Refused

The Mhlongo's battle to live together began seven years ago when Mrs Mhlongo went to the Wраб office in Johannesburg's Albert Street to legalise her residence — by then five years old — in Lydenburg.

The official refused, granting her only a month-long "visitor's" permit, which was later extended by another month. Mrs Mhlongo stayed on, working as a domestic servant in Johannesburg's northern suburbs until, with the introduction of the R500 fine for employers of "illegal" workers in 1979, she lost her job.

Undaunted, but living in constant fear of pass raids which would have forced her back to Lydenburg, the Mhlongo's continued their battle, approaching the Black Sash for help. Black Sash workers passed their case over to the Legal Resources Centre, which took it up in June last year.
This would delay the passing of legislation at least until next year's session — and possibly later.

Two major reports which are expected to be tabled during the current session are the Steyn Commission report on heavy "legislative" programmes as most controversial, issues are currently the subject of investigations by various expert committees and,  

Mr PW Botha facing credibility gap

Mr Fanie Botha promised change

Mr Ken Andrew witnessed evictions

Mr Fredrik van Zyl Slabbert not expecting a great deal

Mr Botha's last chance to restore his waning credibility and spell out a programme for reform, "but I don't expect a great deal!"

And a credibility gap is not Mr Botha's only problem. He faces unprecedented ideological division and internal feeling in his own party and a growing political threat from both the Left and the Right.

Many observers believe that his only way out is to give a bold lead in the direction of reform.

Whether Mr Botha will take this advice remains to be seen, but he is unlikely to take any action which he believes could lead to the dreaded split in the National Party.
Charity stall for homeless blacks closed

Staff Reporter

MANY DONATIONS of food, money, clothing and blankets for homeless black people had to be turned away in Pinelands on Saturday morning while Progressive Federal Party youth workers battled for permission to reopen their stall after police had ordered them to close down.

A spokesman for the Pinelands PFP youth committee said yesterday that two policemen had ordered them to dismantle their stall at a shopping centre only an hour after they had started collecting, apparently because a member of the public had complained.

"We had obtained permission from the shopping centre and the municipality, but because it had been given only verbally, the policemen would not accept it," he said.

Members of the public who had responded to appeals for donations had to be turned away for about two hours while frantic but unsuccessful efforts were made to obtain written permission for the stall.

The acting station commander at the local police station finally gave a PFP deputation, which included Professor Geoff Everingham, MPC for Pinelands, permission to go ahead.

The spokesman said members of the public were waiting to donate items during the two hours the stall was out of action.

"Someone contacted Mr Ken Andrew and Mrs Dr Bishop, PFP MP and MPC for Gardens, and Mr Tian van der Merwe, MP for Sea Point, and they arrived, giving us much needed support," the spokesman said.

"The whole thing was an act of Christian concern for people in a terrible plight, and it seems that even Samaritan acts like these are subject to discrimination," he said.

In spite of the fact that the stall was closed for two hours, more than R200 in cash, and a large quantity of clothing, blankets, food and other items needed were collected.

"The response was excellent," and "although we haven't decided yet, we may hold more collections like this soon because there is an on-going need for help," he said.
Urban blacks 'crowding out' whites: Govt to investigate

By Peter Sullivan

Political Correspondent

CAPE TOWN — A special cabinet sub-committee has been given the priority task of examining the "swamping" problem caused by blacks "crowding out" whites in urban areas, according to Dr Koornhof, the Minister of Co-operation and Development.

Interviewed on Sunday by an Afrikaans newspaper, Dr Koornhof said that a Cabinet decision had been taken on Friday. It is an obvious attempt to deal with complaints received from National Party voters during the general election.

The Cabinet would be looking at the "swamping" problem as a priority. The question of the whites' rights would emerge later, according to Mr Koornhof.

 Asked what he considered to be practical measures to prevent the "swamping," Dr Koornhof is reported to have said that in all fairness blacks could be told that blacks were protected by law against "swamping" in their areas, and whites were protected by law against "crowding out." There would be a search for practical measures to protect whites in their own habitats, just as blacks were protected by law against "swamping." The Government itself would now decide on the guidelines after its investigation.

The Minister stated that if the Cabinet were to reach a conclusion that the health services must be developed...
Racist gaffes hurt SA

Racist slurs in SA, such as the insults delivered to a black woman by a Cape Town magistrate, do the country incalculable harm abroad. John D'Oliveira reports from Washington.

African government should be exceptionally sensitive to the damage that this sort of remark can do to the South African image - even if, in white South African eyes, they appear relatively innocuous.

The South African government should not underestimate the degree of publicity this sort of thing gains among the mass of small publications and organisations which most people tend to ignore.

With this in mind, the government should publicly reprimand or punish those of its officials who act in such bad taste.

Then, it should make sure that its disciplinary action is widely published in countries like the United States in an effort to negate the damage done by the original reports.

It is a long way from Cape Town to the political/propaganda machine that is Washington.

But modern communications shrunk that distance to almost nothing and very few racist gaffes by South African government officials go unnoticed.

Thus it was that the Habari News Service last week offered its subscribers the following report as its main story for the day:

"Protests have been made in South Africa about racist remarks made by J J Foursie, a magistrate, who dealt with some hundreds of blacks arrested in a swoop on squatters in Cape Town last week.

"He told one woman, who was charged with being in the Cape Peninsula illegally, and who said she lived in a bachelor hostel at Langalangalala, 'I suppose you sleep with a different man every night.'

"When she said that she had never had an identity document, Mr Foursie said, 'All people, whether they are black, brown, or pink have to get an identity document when they are 16 years old. Only donkeys, cows and baboons don't need to carry documents.'

"Dr Nilutho Motiana, chairman of the South African Committee of Ten civil rights groups, said he was appalled at the level of inappropriateness, pure humanity and obvious anti-black bias manifested in the remarks.

"He added, 'I must warn the man is building against himself, and his desendants a legacy of hatred in all black people which is going to be very difficult to eliminate.'

"But, he said, 'If we fail to raise our voices against such acts of racism and brutality, we are likely to show that we condone such behavior.'

"Meanwhile, the Johannesburg-based Daily Sun carried the following editorial:

"The Habari News Service is a telephone 'call-in' service. You dial the Habari number and get the bulletin for the day. Apart from feeding thousands of individuals news on Africa, it serves as a medium for distribution of public interest information, mostly in the black community, with a supply of news on Africa.

