URBAN AFRICANS - GENERAL

1982

JAN. — DEC.

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RAND DAILY MAIL

Use 99-year plan, blacks advised

By J S MOJAPELO

THE Government was not at present considering the extension of freehold rights to blacks in "white areas", the Minister of Co-operation and Development, Dr Piet Koornhof, has told the National African Federated Chamber of Commerce (Nafcoc).

Instead, Government policy was in favour of granting individual freehold rights in the homelands, Dr Koornhof told a Nafcoc delegation in November.

The interview with the Minister followed a memorandum submitted to the Government by Nafcoc after its annual conference in July.

In the memorandum, Nafcoc raised the question of freehold rights for blacks in urban areas and the delay in implementing the Riekert Commission recommendations with regard to the creation of open trade zones and the recruitment of labour by black businessmen.

Dr Koornhof told the delegation the 99-year leasehold scheme must be utilised to a far greater extent. The scheme was cheaper than freehold tenure but had the same benefits, he said.

He said a new law had been passed to allow whites property ownership in black areas under the 99-year lease scheme to protect white investments in black areas.

Problems

After Dr Koornhof's response, Nafcoc announced its intention to call a special conference on land policies to discuss the practical problems facing agricultural and economic development in black areas.

Dr Koornhof has pledged his department's co-operation and support for the proposed conference.

On the question of the implementation of the Riekert Commission recommendations, Dr Koornhof told Nafcoc the bulk of the recommendations would be implemented through legislation to be tabled this year.

Dr Koornhof said the Department of Community Development was investigating where open trade areas could be established in terms of the Group Areas Act.

The Minister also said present labour regulations did not bar Black businessmen from employing labour from anywhere, but the necessary permission had to be obtained before recruiting labour from "outside".

Nafcoc also told Dr Koornhof that black traders were placed in an unfair position by existing legal restrictions.

More promises

339 Sowetan 5/1/82

THE Minister of Co-operation and Development, Dr Piet Koornhof, said this week he would introduce legislation this year which should result in a better dispensation for blacks living permanently in white areas.

Dr Koornhof said he did not want to raise expectations unnecessarily, but it was his ideal, and that of the Government, to create a climate in which the permanent black residents of South Africa and their families could feel they were being treated justly.

They should be in a position to sell their labour on a freer basis than was the case now, without having to put up with unnecessary worries about reference books.

On the other hand, Dr Koornhof emphasised that for practical purposes, it would be very difficult to abolish all forms of influx control.

Koornhof 'optimistic' about plan

339
Mercury
5/1/82

Mercury Reporter

THE Minister of Co-operation and Development, Dr Piet Koornhof, was optimistic last night that legislation he intends to introduce in Parliament this year will result in a 'new deal' for blacks living permanently in white areas.

Speaking from his holiday home at Scottburgh, Dr Koornhof declined to elaborate on the proposals but said his department had been working on the recommendations for the past two years and he hoped they would yield good results.

He said he had had to endure a lot of 'flak' from certain quarters including sections of the Press concerning the proposals.

In a television interview Dr Koornhof hinted that the new legislation would ease influx control and enable blacks to sell their labour on a freer basis than that allowed at present without having to put up with unnecessary worries about reference books.

Just treatment

He said he did not want to raise expectations unnecessarily but it was his ideal, and that of the Government, to create a climate in which the permanent black residents of South Africa and their families could feel they were being treated justly.

Dr Koornhof said that, for practical purposes, it would be very difficult to abolish all forms of influx control.

Mr Ray Swart, Natal leader of the Progressive Federal Party and PFP spokesman on homelands, said the track record of the proposed legislation was not good.

He said that when Dr Koornhof introduced his three new Bills last year — the Local Government Bill, the Laws on Co-operation and Development Bill and the Black Community Development Bill — the Minister had hailed them as bringing new life for blacks in the urban areas.

Worse position

Mr Swart said the Bills, when released, actually made the position of the black man in the urban areas worse.

He pointed out that the Bills had since been sent back to the drawing-board and he hoped that the new initiative would mean a recognition of the rights of urban blacks and an improvement in their quality of life.

The three Bills were bitterly criticised at the time by the Chief Minister of KwaZulu, Chief Gatsha Buthelezi.

While they were supposed to have heralded a period of reform as far as black mobility was concerned, they had, in fact, made the position of blacks in the urban areas much worse than before.

The idea that only blacks were divided into those who were qualified to be in any part of the land and those who were not qualified to be there, went against the grain and was completely unacceptable, Chief Buthelezi said.

SOWETAN, Friday, January

Section 10 decision

By MZIKAISE EDOM

THE East Rand Administration Board (Erab) will meet on February 25 to give its final decision on whether or not to appeal against the outcome of the Section 10 test case.

Three months ago, Mr Mehlolo Tom Rikhotso, a contract labourer from Gazankulu won his case in the Supreme Court to remain in the urban areas in terms of Section 10 (1) b of the Urban Areas Consolidation Act.

The judgment handed down by Justice O'Donovan in the case of Rikhotso vs Erab, found that Mr Rikhotso was legaliy entitled to reside in the Germiston area having worked continuously for one employer for over 10 years.

A month later the East Rand Community Council's Liaison Committee which represents all community councils in the East Rand appealed to Erab's executive committee at a special meeting to review their decision to appeal against the Supreme Court judgement.

The board committee promised members of the liaison committee to review the matter with a possibility of withdrawing the appeal.

Mr F E Marx, Erab's chief director said yesterday the board would sit next month to make a final decision on the matter. He said he could not say at this stage whether the board would drop or go ahead with the appeal.

If the board rescinds its appeal, hundreds of migrant labourers who have worked for one employer for at least 10 years will qualify under Section 10 (1) b of the Urban Areas Consolidation Act, to stay in the area.

According to the judgement given by Justice O'Donovan, Mr Rikhotso is now entitled to reside in the Germiston area.