"Whatever effect the Habari Service might have in improving the image of South Africa and the black community, the government should not ignore.

"The Habari Service is a project of the South African Council of Churches, which has a long history of promoting peace and unity in South Africa. The government should support such initiatives and encourage other similar projects.
THE Progressive Federal Party's Mrs Helen Suzman yesterday challenged Dr Piet Koornhof, the Minister of Co-operation and Development, to state unambiguously his position on the continuing official action against alleged pass law offenders.

The challenge was made as critics hit out at Dr Koornhof's public silence on the actions of bureaucrats, whom he himself labelled as "torturers" for their inability to keep pace with changes his Government envisages.

Mrs Suzman, the official Opposition's spokesman on human rights, said that while Dr Koornhof seemed receptive to change, "like every other Cabinet Minister, he is a slave of the Nat party"

"So far, he has not fired a shot in anger. It is now time he stated clearly where he stood on these issues," she said.

In the past few days hundreds of blacks in the Western Cape were subjected to late-night pass raids, a Rand Supreme Court judge expressed displeasure at the West Rand Administration Board's attempt to separate a black man and his wife, a Parliamentary Select Committee blasted maladministration in administrating boards - which play a major role in regulating the lives of blacks.

Mrs Suzman called for the scrapping of the influx control system.

Referring to the pass raids, Mrs Suzman said it made no difference whether police stopped blacks in the streets for their passes, raided their employers' premises or their township homes.

"The laws have to be implemented, and subsequently are the cause of hardship, harassment and racial hostility," she said.

**Christian**

The general secretary of the SA Council of Churches, Bishop Desmond Tutu, reiterated his call for the scrapping of influx control.

He said: "God must weep at some of the things being done, in an attempt to preserve a so-called Christian way of life."

While Dr Koornhof had declared war on the dompas and pointed fingers at "torturers" in the bureaucracy, the application of the influx control laws was part of the Government's design of not having black South Africans by uprooting and resettling them, he said:

"They are human beings who are being treated as less than human."

It was distressing, the bishop added, that the pass law arrests, enforcements of blacks out of certain areas and late-night official raids were being carried out at a cost of so much human suffering and anguish.

Dr Koornhof was not available for comment yesterday.
Challenge to Koornhof on pass action

Own Correspondent

JOHANNESBURG — The Progressive Federal Party's spokesman on human rights, Mrs Helen Suzman, yesterday challenged Dr Piet Koornhof to state unambiguously his position on the continuing official action against alleged pass-law offenders.

The challenge was made as critics hit out at Dr Koornhof's public silence on the actions of bureaucrats, whom he himself labelled as "tortoises" for their inability to keep pace with changes his government envisages.

Mrs Suzman said that while Dr Koornhof, the Minister of Co-operation and Development, seemed receptive to change, "like every other cabinet minister, he is a slave of the Nat-caucus."

"So far, he has not fired a shot in anger. It is now time he stated clearly where he stands on these issues," she said.

Displeasure

In the past few days, hundreds of blacks in the Western Cape had been subjected to late-night pass raids. A Rand Supreme Court judge had expressed displeasure at the West Rand Administration Board's attempt to separate a black man and his wife. A parliamentary select committee had blasted maladministration in administration boards, which played a major role in regulating the lives of blacks.

Mrs Suzman described the pass laws as being among the most discriminatory in South Africa, as they did not apply to whites, coloured people and Indians.

Calling for the scrapping of the influx-control system and for allowing all South Africans freedom of mobility, she said the government should concentrate on creating job opportunities and building houses for blacks.

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"The laws have to be implemented, and subsequently are the cause of hardship, harassment and racial hostility."

The general secretary of the South African Council of Churches, Bishop Desmond Tutu, restating his call for the scrapping of influx control, said "God must weep at some of the things being done in an attempt to preserve a so-called Christian way of life."

Human beings were being treated in a way that was less than human.

Dr Koornhof was not available for comment yesterday.
Pass law arrests highlight plight of "illegal" people

By BRUCE GORDON

THE arrest of more than 1,000 people under the pass laws in the past week has highlighted once again the plight of illegal people, also referred to as "bureaucratic fiat.

As a result of the Western Cape coloured preference area policy, housing for Africans was frozen in 1967, resulting in enormous overcrowding and general deterioration in living and social conditions for urban blacks in the Western Cape.

The law has meant demotion on a mass scale, chronic overcrowding, mass arrests and various stringent influx control measures.

Community worker Mr Rommel Roberts has done a study of Life Conditions of Migrant Workers and their Dependants in the Cape Townships.

The study deals with a sample of 80 old single-quarter units in the townships of Langa, Nyanga and Guguletu. It takes the form of a questionnaire to find out:

- Conditions in the single quarters where workers are housed;
- The importance of family life;
- The reasons for migration to the city;
- The realization of separate development and its influx control counterpart;
- First-hand accounts of home and conditions.

A STUDY of 80 barrack units in the townships showed that 69 of them were unsuitable for human habitation. In the Langa North barrack, above, floor space is at a premium

Protest meeting over Langa arrests

AMID growing condemnation of the eviction and mass arrests of people from Langa yesterday, protest meetings were held by coloureds and others. Mrs Petrovsky, a coloured soldier who was arrested at a protest meeting yesterday, was quoted as saying: "If we were arrested, it's better that we are arrested."

The meetings are planned to take place in the City Hall at lunch-time on Thursday.

Church and community leaders evicted from Langa's Zone Bn barracks were due to be arrested en masse at a demonstration at Langa. The decision to hold the meeting was discussed by representatives of the: the Righteous Order, the Coloured Hivem Group, the Western Cape Council of Churches, the Progressive Federal Party and the Institute of Labour Relations. The protests took place at the Coloured Housing Commission.

Homeless

The Ad Hoc Support Committee for Homeless People was formed yesterday to keep the pressure on the government to provide a haven for those who have no homes.

The committee was launched by Mr John Masse, who said: "We are very glad to see that this is happening, but we think it is not enough. We want to see a permanent solution for all the homeless people in South Africa."

The committee will have a meeting next week to discuss the situation further.

Homicide

The government will be asked to increase its budget for the Coloured Housing Commission, which currently has a budget of R3 million.

The commission, which was established in 1970, is responsible for providing housing for coloured people in the Western Cape.

The government has been asked to increase its budget for the commission to R5 million, as it currently has a budget of R3 million.

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The tally: 16 Pass Law cases in a day

CAPE TOWN — Three courts from Cape Town, two in Langa and one at Pollsmoor Prison — took the whole of yesterday to hear 16 Pass Law cases.

The sessions only started at 11.30 am, with lawyers acting pro amica for most of the accused struggling to interview as many clients as possible before this time.

Five people were given suspended sentences, three were fined R80 (or 60 days), two R50 (or 50 days) and one R30 or 30 days.

In many cases lawyers pleaded the defence of necessity. Arguing that their clients had been compelled to go to Langa because of a lack of employment opportunities in Transkei and Ciskei.

Being semi-skilled people of reasonable intelligence they would not willingly expose themselves to the punishment they received in the Peninsula unless their prospects in the homelands were considerably worse, lawyers argued.

Mr Wellington Sonqalo, 47, married, with two young children, told the court he had worked as a casual gardener since 1972.

He had managed to find work about two days every week and was paid between R5 and R6 a day.

He admitted this was not much but said that in Ciskei, where he came from, there would have been no work for him at all — Sapa
Pass law lawyers plead necessity

Staff Reporter

THREE courts, two in Langa and one at Pollsmoor Prison, took the whole of yesterday to hear 18 past law cases. The sessions got underway at 11.30am, with lawyers appearing pro-amico for most of the accused, struggling to interview as many clients as possible before this time.

Five people were given suspended sentences, three were fined R80 (or 60 days), two were fined R50 (or 30 days) and one person was fined R30 (or 20 days).

In many cases lawyers pleaded necessity on the part of their clients, arguing that they had been compelled to come to Cape Town because of a lack of employment opportunities in Transkei and Ciskei and that, being same people of reasonable intelligence, they would not willingly expose themselves to the kind of treatment they got in the Peninsula unless their prospects in the homelands were considerably worse.

Mr Wellington Songqayi, 37, married with two young children, told the court he had worked as a gardener on a casual basis since 1972.

He managed to find work for an average of two days every week and got paid between R5 and R6 per day.

He admitted that this was not much but said that in Ciskei, from where he originally came, there would have been no work for him at all.

In spite of the cold weather and the fact that the hearings had already been conducted for almost ten days, enough friends and relatives turned up to fill both courts at Langa and the one at Pollsmoor.
A DISASTER CREATED

The enforcement of influx control has created a disaster in the Western Cape similar to the Langsberg floods, the Progressive Federal Party MP for Sea Point, Mr. Tjien van der Merwe, said yesterday.

Referring to community workers in Nyanga handing out food and blankets to people homeless after evictions and pass law swoops, Mr. van der Merwe said it was the kind of aid one expected in a natural disaster like the Langsberg floods.

"This kind of disaster has been brought about entirely at the hands of the South African Government," Mr. van der Merwe said.

He added: "If ever there was an indication of the failure of influx control and the pass law system, it is that they have had to practically double the court capacity for the prosecution of contraventions of these laws if there were to be more arrests in a month or so, the system would be even less able to cope with the enforcement of the laws.

"The people will be back. They will not return to the homelands, and if they are taken to the homelands they will come back.

"There is no future for them in the homelands, there is no food and there is no employment.

Mr. van der Merwe said there was a need for people to be made aware not only of the human suffering involved, but also of the fact that there was a financially viable alternative.

"If all the money paid for the administration of the pass laws were used for development, for instance, in underdeveloped areas, particularly to create jobs in the areas where these people come from, it would have more effect to balance out migration."
Families face starvation, court told
Woman: Plea for evicted Langa children pass law charges dropped

Staff Reporter
A Ciskei family of six would barely subsist or face complete starvation, a homemaker who worked illegally in Cape Town, was forced to return home after being deported, a social activist told the Langa Commissioners’ Court yesterday.

Mr Charles Simkins, a senior research fellow attached to the Southern African Labour and Development Research Unit (Saldru) at the University of Cape Town, was giving evidence on the trial of Mr Philip Malizika, 35, of Queenstown.

Mr Malizika, a father of four children who has worked in the Peninsula since 1974, is charged with being in the Peninsula longer than 72 hours without permission and not possessing a work permit - alternatively failing to produce a reference book.

He pleaded not guilty to both charges.

Mr Simkins was called by Mr Andrew Dalling, for Mr Malizika, to give expert evidence on unemployment and socio-economic conditions in the homelands.

Settlements:
He said there were about three million people in the “closer settlements” - urban-style areas with no employment opportunities and living in poverty. These families were dependent on earnings from nearby white areas and immigrants working legally far away from home.

Mr Simkins said studies had shown that job prospects in the homelands were poor. A recent survey found that 66 percent of economically active males were unemployed in the metropolitan areas of South Africa and only 35 percent had jobs in the homelands. In a man working illegally in Cape Town was forced to give up his job and return home because he could not find employment in the informal sector.

If he remained unemployed, the family would have an extra mouth to feed, without monthly remittances from Cape Town. With charity from neighbours and relatives, the family would “live from subsistence”, he said.

The commissioner, Mr Lionel van Wyk, interrupted and asked Mr Dalling why the statistics were not simply given to the press to publish. He said “I am not interested in statistics. I can read them in any newspaper.”

Mr Dalling said the statistics were “relevant and vital” in showing that it had not been necessary for Mr Malizika to come and work in Cape Town.

Mr Van Wyk later agreed he needed to hear the evidence when Mr Dalling arranged for recording equipment.

In his further evidence, Mr Simkins said higher wages in urban areas were an incentive in the continuing migration from rural areas.

People who are unable to find employment in the homelands and come to the cities to seek work either feel it is to their advantage or have no real alternative,” Mr Simkins said.

The hearing was adjourned to August 14. Mr Malizika was granted bail of R30 by Mr Dominic Mgomeni, who prosecuted.

Staff Reporter
A GUGULETU grandmother and member of the Women’s Organization (UWO) had pass law charges against her withdrawn in the Langa Commissioners’ Court yesterday after spending four days in prison.

Mrs Frankhuyzen Mamfana, 55, of NY 13, Guguletu, was arrested with about 30 other women when she and the chairwoman of the UWO, Mrs Mildred Leesar, visited an open lot they claimed as their land.

In terms of the Basic Urban Areas Act, Mrs Mamfana, who grew up and married in Cape Town, qualifies to live and work in the Western Cape without permission.