ONE YEAR TO WRITE CONTRACT

Houses finally being allocated

By MZIKAYIFE FENGU

THE East Rand Administration Board (Erab) has started allocating some of the 200 houses which have been standing empty since February last year in Langaville, Soweto.

Erab and the local community council blame each other for the delay of 431 new houses in zone 18 which only completed about 300 early last year.

A spokesman for Erab said yesterday the delay in allocating the houses was caused by the fact that they were still busy drafting the contract to be signed by residents. He said this took the board about a year to complete.

The deputy chairman of the council, Mr N.J. Dube, told The World that the council was also puzzled why the houses were still standing empty because they were completed about a year ago. He said he had not been informed by Erab what was causing the delay.

The spokesman said they started allocating the houses about a week ago and it is hoped to complete the rest of the houses within the next few months.

Rent for the houses is believed to be about R50 a month and the selling price about R4500.

THE crucial 1982 session of Parliament opens this month with two key questions still waiting to be answered:

How much reform will Government be prepared to dole out to an impatient South Africa, and;

How much will it attempt to shift the burden of change to the private sector? In two articles this week, a leading economist warns against Government attempts to kill the goose that lays the golden egg by burdening the taxpayer with the costs of black urbanisation, and a political philosopher asks: Why do we need reform?

Lay off the taxes, and leave it to f

Sunday Times 17/1/82

SOUTH Africa is experiencing an urban revolution. Its social structure is being rapidly transformed by the progressive urbanisation and the industrialisation of black workers.

But what is to be the private sector's share of the costs of social welfare services to urban blacks?

This question is becoming increasingly relevant as future demands on the Treasury are being added up and as Government leans further towards a free enterprise approach and direct private sector participation in urban development for blacks.

Employers are being asked to carry the "full cost" for housing, transport and civic amenities for their workers.

The De Lange Commission Report on Education, and the currently sitting Browne Commission on Health Services, are following the trend towards the decentralisation and privatisation of services for which the State has traditionally accepted for itself the primary (and often exclusive) responsibility.

Conservative population projections show that the black urban population will rise from about nine million in 1980, to more than 20 million by the end of the decade. This compares to an increase from four million to some 4,8 million in the case of urban whites.

Burden

Black urbanisation means a quantum jump in the demand for social welfare services, housing, health, education and transport.

The budget for these services, if financed on traditional lines, would be approximate to the present defence expenditure.

We now recognise that if these services continue to be supplied only by the State at the cost to the taxpayer, an insupportable burden will be thrown on the tax system.

Alternatively, the authorities could be forced to finance this social infrastructure by resorting to the printing press with catastrophic inflationary consequences.

Dr Jan Lombard, Special Adviser to the Reserve Bank, correctly sees this migration to the towns as the mainspring of a new phase of South Africa's growth and industrialisation.

By ARTHUR HAMMOND-TOOKE
Director of Economic Affairs, Federated Chamber of Industries.

A high growth rate, averaging more than 4,5 percent in real terms on a sustained basis, will be needed to absorb the additional labour supply and to match rising aspirations for improved urban standards of living.

Rapid and widespread economic growth is essential if unemployment and under-unemployment is to be avoided in our cities.

There are welcome signs that Government is prepared to make far-reaching policy and institutional changes to meet the problem of black urbanisation.

It has accepted the principle of the permanence of blacks in urban areas. It must now apply this principle to questions of land tenure, housing, education, social amenities and local self-governance for blacks.

Crucial tests of a new policy stance will be:

● The awaited Bills on black local authorities, Co-operation and Development and Black Community Development (incorporating the recommendations of the Riekert Commission) to change the basis of influx control and to facilitate the urban development of black communities.

● The development of open trading areas, de-restricting black trading rights and permitting trading partnerships across the colour line.

● Changes in housing policy (as recommended by the Economic Advisory Council and the Viljoen Panel) to incorporate the principles of free enterprise, self-governance and community participation.

● Changes in education and the organisation of the health services permitting a greater degree of local autonomy and financing to make these services more responsive to community needs and to reduce the cost burden on central Government.

● The financing of black urban areas in a more locally autonomous tax collecting system and the possible integration with existing metropolitan areas.

The potential for a breakthrough is well illustrated by low cost housing.

Broader application of the principles employed by the successful Urban Foundation and Community Development housing experiments at Khutsong and Steilloop would encourage blacks to build or

Sunday Times 17/1/82 (337)

ree enterprise

extend their homes.

Pre-requisites for a dynamic market in black housing are:

- Security of tenure.
- Transferability of title.
- Relaxation of building standards.
- Active promotion of self-help and "sweat equity" investment.

There is enormous pent-up demand in the black housing sector and the opening of a market in low cost housing is the key engine of development.

Hundreds of thousands of informal sector jobs could be created as new manpower resources syphon directly into the productive sector.

The demand for building materials would be increased. Already property developers can enter the market through the temporary title mechanism.

Security of title gives building societies the necessary backing for final investment in low cost housing. Relatively small interest rate subsidies could make this an attractive investment for other financial institutions such as pension and insurance funds.

Internationally, labour absorption by modern industry has been much smaller than expected and especially in Third World countries the "trickle down" effect of industrialisation has been disappointing.

Thus industrialisation has accelerated the migration to the towns. But it has not solved the problem of urban unemployment.

A new economic dualism has developed in the cities. Side by side with the workers in the formal industrial economy exists a reservoir of workers in the so-called "informal sector", often living in serious poverty.

Emerging mass poverty in the informal sector is the biggest development headache to the Third World.

The World Bank figures show that the number of "workers" in the informal sector range from 37 percent in Malaysia, 58 percent in Zambia, to 90 percent in Ethiopia.

Providing enough jobs during this phase of urbanisation in South Africa presents major challenges to Government, management and labour.