When she appeared in court yesterday morning, the prosecutor, Mr Dominic Mgomeni, informed the court that the case had been transferred to the Land Affairs Centre, which recommended that charges be withdrawn.

Reference book
Mrs Mamfana was originally charged with being in the Peninsula longer than 72 hours without permission and not possessing or alternatively failing to produce a reference book.

Mrs Mamfana, who walked to Guguletu after her release from court, said from her home last night: “I feel very angry. Something must be done. I told them they treated us like human rubbish.”

She said she had told the Administration Board inspectors that she had a reference book when they arrested her and the other women on Friday.

“I told them I have a pass book, but they said I must go straight to the van. I told them to call me if I was wrong. I was in the van. The van was packed. There were about 36 of us all together,” she said.

20 pass law cases dealt with

Staff Reporter
COMMISSIONERS at Langa and Pollsmoor prison yesterday dealt with more than 20 cases involving pass law offenses.

In one of the two courts at Langa, cases against five people were adjourned. Charges against a woman admitted to Victoria Hospital for confinement were withdrawn on grounds “that own evidence.” The remaining three were freed at the recommendation of the Ad Counsels.

In the other Langa court, about six cases were heard. Fines of up to R60 (or 60 days) were imposed.

Eight cases were heard in the special court sitting at Pollsmoor Prison. One person was acquitted, another was slapped with a fine of R50 for the week and the remaining six accused were fined or given suspended sentences.

An unknown number of people also appeared in a commissioners’ court sitting in Observatory.

If it was a picnic in the country now they just sit. There is a desperate need for food and medical treatment and warm clothing for the children in particular. We also need umbrellas to give some shelter.

Welfare organizations have already appealed for blankets, disposable nappies, toasted food, long-coat powdered food and heavy-duty plastic sheeting.

Contributions can be handed to the Catholic Welfare Bureau, 37a Somerset Road, Green Point, The Women’s Movement, 50, Peace, St Saviour’s Church Main Road, Claremont, or the Dutch Reformed Church Anchor Bay.

A lunch-time “meet” of reconciliation between Cape Town citizens in all of Langa’s has been arranged at St George’s Cathedral at 11 pm tomorrow.
‘Bread, water’ for prisoners

Staff Reporter

THIRTY-SEVEN women and 23 children spent three days in Manenberg police cells living on water and one slice of bread each a day after being arrested on pass-law offences on Friday, according to MDCs Mrs De Bishop and Mrs Molly Blackburn.

On the day of their arrest and the night following it, they were given no food at all, the two women told the Cape Times last night.

By 6pm on Monday the arrested people were still in the cells, had not appeared in court and had not been told what was to happen to them.

Their relatives, many of whom had been trying to trace their whereabouts since they were rounded up behind the administration board offices in Nyanga at 3pm on Friday, had still not been told where they were being held.

Mr Mahanga Meye, who spent the weekend in a fruitless search for his wife and baby, visited Manenberg police station on Sunday only to be informed by the authorities that they were not there.

The following day he saw them both as they were about to be transferred to Pollsmoor prison.

Mrs Bishop and Mrs Blackburn said they discovered this situation when they visited the police station on Monday in an effort to secure the release on bail of a man's 19-year-old daughter and her two children, one of them seven months old and the other two years.

They said the commissioner of Langa Commissioner's Court, Mr L van Wyk, told them on Monday morning that the women had been remanded in absentia till August 30.

In accordance with instructions from higher up, he told them, no bail was to be set.

Later in the day, however, after most of the relatives and friends of the imprisoned women had left, Mr Van Wyk, accompanied by another magistrate from Langa Commissioner's Court, Mr W Fourie, arrived at Manenberg police station and told Mrs Bishop and Mrs Blackburn they had come to interview all the prisoners and release those who should not have been arrested.

They said the remaining prisoners would be granted R20 bail and taken to Pollsmoor, from where their relatives could fetch them the next day.

Brigadier D P Nottenagel, Divisional Commissioner of Police for the Western Province, last night promised to investigate.

The Chief Commissioner for the Department of Cooperation and Development in the Western Cape, Mr Timo Bezuidenhoud, was not available for comment.
Political Correspondent

A PROMINENT civil rights worker has disputed the official police version of developments which led to teargas being used to disperse a crowd at Langa earlier this month.

Mr. Brian Bishop, chairman of the Civil Rights League, was at the Langa Commissioners Court on July 16 as part of a delegation from the Roman Catholic Commission for Peace and Justice.

Although he left before police used teargas to disperse an estimated 800 black people who had gathered there, he said he had witnessed the build-up of events and had telephoned the Divisional Commissioner of Police, Brigadier D B Nothnagel, from the Langa court to appeal for restraint.

‘Peaceful’

He had told Brigadier Nothnagel the situation was “tense but peaceful” and that police inactivity was more likely to provoke a riot than anything else.

Mr. Bishop believes the use of force could have been avoided, but his assessment is disputed by Brigadier Nothnagel, who said police had “done a superb job of work” in dispersing an illegal crowd without injuries to anyone.

Mr. Bishop also contests official police statements that the crowd had threatened to storm the court to release others accused of being illegally in the Peninsula.

He said in an affidavit given to newspapers yesterday that in his presence the police captain in charge at Langa had incorrectly told Brigadier Nothnagel in a telephone conversation that:

- There was a large crowd on the stoop and pushing against the court door.
- The court was in session at the time.
- The crowd was breaking things.
- They were calling for the release of those who had been arrested.

Mr. Bishop said he had immediately challenged these statements in his own conversation with Brigadier Nothnagel. He had read to his horror the next day that Brigadier Nothnagel had stated that the crowd had threatened to storm the court to release the accused.

“He was told (incorrectly) that the crowd was ‘calling for’ release (which would presumably be legal) and passed the story on appearing as if a serious offence had been committed.

“No wonder we have such odd bannings and detentions based on police ‘sound information,’” Mr. Bishop stated.

He maintained that the crowd had been entirely peaceful, without any signs of hostility, and that they had gathered to present themselves for arrest as a form of passive resistance.

‘Celebrations’

Mr. Bishop said the police action would have been welcomed by those who believed peace-making efforts merely delayed the day of change.

“The teargas attack was undoubtedly celebrated by the Marxists and would be more celebrated if it had developed into another Sharpeville,”

- Brigadier Nothnagel said he was quite happy with the police action.