We must accept the new dualism in the developing urban economies of South Africa and encourage informal sector activities characterised by:

- Ease of entry.
- Reliance on indigenous resources.
- Family ownership of enterprises.
- Small scale of operation.
- Labour-intensive and adapted technology.

A greater measure of private ownership, individual choice and equality of opportunity would make additional resources available to satisfy the aspirations of growing urban populations.

At the same time the removal of the constraints on the use of resources would bring about the essential gains in productivity and informal sector employment opportunities which have been elusive in South Africa's industrialisation processes so far.

The real challenge facing the Small Business Development Corporation is to encourage and stimulate development in the urban informal sector with the necessary injections of aid and management training.

Responsibility

Obviously the employer has some responsibility for his workers beyond the factory gate, especially where this provides direct returns through increased labour stability and productivity.

But it is not in the interests of the country that the business community should be levied with an additional and sectional tax to pay for services which could be provided by free enterprise or the people themselves.

This would directly depress the production, investment and job creating ability of private enterprise.

It would effectively kill the goose that lays the golden egg.

The answer once again is to remove restrictions and let the market work.

Residential rights still in balance

339

By Tony Davis, Labour Reporter

Star 20/11/82

The residential urban rights for thousands of contract workers from the homelands still hang in the balance in spite of last year's Rand Supreme Court judgment.

Last September Mr Justice O'Donovan ruled that a Gazankulu citizen, Mr Mehlolo Rikhoto, was entitled to Section 10 (1)(b) residential rights in the Germiston area as he had completed the requirements of having worked continuously for one employer for more than 10 years.

He rejected the appeal by the East Rand Administration Board (ERAB) that Mr Rikhoto's employment was broken yearly when he returned to Gazankulu to renew his work contract.

The judgment was seen as a victory for residential rights of homeland workers in urban areas by the Black Sash and the Legal Resources Centre which assisted Mr Rikhoto.

Soon after the case ERAB lodged an appeal but has yet to decide whether or not to go ahead or drop the appeal.

ERAB's director, Mr Frans Marx, has said the board would decide at an upcoming meeting whether or not to proceed with their appeal. But in the interim, other contracted homeland workers have not been able to press for Section 10 (1) (b) residential rights in urban areas.

The Black Sash still has several cases similar to Mr Rikhoto's pending with the West Rand Administration Board.

A spokesman for the Black Sash said if workers actually did lose their jobs and were sent back to the homelands, they would probably act on their behalf.

There are fears that the Government may amend legislation in the coming Parliamentary session in Cape Town to overturn Justice O'Donovan's judgment.

Better deal for urban blacks?

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D. Dispatch 4/11/82

DURBAN — The Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday he would introduce legislation this year which should result in a better dispensation for blacks living permanently in white areas.

Dr Koornhof said he did not want to raise expectations unnecessarily, but it was his ideal, and that of the government, to create a climate in which the permanent black residents of South Africa and their families could feel they were being treated justly.

They should be in a position to sell their labour on a freer basis than was the case now, without having to put up with unnecessary worries about reference books.

On the other hand, Dr Koornhof emphasised that for practical purposes, it would be very difficult to abolish all forms of influx control. — SAPA.

Urban rights in balance?

339

C. Herald 30/1/87

FEARS are growing that the Government may overrule a Rand Supreme Court decision giving residential urban rights to an African man who has completed 10 years of continuous service with one employer.

As a result the urban rights of thousands of contract workers from the homelands hang in balance. It is believed that the Government is considering new legislation to counter the effects of the historic Supreme Court ruling.

Last September Mr Justice O'Donovan ruled that a Gazankulu citizen, Mr Mehlolo Rikhoto, was entitled to Section 10 (1) (B) residential rights in the Germiston area because he had completed the requirements of having worked continuously for one employer for more than 10 years.

REJECTED

He rejected the contention of the East Rand Administration Board (Erab) that Mr Rikhoto's employment had been broken yearly when he returned to Gazankulu to renew his work contract.