“They did a superb job of work in dispersing without any injuries to anyone, a crowd which had gathered in contravention of the Riotous Assemblies Act.

“Filled whether the situation could have been headed off, or handled differently by a more senior officer, he said these were hypothetical questions on which he would not comment.

He advised Mr. Bishop to ‘stick to whatever he is trained for in life and leave police work to the professionals.”
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Everybody's drinking it!

FIFTY-EIGHT women who won the right to stay in the Cape Town area by defying the authorities have become a symbol of relentless courage and successful resistance.

In May, these women and their families were evicted from their homes in migrant barracks because they had no legal right to be in the area. They were allowed to stay, but the women were forced to move to the Tranekaer Park in Cape Town. The Minister of Co-operation and Development, Mr. P. Rosenhoff, has since issued them the right to stay in the barracks in Cape Town.

One of the women, Nkosimasho, told her story: "In 1979, me and my family were taken by the Western Cape Administration Board to the barracks in Langa and we were told we would get proper accommodation later."

"They offered R6 a month rent until this year they gave us R70. We have to leave the barracks and they took our rent back.

"They treated us three times and we had to pay R70 each time for each person for being in the area illegally.

"Then in the last round, when we went to court, they closed the barracks gates. We had to go and ask them to let us take our clothes out.

"We had nowhere to go until we found a place in a church. The men were sleeping in one church and we were sleeping with their children in another.

"We stayed there for two months until we decided to come to this open place here next to Crossroads.

"Then one day an inspector came to talk to us. He told us he was Dr. Koornhof, but we knew who he was. He said he had to do what the Bible told him to do. He said we had come here to take the food and the jobs from others who were here legally.

"He told us he was going to legalise our husbands, but we were going to be taken home.

"We didn't even have our clothes. Some of us didn't even have our children with us. They just put us on the bus and dropped us the next day in Tranekaer.

"We footed it to Queenstown. It was about a day's walk and we got one lift. Then we hiked a bus and came back to Cape Town.

"The bus dropped us near Crossroads and the inspector came and asked us if we were. But they knew our faces.

"We were pregnant woman with labour pains and one small child was having fits, and we husbands drove us to their tents.

"The inspector came there and were sitting there and our husbands stood around us all night and made a big fire. The next day they sent us a message — they had decided to destroy our homes.

"But the church guardians went to speak to them and this and we could make temporary houses until Dr. Koornhof decided what was to happen.

"Then they said they were going to deal with each of us individually and only those who had been in Cape Town for more than ten years could stay. The rest would be sent back again.

"But we said no we must be dealt with together and we asked him to korribus us all and let us live in this open space.

"When they said yes we met the people and when we saw this we decided we would build our homes in this open space.

"It was a real victory..."
A spirit of defiance marked their evictions

Crosbys and Langa but were prevented from building any shelters and were eventually arrested in three massive police sweeps.

What is the motivation for their defiance? Embrazioned in their memories is the success of the Crosbys people's "We will not move" defiance.

And another incident in May reminded this. The administration board evicted 58 women from their homes in

The moved... The mover

Use Mytolac.
It works against pimples in just 5 days.

This test was carried out on Armandos Ramano under medical supervision in Johannesburg from December 3 to December 7, 1979.

1st day: "Let's see what Mytolac can do for me!"
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3rd day: "My skin is flaking... it's a good sign"
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5th day: "Wow! 5-day Mytolac really worked for me"

If you suffer from pimples, use Mytolac. It will make a difference to your skin in just 5 days. Mytolac has been specially made for problem skins and works in two ways.

It lightens the pimple bacteria in the skin, and then flakes away the old skin, so allowing the new and healthy skin to show through.

Use Mytolac and in just 5 days you will have a healthy skin.

Mytolac Pimple Treatment.
Work in 5 just days.
AN Opposition MPP has claimed that women and children are being kept in filthy conditions at Parow and Ponte prisons, and particularly after the recent mass arrests on pass law violation.

Mrs. Molly Blackburn, Progressive Federal Party MPP for Walmer-Port Elizabeth, described the conditions after she visited prisoners in Parow and Ponte prisons this week with Mrs. D.J. Bishop, another MPP for Cape Town.

They had gone to secure the release of a woman named Violet who had been arrested when she refused to live in the bush after her earlier release on bail.

No Food

"We heard that the women locked up with Violet on Friday were given no food that day, only water," she said. "On Saturday and Sunday, they were given only bread and/or tea — no milk." Mrs. Blackburn said.

There was no special food for the babies.

"If I had been without milk and some nourishment for the babies, I would not have been able to continue," one of the prisoners said.

She was looking sternly because they were hungry and had no food.

The prison authorities had told the prisoners that Violet was being treated with kindness, but that the conditions were difficult.

The prisoners, who are mostly women and children, said they were not being treated fairly.

They were kept in filthy conditions and were not allowed to bathe.

The prison authorities said they were trying to improve the conditions, but that it was difficult due to the limited resources available.

A meeting of reconciliation with the victims of eviction and raids will be held in the city at lunchtime tomorrow.

The meeting will start at 110 in St. George's Cathedral on Adderley Street. Women released from prison will be sitting on the steps.

A meeting of the community will be held in the Cape Town Civic Center to discuss the situation.

The chairman of the Civil Rights League, Mr. Brian Bishop, said the meeting will be for people who have been through the anguish of eviction and arrest.

Mrs. Madelaine du Sart, a Cape Town advocate, and Mr. Adam Small, an African poet, Bishop S. Naidoo, Catholic Auxiliary Bishop of Cape Town, and a number of community workers will be among the speakers.

The theme of the meeting will be "All Capetonians Together." It will be non-religious and non-political.

The meeting will be held at 110 in St. George's Cathedral on Adderley Street. Women released from prison will be sitting on the steps.
A SENIOR research fellow at the Southern Africa Labour and Development Research Unit (Saldru) at UCT, Mr Charles Simkins, yesterday told the Langa Commissioner's Court that the accused in a pass law case had no option but to come to the city.

Mr Simkins was called as a defence witness for Mr Phillip Mzilikazi, 35, who faced two charges under the pass laws.

Mr Mzilikazi had pleaded not guilty to being in the Cape without permission and to not producing documents on demand.

He told the court he supported his wife and four children in Ciskei. They had no land.