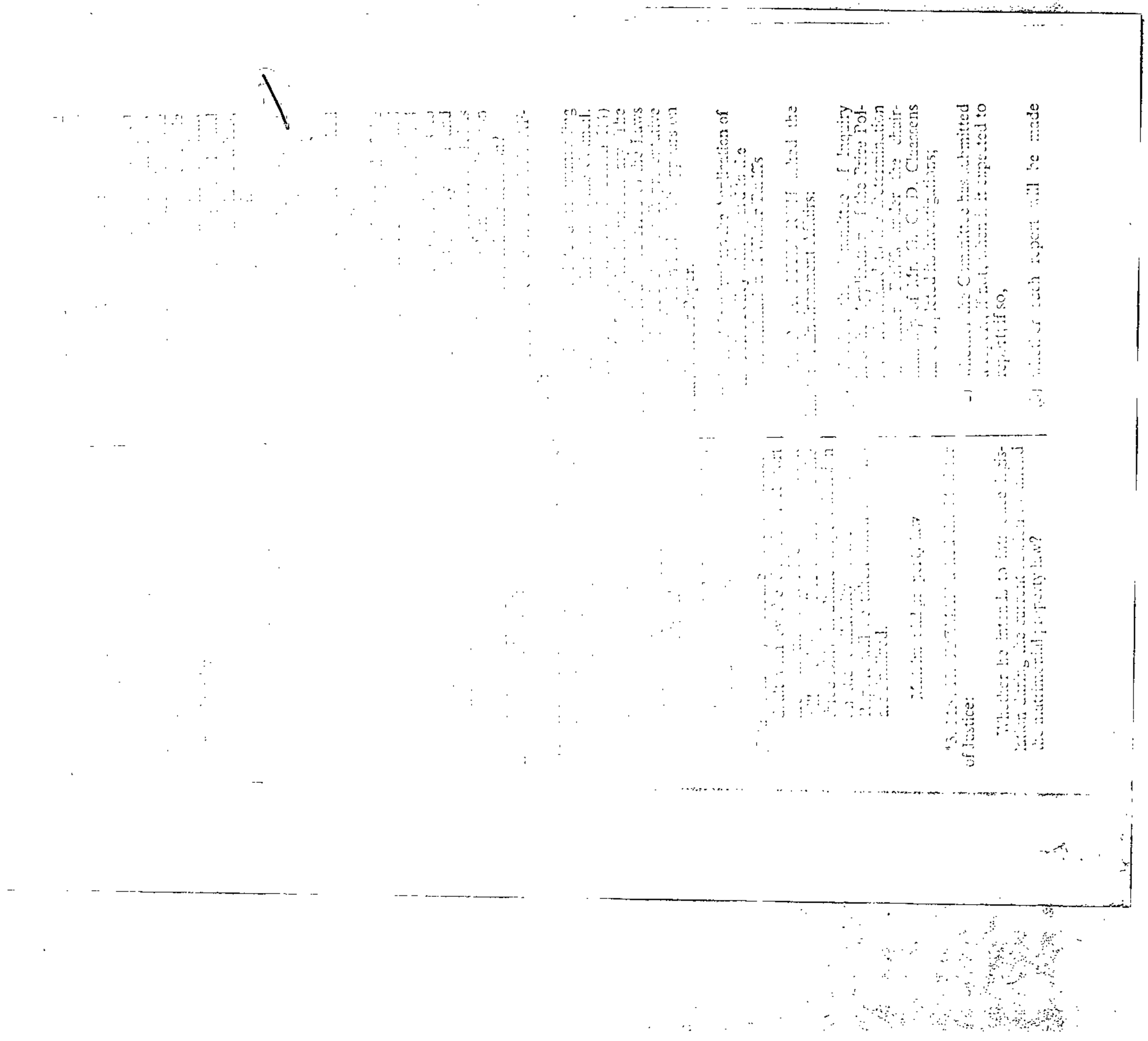
The judgment was seen by the Black Sash and the Legal Resources Centre as a victory for the residential rights of homeland workers in urban areas. However, other contract workers have not been able to press for the same rights granted to Mr Rikhoto because Erab has lodged an appeal against Justice O'Donovan's decision.

Mr Frans Marx, the director of Erab, said it would decide whether to go ahead with the appeal, or not, at a meeting of the Board soon.

ENDORSED

Meanwhile Mr Joe Mavi, president of the Black Workers' Union, said his union knew of several cases where compound workers who are entitled to urban rights had had these taken away by the officials who endorsed their reference books.

Whenever workers visited their homelands while on leave they were told to renew their contracts thus losing the residential rights due to them, Mr Mavi said.



KOM 10/2/82

339

Inconsistent policies have led to black insecurity

INCONSISTENT policies on the status and housing of urban blacks have led to black insecurity and white inertia, says Ms Pauline Morris.

In "A History of Black Housing", published by the SA Foundation, Ms Morris has found that black housing problems stemmed from two fundamental causes, both of which contradicted the goal of any housing policy and the natural process of urbanisation.

These were:

- the political or ideological framework which determined all major housing policies;
- the way authorities viewed low income housing.

Conflict

The conflict between ideology and natural economic processes led to extremely inconsistent policies on the status of urban blacks and their housing, Ms Morris said.

Leasehold rights had been promoted, withdrawn or reintroduced. Sources of funds had been unreliable and inconsistent. Sub-economic schemes had been discontinued and then resumed. Provision of family housing had been discouraged and then promoted.

These inconsistent policies had resulted in:

- greater insecurity and resentment felt by blacks;
- confusion and inertia among officials administering urban black affairs, "leading to authoritarian attitudes, inefficient administration and undue delay"; and
- the discouragement of private sector participation — by the black householder, employers, the building industry and financial institutions.

The Union Government policy of regarding urban blacks as temporary sojourners was rejected by the Fagan Commission in 1948. However the Nationalists came to power the same year, and directed all their administrative and housing policies towards reversing the flow of blacks from the urban areas to the homelands. It was part of their policy of separate development that blacks could have no permanent rights in white urban areas.

In 1979 the Riekert Commission made similar recommendations to the Fagan Commission: the urban black would remain permanently in white areas.

"In little more than 30 years the policies relating to urban blacks had come a full circle, ideology having backed down in the face of economic reality," she says.

"The harm that has resulted, not only in terms of the living conditions but more particularly in the loss of confidence of the black in the white political system, cannot be measured."

Dealing with the way the authorities viewed low income housing, Ms Morris said they tended to view the problem purely in terms of providing physical units, rather than as a process which would lead to greater self-sufficiency. This factor had contributed not only to the shortage of housing and to the inability of many families to afford the housing provided, but to the attitude of passivity of many blacks.

Emphasis

The emphasis on mass public housing — as opposed to informal settlements and recent self-help schemes — had meant that individual and community participation was confined to accepting whatever was provided by the public authority.

Blacks had little say — the advisory boards and urban bantu councils had neither decision-making powers nor credibility. The community councils have greater powers but are subject to the Minister. Many of them lack credibility.

"The lack of experience in taking responsibility for and making decisions on housing is stated as one of the problems facing contractors engaged in housing programmes in Soweto," said Ms Morris.

c)

Highrise Construction
P.O. Box 11224
Cape Town
7000

Mr D. Tompson
Tompson Property Developements
31 Long Str.
Cape Town
7000

Dear Mr Tompson

Proposed design of parking garages on plot 73/8000

We have completed our design for the two storey parking garage and I would like to inform you on the main features of our proposals.

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Namibia comes 1st, activists say

NEW YORK — The "change" wanted most by black South African activists is independence for Namibia, according to interviews carried out by an influential American newspaper.

Some prominent black leaders put independence for the territory well ahead of "bread and butter" issues closer to home, reports the Boston-based Christian Science Monitor.

The blacks interviewed by the Monitor also described the pace of racial reform in South Africa somewhere between "slow" and "nonexistent".

The newspaper says that black leaders and activists in South Africa see the struggle for independence in Namibia as similar to their own.

But more important, the gaining of self-rule in Namibia is seen as inevitably producing improvements for blacks in South Africa. Some confid

Dispatch 339

Doubts over new deal for urban blacks

14/2/82

JOHANNESBURG — Dr Piet Koornhof's "New Deal" bills for urban blacks seem set to be as controversial in their amended form as they were last year when the Grosskopf Committee was asked to review them in the face of strong public protest.

Revised models of at least two of the original three bills are expected to be introduced in Parliament within the next few weeks.

But urban black leaders — including some chairmen of community councils who have discussed the latest proposals with Dr Koornhof — are extremely unhappy with some aspects of the new plans.

A particularly unacceptable point seems to be the proposed nomination of homeland government representatives to community councils.

This issue is understood to have been hotly debated when the chairmen of a number of community councils in the Transvaal met Dr Koornhof in Cape Town recently to comment on the new bills.

The chairman of the Soweto Committee of Ten, Dr Nthato Motlana, said recently that the proposed legislation appeared, from first reports, to be even more unacceptable than the existing Community Councils Act.

It seemed that nominated representatives of homeland governments were to be included on the councils, and that the councils were to be given judicial powers to punish people for various offences.

"Kangaroo courts" in Soweto were already ordering "offenders" to be flogged, and now the government seemed set to legalise this, he said.

The councils would become little more than agents for homeland governments and would in no way satisfy the political aspirations of urban blacks.

Government moves in this direction would be "mischievous and unacceptable" and would be even more reason not to take part in the community council elections scheduled for September, Dr Motlana said. — DDC.

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LTD.

PET

Scapping of racial curfew laws possible

Political Correspondent

CAPE TOWN — The legislation dealing with the hated 72-hour curfew requirements for blacks is to be incorporated in a proposed Urbanisation and Settlement Regulation Bill.

Dr Piet Koornhof, Minister of Co-operation and Development, gave no indication of what form the legislation would be but confirmed it was based on test trials carried out in Bloemfontein and Pretoria.

The scrapping of the 72-hour curfew regulations — which resulted in the prosecution of 4 668 people in the last six months of last year alone — was recommended in the Riekert Commission report in 1979.

It was later reported that the Government was carrying out trial runs in Pretoria and Bloemfontein to see if the legislation could be scrapped.

In answer to a question tabled in Parliament yesterday, Dr Koornhof said:

"The investigation in the two cities had been completed and the issue was still under consideration.

"Various departments are concerned with the matter.

"And as soon as it has been cleared with these departments, the proposed Urbanisation and Settlement Regulation Bill containing measures in this connection will be introduced in this House."

339 Hansard Q. 61. 165

SABRA

22/2/82

3. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

Whether any Administration Boards made donations to SABRA in the second half of 1981; if so. (a) which Boards and (b) what amount was donated by each such Board?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

No donations were made by any Administration Board to SABRA during the second half of 1981.

(a) and (b) Fall away.

X

Commission for Co-operation and Development 24/2/82 1

339 Hansard Q. Col. 186 – 7

9. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

(1) Whether the terms of reference of the Commission for Co-operation and Development include the further allocation of land for residential and other purposes to Blacks in the urban areas; if so,

(2) whether the Commission has made any recommendation in this regard? If so, what are they in respect of the area of each Administration Board?

(339) Hansard Q. Col. 216

Blacks (Urban Areas) Consolidation Act

26/2/82

*11. Mr. G. B. D. McINTOSH asked the Minister of Co-operation and Development:

(1) Whether consideration is being given to amending section 37*bis* (1)(c) of the Blacks (Urban Areas) Consolidation Act, No. 25 of 1945; if not, why not;

(2) whether any provisions of the said Act prohibits Admininstration Boards from making donations for the erection or improvement of structures in a prescribed area; if so,

(3) whether consideration is being given to amending such provisions; if not, why not?

†The DEPUTY MINISTER OF CO-OPERATION:

(1) and (3) As a result of the Whitepaper on the REPORT OF THE COMMISSION OF INQUIRY INTO THE LEGISLATION AFFECTING THE UTILIZATION OF MANPOWER it is envisaged to amend the Blacks (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945).

(2) The hon. member is referred to the provisions of section 19(2)(c) of the abovementioned Act.

New plan for blacks

Argus 5/3/82

339

Political Staff

THE first of Dr Piet Koornhof's new Bills — heralded by the Government as a major advance for urban blacks — was published today.

Mr Nic Olivier, the Progressive Federal Party MP who strongly criticised measures under similar Bills published two years ago, said today the basic problems had not been solved.

'The Government is still retaining the whip hand and black councils will not have the powers and sources of income of their white counterparts,' he said.

Dr Koornhof announced that the Bill would be referred to a select committee before the second reading.

This move was welcomed by Mr Olivier, who said this would give the PFP an opportunity to make improvements.

In terms of the new proposals, the Minister would appoint a director of local government to promote the establishment of local authorities or local committees in the townships and advise them on exercise of power.

Minimum age for members of the councils would be 21, to vote in council elections a person had to be black, 18, and a South African citizen or a citizen of an independent homeland.

BY-LAWS

The black councils would be empowered to make by-laws. They provide for penalties of up to R250 or imprisonment for up to three months for contravention of the by-laws.

His objections to the bill included:

- The continued refusal of the Government to accept freehold title for blacks in the urban areas which would deprive the local authorities of rates income.
- Administration boards, now to be called development boards, would maintain control of the other main source of income, namely the profits on liquor sales.
- The whole problem of identification was abhorrent to the blacks.
- The Bill could mean the retention of Makgotla tribal courts.
- The councils would apparently have no control over who could or could not be a resident in the areas under their control.