**CONTRACT**

He came to the Cape as a contract worker in 1975. After his contract expired, he worked 'illegally' as a bricklayer until 1978. He became ill and was sent to hospital in Queenstown. In 1979 he left the hospital and looked for work in Queenstown.

The labour bureau advised him to return a month after a month he went back to the labour bureau and was again told to return in a month.

By this time he had no money to feed himself or his family so he came to Cape Town to look for work.

Until his arrest on July 16, he had been working for a construction company. He earned about R140 a month of which he sent R100 home to support his family.

Mr Simkins, described as an 'expert economist', gave evidence comparing employment opportunities, the infant mortality rate and incomes in the homelands and in the urban areas and land distribution in the homelands.

**1.6 MILLION JOBS**

He said the Tomlinson Commission of 1955 estimated that the homelands, by about 1980, would have to provide for 1.6 million jobs in secondary industry and services.

The reality was that there were about 280,000 jobs or 17 percent of what the commission had envisaged.

The Tomlinson Commission had projected that 2.3 million people would be supported by agriculture and forestry.

A family of six would require between 6 to 8 ha of ploughing land and, about 30 ha or more of grazing land to make a modest living from agriculture.

**PRESSURE**

Instead, population pressure had resulted in some families having half of the ploughing land required, some one quarter or less and some none at all.

Even if Mr Mzilikazi had been unemployed in Cape Town, there was greater benefit in being unemployed in the city compared with the homelands.

This was because wages were higher when one found a job and there was greater access to social services.

A greater proportion of men between 15 and 64 were employed in the cities than in the homelands (65 percent in cities and 46 percent in homelands).

Mr Simkins said that 131 out of every 1000 children died before the age/ of five in the homelands compared with 96 out of 1000 in the urban areas.

In 1976 average income in subsistence agricultural areas was R300 a year whereas the average manufacturing wage was R1,700.

**NO OPTION**

Asked whether he had an option, Mr Simkins replied: "No, I had no option but to come to the city."

The prosecutor, Mr D. Mngomeni, asked for the hearing to be postponed to enable the State to consult an expert.

Mr Mzilikazi was granted bail of R300 and the hearing was postponed to August 14.
Survival bags for the evicted

Education Report

About 100 of Langa's evicted women and children have been issued with 'survival bags' and a University of Cape Town lecturer will spend the next two weeks observing how effective these are as shelters.

And next year the university will launch a research programme into low-cost methods of preventing hypothermia, or subnormal body temperature.

Dr Arnold Abramowitz, secretary of UCT's Appropriate Technology Group and the man who will carry out observations this month, said the plastic bags were 182 cm by 81 cm and cost less than R2.

**HEAT LOSS**

Used on their own they prevent a certain amount of heat loss and keep the occupant dry. With a lining of rags, newspapers or blankets they prevent heat loss through conduction and radiation.

We have checked with lawyers and the bags would be construed as clothing, not shelter. The bags cannot be demolished. Now I need to find out how effective the bags are and whether they are being correctly used,' Dr Abramowitz said.

**SHOCK**

People have expressed shock that seeing our society has sunk so low we are still trying to accommodate if but while we are asking for reform people have no shelter.'

'I am carrying this out on a technical level. If you start thinking about the implications you go crazy. Seeing people sleeping down in the mud is horrifying,' Dr Abramowitz said.

Blankets have been issued with each of the bags, as there is a high heat loss from the head and it is Dr Abramowitz's 'waking nightmare' that someone in desperation will put her head into the bag to keep warm.

Next year's project will be directed in part at people living in uninsulated homes.
THE argument that 'illegal' blacks are putting a strain on facilities and job opportunities for those legally here might hold water if influx control were applied equally to all races, a black community leader said today.

He was reacting to a statement by the Chief Commissioner of Co-operation and Development, Mr. Timo Beaudenhoudt, that the aim of the recent action against 'illegals' was the establishment of an ordered community, which they threatened.

"No barriers should be put on anybody wanting to sell his labour to the highest bidder.

"The job of government is to supply the necessary infrastructure and social services," the civic spokesman said.

"We are faced with a crisis. People will just not stop coming here because there is a shortage of houses.

"The sooner the Government starts building houses, the better.

"The Administration Board, in its short-sighted eagerness to convert single into married quarters, never took into account the number of employees whose employers were not in a position to build accommodation for them in Guguletu or Nyanga.

"Their only concern was to put in families, so the single people had to get out. e are not talking only about contract workers but settled men who don't have their families here."
Evicted people sing to keep out cold

By Charles Riddle

They were singing when we arrived at 9 pm and they were still singing when I tried to go to sleep five hours later.

Camped on open ground next to Crossroads, the people evicted from Langa barracks recently, sing to keep up their spirits, to praise God and to keep warm.

I, with a group of concerned Christians, spent a night in the open with these 'illegal immigrants'. Illegal according to the law they may be, but what emerged from the 10 hours together is that they are also people.

Dignified, friendly people who welcomed us with two-handed handshakes, smiles and polite 'I will not keep you long' speeches.

Nowhere could I find any bitterness although everywhere I looked there seemed reason for it.

When our group arrived, a service conducted by a lone white priest with the aid of an interpreter was just finishing. We joined them. They sang in Xhosa, invited us to speak and sing in English, which we did. They immediately responded (although they knew little English) with a simple English hymn.

The people had erected a rudimentary shelter of plastic and wood. It was not nearly large enough for their needs, yet they made space for some of us to sleep.

Many of the men did not lie down. At first I wondered why. But after an hour of trying to sleep on the cold hard wet ground I began to understand some of their discomfort.

Dressed warmly with boots, two pairs of woollen socks, a track suit, jeans, a T-shirt, thick woollen shirt, thick woollen jersey, leather jacket woollen hat, a head-to-toe waterproof, rainsuit, groundsheet and blanket, I found the cold unbearable.

It is more comfortable to try sleeping standing up next to one of the fires that burn all night or simply to keep awake by singing, and sleep during the day, when it is warmer.

The sight of a circle of men and women shuffling slowly around a candle, singing and moving for hours to keep warm

'The uncomfortable sensation of being awakened from a fitful sleep by a child crying continuously.

And the grateful faces of the people when at 1 am today blankets were handed out.
Crime Reporter

BRIGADIER Daniel Nothnagel has rejected allegations by an Opposition NPC that women and children arrested in the recent pass raids were being kept without proper food and in filthy conditions at the Manenberg police station.