Bill gives more power to black authorities

E. Post 5/3/82

339

By BRIAN POTTINGER
Political Correspondent

CAPE TOWN — The Government has tabled a Bill aimed at giving black local authorities more powers and creating a framework similar to that in white local authorities.

The Black Local Authorities Bill — published today — is the first of the three, long-awaited "Koornhof Bills" which are intended to give effect to the Riekert Commission report of 1979.

The Bill proposes the conversion of existing community councils into village, town and city councils, and changing the designation of community council chairmen to that of mayors.

It also proposes the appointment of a director of local government in charge of promoting the establishment and functioning of black local authorities.

Other elements in the Bill give black local authorities increased borrowing and other financial powers, makes provision for the appointment of law enforcement officers, and establishes terms of operation for the councils very si ilar to those used by white local authorities.

The Minister of Co-Operation and Development, however, will retain considerable power of approval, instruction and, if necessary, direct control in nearly all facets of the operation of local authorities.

Another clause makes provision for the secondment or transfer of officials from Development Boards — the new name for Administration Boards — to the new local authorities.

The Bill will allow the Minister, by notice in the Government Gazette, to convert any town or village community council into a village or town council, and to change any existing black advisory board into what is called a local committee.

Any black person who is a South African citizen or a citizen of any state which was once part of the Republic, and is legally resident in the local authority and older than 18, will qualify to be elected as a member of the local authority or to vote.

The local authority will have the power of hiring, acquiring, letting, selling or otherwise disposing of movable property.

It will, with the Minister's approval, be able to buy or sell debentures, stocks or other securities, and the local authority will also be able to borrow money, overdraw on banking accounts and invest money with the approval of the Minister.

Its functions will include the allocation and administration of accommodation, prevention or combating of squatting, approval of building plans, promotion of moral and social welfare of the residents and a number of other functions.

It will also have the power to levy charges for supply of electricity, water or the provision of services, but no mention is made of any further powers of direct taxation for the local authorities.

A local authority will also appoint, subject to the Minister's approval, a town clerk who will be the chief executive officer.

The local authority will be required to draw up and submit to the Minister for approval a statement of estimated revenue and expenditure for the succeeding financial year which the Minister may either vary, approve or reject.

Among the powers retained by the Minister are those which deal with determination of the date of election, the manner and convening of local authority meetings, the office-bearers of the local authority, the constitution of the local authorities and the languages to be used.

An embracing clause also allows the Minister to make regulation on any matter which in terms of the Act is required or permitted to be prescribed.

The local authority will have power to prosecute and summons people who have not paid money owing to the local authority.

It is understood that the Bill will be referred to a parliamentary select committee for further discussion before it is reintroduced in the Assembly for its second reading.

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Income Statement

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Bank
01, Jan 1: Insurance Expense

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(1) Premiums Treated as Business Expense

SOLUTION TO: GL5

ACCOUNTING A

CAPE TIMES 6/3/82

Urban blacks bill draws flak

339

Political Staff

THE FIRST BILL in Dr Piet Koornhof's revised "new deal" for urban blacks — the Black Local Authorities Bill — has drawn immediate criticism from opposition experts on black affairs who yesterday described it as "disappointing and hardly an advance on the status quo".

However, Mr Nic Olivier, director of the PFP research department and an expert on laws affecting blacks, said he welcomed the announcement by Dr Koornhof that the bill would be referred to a parliamentary select committee before second reading.

Negotiable

Although the composition of the select committee has not yet been announced this will mean that fundamental principles contained in the bill will be negotiable.

The bill provides for the establishment of local committees, village councils and town councils for blacks and for the appointment of a dirctor of local government.

In a statement issued simultaneously with the publication of the bill the Minister of Co-operation and Development, Dr Koornhof, emphasized that the bill created a "new deal" for blacks in respect of local government.

'Stable dispensation'

He said that it was the first of a trilogy, the goal of which was to develop "a stable and humane dispensation for urban blacks".

But Mr Olivier, who played a key role in exposing major flaws in the original "new deal" draft legislation published in October, 1980, said the new bill did not represent any major advance on the status quo.

Mr Olivier said the major weaknesses of the bill were that it excluded so-called "illegal" blacks from participating in the new dispensation, that it did not come to grips with the principle of freehold rights for blacks, and that there was inadequate provision for the financing of black local authorities.

Staff transfer

Mr Olivier said he was also concerned about a clause of the bill which prohibited the transfer of white staff from the existing administration boards — to be transformed into regional development boards in terms of the legislation — to the newly created black local authorities. This amounted to racial basis in the allocation of staff to the new bodies, he said.

He said that the normal source of income of a local authority revenue — from rateable properties — would not apply in the case of black municipalities as long as freehold rights for blacks were prohibited.

The main source of income of the administration boards was the income from liquor sales and there was no provision in the bill for transferring this source to the new bodies.

In his statement on the bill, Dr Koornhof said that full and equal rights with respect to local government would be transferred to the new bodies which would make them as independent as any other local authority.

Dr Koornhof said the government appreciated the fact that no local authority structure could function effectively without vital sources of finance; the government was investigating possibilities and awaited the recommendations of the Croeser and Steyn committees.

Deadlock deal on D'A's

SUNDAY TIMES, March 7 1982

THE differences within the Government over whether or not to grant urban blacks freehold rights remain unresolved.

The hoped-for breakthrough in this regard is unfulfilled in the first of the long-awaited "new deal" legislation to reach Parliament's table.

Although the new legislation is regarded as an improvement over the Minister of Co-operation and Development's first "new deal", Opposition sources are disappointed that the freehold rights obstacle still remains.

The only property provisions in the Black Local Authorities Bill tabled in Parliament this week refer to the existing system of 99-year leaseholds.

But experts predict a glimmer of hope at the end of the tunnel

However, Opposition sources are encouraged by the fact that the Minister, Dr Piet Koornhof, has referred the Bill to a parliamentary select committee before the second reading stage.