He was responding to impressions gained by Mrs Molly Blackburn, PFP NPC for Walmer when she visited the cells on Monday.

Brigadier Nothnagel said the allegations that the people had not been given food, apart from water, for two days was untrue.

PORRIDGE

'Soup, porridge and bread was available for them but they chose to take only bread as they were supplied with a vast amount of food by their relatives. In fact they had so much they refused food when it was offered from other quarters,' he said.

In response to the allegation by Mrs Blackburn, that no special food was provided for babies she said, 'large tins of baby food were given to the mothers by the police.'

'A district surgeon was called to the police cells on Sunday evening when some of the mothers said their children were ill.'

He said the police cells at Manenberg were normally kept spotlessly clean and regularly disinfected but the women prisoners had refused to clean their cells when instructed to do so and a certain amount of mess had accumulated.
Staff Reporter

A MAGISTRATE yesterday rejected a defence plea in a pass law case that a woman had come to Cape Town out of "necessity" and "without intention to break the law."

Sitting at a special Commissioner's Court in Observatory, the magistrate, Mr A. I. Midgley, gave no reasons for his judgment, saying that that would waste time.

He imposed a fine of R30 (or 30 days) suspended for 12 months on the woman, Mrs Nobongile Langani, who had been in custody at Pollsmoor Prison since arrest on July 10.

Langani was charged with entering the prescribed area of Cape Town without the necessary permission in terms of Section 10 (1) (e) of the Bantu Urban Areas Act.

The "advocate," Mr Philip van der Merwe, appearing for Langani, argued that she had been in custody because she wished to avoid starvation.

"A state of necessity in criminal law can be regarded as a factual situation wherein there exists an immediate threat to an interest worthy of protection," he said, quoting from the South African Law Reports of 1981.

Opposing this, the prosecutor, Mr A I van der Merwe, said that since Langani could afford to send three of her young children to school, she had not been faced with an emergency.

Mr Van der Merwe submitted that Langani had not known about the law in 1972 and therefore there had been no guilty intent on her part.

"At this stage of our legal development it must be accepted that the cliche 'every person is presumed to know the law' has no grounds for its existence," he said, quoting from the South African Law Reports of 1977.

Langani said she had not known about the law and had never read the Black Urban Areas Consolidation Act.

Five cases were heard yesterday at the court specially set up to cope with the numerous people arrested in the last three weeks.

Two of the five were fined R30 and R20 while two received suspended sentences. A fifth case was dismissed.

Eight people awaiting trial yesterday were granted bail of R30 each and their cases postponed until August 13.

Many of them had been in custody since July 10.

Mr Les Apsey of Buurke, Herberts and Sp. Inc. and Mr Philip van der Merwe, instructed by Syfret, Godlonton-Fuller Moore, Inc. appeared for all the accused, including those granted bail.
With fists clenched in Black power salute, some of the men and women recently evicted from Langa's Zones barracks sing the anthem "Nkosi Sikele l'Abafrika" at the end of the meeting in St George's Cathedral. Standing at the microphone is Miss Mampho Ramotsana, a community worker of the Women's Movement for Peace.

**Clenched fists in cathedral**

**Staff Reporter**

This government, not those who resorted to violence, was the primary instigator of violence, poet and philosopher Adam Small said yesterday when he was addressing about 200 people at a meeting of reconciliation and solidarity with homeless families living on a site near Constantia.

The meeting, which was held in St George's Cathedral, ended with the singing of the anthem "Nkosi Sikele l'Abafrika" sung with clenched fists and shouts of "Amandla ngawethu!" (power is ours) by activists and women who also spoke.

Mr Small, who added his voice to the protest and expressions of horror in the eviction and arrest of people from Langa's Zones barracks, said, "I am not surprised that the government thinks it is a Christian. It should understand the concept of blasphemy. Its treatment of these people is blasphemous and shows no respect for God or Jesus," he said.

"Abhorrent"

Mr Small deplored the "abhorrent way in which these laws are being executed" and called on the government to "come to its senses."

"I hope for God's sake and for your own sake, that you begin to act humanely and compassionately. But I feel cynical about the possibility of this government coming to its senses."

"After so many years of talking, and it starts wondering - and it is not a pleasant wondering - whether violence is not the only way out," Mr Small said.

Men and women living at the site described the circumstances which had forced them to seek work in Cape Town. A man told the meeting, "We are looking for a place to stay and work. We are looking for our rights."

He called on influential people in the audience to "raise your voices to the government."

The Revd. Ernest Anthony, Bishop of Cape Town, Bishop Stephen Mandel, appealed to the government to "recognize their rights as bankrupt and destructive of human and family life."

The bishop called on employers to ensure that their workers were properly housed and on the public to protest to know what is in the other side of the colour line."

A petition decrying the eviction of people in middle winter and calling on the government to abolish pass laws was circulated. The petition, which was signed by most people in the meeting, addressed to the "indefinite and unpredictable manner in which the recent arrests were carried out, resulting in children being separated from their parents and apprehension of people equally in the area."

It also expressed abhorrence at the influx control system, which results in the destruction of family life and denies the dignity of man. When completed, the petition will be addressed to the Ministers of Cooperation and Development and of Justice.
Life among the evicted in 'the fairest Cape'.

By MOLLY BLACKBURN, MFC

FOR ME the countdown had started. The session of the Cape Freesland Council was to start the next day and I'd pomp and ceremony low to spend the last day before entering the arena? Another look at the book of rules? Perhaps some research? It wasn't like that at all.

My friend and colleague Mrs Di Bishop, MFC for Gardens, was asked by the Athlone advice centre to help an old man who had missed his daughter and grandchildren in the Langa raid the week before. I was glad to accompany her and will record what happened as clearly as I can.

Patience

His name is Wilson Sokana, about 60, and the closest living image of Jannie Smuts I have ever seen. Not only his滚动, but also his hair and manner of patience that seems to come with old age. His daughter, Violet, was arrested on Tuesday last week in the Western Cape. She had gone to court on Thursday and had been released on bail of R300. She had returned to the squatter camp, for she had nowhere else to go, and was arrested again on Friday.

We went to the police station where she was believed to be held. Yes, she was there. No, he would not release her, even though we had proof of bail. This was a matter for the magistrate. Back to the courtroom at Langa, where we watched as what can best be described as sausage-machine justice was recorded.

Each accused in turn pleaded guilty to being illegally in the Western Cape. All asked for a compassionate sentence because, if they were deported to their "homeland," they would starve. This appeal was ignored and each accused was sentenced to 60 days' imprisonment without the option of a fine. "Where are your children? Where is your wife?" some were asked.

"I don't know, sir, the police took them away too." During a short recess we were able to speak to the magistrate about Violet. The magistrate complained that the people were making things difficult by asking for their own lawyers to be present. He appreciated that there were services free, but felt it would be easier for the court if all accused would plead guilty and could all be sentenced in one go. He also complained that he had been so worried about all the work piling up he had found it difficult to sleep at the weekend.

I managed to restrain myself of other reasons, such as no bed, no shelter and pouring rain. Eventually he Webstered Violet's "liberation paper." We went back to the police station, where the crowd of anxious husbands searching for their families had grown. Many of them had done several checks at different prisons at Langa, Mrs Bishop and I had inadvertently come across a list of 40 women and 23 children being held at this particular station, and were able to give some reassurance to some of the men.

After two hours of what can best be described as delaying tactics on the part of the police, Violet, a young girl of about 19, appeared with her baby about six months old. She looked stunned and bewildered. The baby was sweet, but in a state of indescribable fright.

I held the baby so she could go back for her bag and more documents, which took another 30 minutes. The husbands from outside had come quietly in for news of their wives and when she came back they gathered around.

"Get out," shouted the captain. "If you have only come here for news of your wives, get out. You are nothing but a nuisance to us with your parcels of food. It's our business to feed these prisoners. Why do you come and bother us with these parcels?"

They had to get out, into the freezing wind. Eventually they heard their wives had been remanded in absentia till August 10 and were to be transported to Pollsmoor. They left, one still with three parcels of food and a bottle of medicine he had hoped to give his wife. He had been searching for her for a week.

We discovered that the women locked up with Violet on Friday were given bread but no food that day. On Saturday, Sunday and Monday they had one slice of bread and some tea without milk. There was no special food for the babies.

Mrs Bishop bought some milk, protein food, sugar and biscuits which we were able to take to the door of the passage where the women were standing.

We then went to see those still living on the open ground at Langa. The police last week ripped out every tree, every bush, every last vestige of shelter. The people had been raked in the early hours of the morning. Some of the children fled into the nearby bushes and have not been seen or traced since.

The people, a couple of hundred, had made a tiny fire and were huddled together on the open ground. One mother who had been four months pregnant told me that, after two nights of sleeping on the cement floor, she miscarried. She did not know what her child of 21 months was. She had heard that some people in Guguletu had taken him, but she had been in hospital after the miscarriage and unable to contact them.

It was freezing cold. I had on a thick jersey and a well-lined raincoat and could not stop shivering. There were babies as young as 10 days old.

Over and over the priest who conducted a short service while we were there said "The Lord will protect us" and "Through our suffering we will emerge triumphant."

Mrs Blackburn, newly-elected PFP provincial councillor for Welmer, is in Cape Town for her first council session. She made her first visit to Crossroads and the people recently evicted from Langalangalanglangalanga. This is her story.
THE Prisons Department has brought it to the attention of The Aigue that the cells which were described as filthy by Mrs. Molly Blackburn, P.S.P. MPC, in a report on Wednesday were the police cells at Manenberg and not Prisons Department cells.
A PETITION calling for the abolition of the pass laws was launched at a meeting of reconciliation in St George's Cathedral with the homeless people near Nyanga yesterday.

About 2,000 petitions, each with space for 25 names, have been printed. They are available from the SRC desk at UCT and the Christ Church office, Richmond Road, Kentworth. It will also be circulated tomorrow morning at some of the main shopping centres in Rondebosch, Claremont, Cape Town and Wynberg.

It is hoped to present the petition to the Prime Minister, Mr P W Botha, and the Minister of Co-operation and Development, Dr Piet Koornhof, as soon after the start of Parliament as possible.

EVictions:

The petition objects to the recent evictions, arrests and intimidation of people in the Western Cape and states: "We deplore the eviction of people without the provision of alternative shelter, this being particularly inhumane in the middle of winter."

"We strongly object to the indiscriminate manner in which the recent arrests were carried out resulting in children being separated from their parents and the apprehension of people legally entitled to be in the area."

"We abhor the influx control system which results in the destruction of family life and denies the dignity of man."

"We would therefore entreat you to show compassion to these people by giving them shelter immediately, bearing their cases with justice in the courts and by making provision for relief agencies to act with maximum freedom."

Evicted men and women told yesterday's meeting that they had come to the Cape to look for work.

"Work is not so scarce but our rights are scarce," one of the evicted men told the meeting.
KOORNOOF WARNING ON INFUX OF WIVES

Owne Correspondent

THE Minister of Co-operation and Development, Dr Piet Koornhof, last night warned that last week's Appeal Court judgment did not mean there would be a large-scale influx of wives and children to urban areas.

The Appeal Court judgment declared ultra vires the regulation which requires anyone living in black residential areas to hold a lodger's permit or site and residential permit.

After the judgment, Mrs Sheena Duncan, director of the Black Sash advice office, said the judgment could "literally affect scores of thousands of people" and could benefit almost half the estimated 700,000 people living "illegally" in Soweto.

In a statement issued through his department, Dr Koornhof said speculation about the decision made it necessary for him to "explain the manner in which the above mentioned provision of the Act is being applied."

The statement said a wife or child of a man who qualified to be in the area in terms of Section 19 (1) (a) or (b) of the Urban Areas Consolidation Act could remain with their husband or father in terms of Section 19 (1) (c) — which implies that they normally live with their husband or father and that adequate accommodation is available.

He had not yet seen a copy of the judgment, "but from what I have ascertained telephonically, it appears that the judgment turned on the question of whether the appellant's wife was, in fact, a person as contemplated in Section 19 (1) (c) of the Act."

"I wish to make it clear that it would be completely wrong to make general statements on influx control when the judgment rests on the facts pertaining to a particular person, which facts obviously cannot apply to all wives and children of men contemplated in Section 19 (1) (a) or (b) of the Act."

Mrs Helen Suzman, Progressive Federal Party MP, said Dr Koornhof was obviously stalling for time and that his credibility was going to stand or fall on his ultimate reaction to the Appeal Court's decision.

"I think he's going to find that there are lots of thousands of Mrs Noncaba Komani's..."

More reports on Page 2