"The fact that this has gone to a select committee opens the way for these and other problem areas to be ironed out," Professor Nic Olivier, the Progressive Federal Party's research chief, said.

"These issues are apparently negotiable, and the Minister seems to be open for a change of opinion on fundamental issues."

Criticism

This was also welcomed by Mr Jan Steyn, the executive director of the Urban Foundation, which, he said, would participate in any thorough investigation designed to establish the most suitable form of local government.

It has long been evident that there is serious division inside the Government over the question of freehold rights for blacks.

Party right wingers oppose the concept vehemently, while verligtes argue it is a logical extension of the acceptance of the permanence of urban blacks,— now official policy.

The chairman of the Commission for Co-operation and Development, Mr Hennie van der Walt, is already on record as favouring the granting of freehold rights to urban blacks.

The Black Local Authorities Bill is part of the three-law package intended to usher in a new, improved deal for blacks living outside the homelands.



DR PIET KOORNHOF
Humane dispensation



IVOR WILKINS

The Bill provides for the establishment of village and town councils in black areas.

It is based largely on the Transvaal Local Government Ordinance and, with some exceptions, gives black local authorities similar powers to white authorities.

Where the Provincial Administrator has control over the affairs of white local authorities, the Minister of Co-operation and Development has similar, but increased, powers over the black local authorities.

The lack of freehold rights and concern about how the black local authorities will finance themselves are the main criticisms to emerge on preliminary investigations of the new legislation.

Dr Koornhof has expressed the Government's "understanding for the fact that no local government structure can function effectively without viable sources for financing".

This was currently under investigation, and the Government awaited with interest the recommendations of two committees looking at related matters, the Croeser and Steyn Committees.

When the "new deal" package was first introduced late in 1980, the three component Bills were savagely criticised because they, in fact, achieved the opposite of what was intended.

Improvement

Dr Koornhof withdrew the Bills and referred them to the Grosskopf Committee, a multiracial body, to redraw the "new deal".

This week's Bill is a rewrite of the least offensive of the original three — and analysts agree, with reservations, that it is an improvement.

Welcome points include the fact that the Minister has fewer discretionary powers than originally; the provision for the Government to nominate people to the black councils has been removed; and the provision for homeland governments to directly nominate representatives has also been removed.

They point out, however, that it is impossible to judge the "new deal" until all three Bills have been published so that the proposed dispensation can be examined in its entirety.

Professor Olivier highlighted problems with the new Bill including the facts that:

- To be eligible to vote for the new councils, blacks will have to prove they are legal residents in terms of the influx control laws — a provision that will exclude thousands from voting.
- There is no provision for freehold rights.

Even the local authorities can only lease property. If they acquire property, it has to be transferred to the State and then leased back from the Department of Co-operation and Development.

- The financing of the local authorities is severely limited.

Professor Olivier said that, while the local authority could gain finance through the provision of services, there was no other provision for the generation of funds.

"This would seem to make it inevitable that the local authorities will have to put up rents to get more funds.

Controversial

"Whereas white municipalities receive most of their funds from rateable property, the fact that there is no provision for blacks to own their property cuts off this avenue," he said.

He said ways could probably be found to accrue funds from the 99-year lease system, but pointed out that the number of houses occupied under this system was minimal.

It appeared that the controversial liquor outlets, currently the main source of funds to the Administration Boards in black towns, would not be transferred to the local authorities.

Dr Koornhof said in a statement on Friday that the new dispensation for blacks was in no way an extension of the existing community council system.

He emphasised that there was to be a "trilogy" of laws all aiming to provide a "stable, humane dispensation" for urban blacks.

The second Bill would cover community development matters, while the third would deal with influx control.

Dr Koornhof said this week said the recommendations of the Riekert Commission on influx control had been incorporated in the new dispensation.

These provisions were broadly that blacks would be given legal status in the cities if they had housing and work.

LEGISLATION FM 12/3/82

A real new deal?

339

Overshadowed by the publicity over the National Party split, a Bill of significant importance is wending its way through the Parliamentary process. It is doing so in an atmosphere of unusual goodwill between the responsible Minister and the official (PFP) opposition.

It is the Black Local Authorities Bill — the first of Co-operation and Development Minister Piet Koornhof's triad of measures dealing with the position of urban blacks.

Most unusually for a Bill with ideological content, it has been referred to a select committee even before receiving its second reading in the House. This means Parliament is not yet committed to the principle of the measure and changes and improvements are consequently more easy to introduce.

Equally unusually, according to the PFP's Nic Olivier, the opposition has been given to understand that many of the provisions in the Bill are negotiable and the Minister will look with an accommodating eye on reasonable suggestions for change.

Much depends on the proposed legislation and on two related measures, the Black Community Development Bill, and the Bill on Orderly Urbanisation and Settlement — still to be released. They represent possibly the last opportunity for orderly development in black urban areas.

Municipal status

The Black Local Authorities Bill basically provides for the granting of true municipal status to black urban townships, and for greatly increased powers for community councils. These will become true town councils.

It remains, of course, an apartheid measure. As such, it is something about which those who oppose ordering the country according to skin colour will have many reservations. And even within the parameters of apartheid ideology it is not a perfect measure.

Although in granting municipal status to black urban areas it meets some of the conditions laid down by Chief Gatsha Buthelezi's Inkatha movement, and Soweto's Committee of Ten, for participation in local elections, it does not meet them all. Possibly, other conditions will be met in the other two Bills which must inevitably relate to the local authority measure.

For instance, the Bill makes no provision for extra revenue sources for the black areas — despite the widespread acknowledgement that, with their present resources, most are not financially viable.

As Inkatha's principal urban representative Gibson Thula told the *FM*: "I would not say that municipal status is the only thing we want. We also want to know where the money is coming from. We are not prepared to raise money from high rents imposed on the people."

Certainly, the large sums needed cannot be raised from rents and licences — and the Bill does not even provide for the transfer of liquor interests, a major source of revenue, from the administration boards (which become development boards) to the local councils. It is possible, however, that these interests could be transferred in terms of the wide-ranging discretionary and supervisory powers the Bill proposes

giving the Minister.

Indeed, the Minister's extensive "nay saying" power, under which he can -- but doesn't have to -- transfer powers to local authorities, is a major objection to the proposed legislation. It is to be hoped it will be watered down by the select committee.

Then the Bill proposes giving certain judicial and police powers to local authorities -- which, as we know, they will [illegible] over and above the "ordinary" [illegible] unofficial violence can be put down very [illegible] and often violent, justice in many townships. It is a delicate [illegible] to grant such powers to this sort of difficult-to-supervise, and possibly politically [illegible]

A major criticism [illegible] to grant [illegible] from white rights -- something [illegible] opposition members hoped parliament would consider now that Apartheid [illegible] right and [illegible] out of the [illegible]

In addition to these objections the PFP [illegible] the Bill should be a major improvement on the present position. Last year it [illegible] particularly significant that government [illegible] [illegible]



NTA chairman Lucky Michaels ... fighting for legal shebeens

SHEBEENS FM 12/3/82

Opening time

(339) ~~286~~

It looks like shebeeners may at last be close to achieving legal recognition. Last month, the Soweto Council — the body responsible for setting the conditions to be met by prospective licencees for the zoning of premises — started processing applications.

The bad news is that it will take some time. Says Soweto Council's David Thebehali: "There are a large number of shebeeners eager to obtain legal status and as our bureaucratic resources are limited the processing period will be lengthy."

Only when the paperwork is completed, says Thebehali, can the premises be inspected, certificates of business zoning issued and documents sent to the Liquor Board for consideration.

A special committee has been set up to investigate applications to the Soweto Council. Members are drawn from the administration boards, the police and the Council itself.

While Thebehali is not able to detail the criteria that shebeeners will have to fulfil to obtain certificates, he says certain standards will be insisted on.

"The shebeener will have to provide facilities apart from those in the residence of the owner. There will also have to be separate sanitary facilities.

The National Tavern Association (NTA) is behind the move to set standards for the granting of certificates but, stresses chairman Lucky Michaels, the association is calling only for minimum standards. "We do not want unrealistic demands which will exclude the majority of shebeeners."

Once the first stage of the bureaucratic slog is over it will be a question of submitting the certificates of zoning with applications to the Liquor Board.

As no laws need to be amended to allow for the legalisation of shebeens, there should be no problem with the granting of licences if the board is as good as its word.

Says Liquor Board chairman Tommy Vorster: "As the on-consumption premises that are geared for liquor selling in the black townships demand a completely new type of licence, there are no precedents to constrain the board.

"Most of the regulations imposed by the board are in terms of the discretionary power granted to it, so we have the freedom to modify standards.

"The only restrictions that the board faces are those imposed by Section 23 of the Liquor Act.".

This provision empowers the Minister to grant authorities to people who wish to deal in liquor.

Vorster claims the board is merely waiting for the applications and he obviously cannot act until the applications are on his desk.

"As soon as we are satisfied that the applicant is the rightful occupier of the premises and that the premises will be used for the purposes intended, we can move," he adds.

Applications have to be submitted by May 31 to be in time for this year's session.

Once the applications are processed by the board, they will go to a public hearing. The final OK will have to come from the Minister of Commerce, Tourism and Industry after consultation with the Minister of Co-operation and Development.

LOCAL ACID

In a development which will make the country even more self-sufficient in liquid fuel, Sasol will soon be able to rely on local industry for a primary catalyst in the coal-to-oil process.

The polyphosphoric acid-based catalyst was previously imported. Now the catalyst and its polyphophoric acid feedstock will be produced locally.

Hoechst SA will be producing the polyphosphoric acid in its new R3m Krugersdorp plant which will open in June. Capacity is 3 000 t/year.

African Catalyst, a joint venture between Sasol and Suedchemie of Munich, will then purchase the acid from Hoechst for the manufacture of the catalyst.

Sasol will not say what savings are involved.

Production will initially cater for Sasol's coal-to-oil process only. Hoechst MD Arno Baltzer, however, says the plant could later serve other phosphate derivative producers like the food and beverage industries.

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The Black Sash conference

SUN. TRIBUNE 14/3/82 (339)



Not an uncommon sight in South Africa today — queues of people waiting outside the labour bureau

Refined apartheid

HOW THE 'IMPROVED' LAWS MAKE LIFE WORSE FOR MOST SOUTH AFRICANS

By INGRID STEWART

REFINEMENTS to the apartheid laws — designed to "improve the quality of life for the urban black" — have made life worse for most blacks.

This is the message which emerged at the Black Sash conference in Durban yesterday.

President Joyce Harris summed it up in her presidential address on Friday: "While brutality and inhumanity are probably most blatant in the spheres of justice and removals, callousness and indifference are evident across the entire spectrum of government.

"The labour reforms, based largely on the findings of the Rickert and Wiehahn commissions, were aimed only at incorporating a 'sophisticated' class of qualified urban blacks, while keeping the unemployed bottled up in the homelands."

Reports from the organisation's advice offices tabled yesterday tell stories of families torn apart, of entire communities moved at will, of people unable to get jobs because they don't have the right qualifications and being "endorsed out" to rural areas they have never seen before of old people waiting in vain for a pension.

Said Sheena Duncan, Johannesburg advice office director: "It is infinitely easier for a white man to come to [illegible] than it is for someone who has been born and bred in the urban areas to get a job.

"The economic imperatives will bring about real change in our society."

More than 12 000 people came to our offices last year for help. The Durban offices saw 2 428 people and Cape Town's advice offices 5 826 cases.

"Nineteen eighty-one has seen a steady flow throughout the year as influx control became more rigid, more people had their South African citizenship taken away from them and more people became more hungry as unemployment in the bantustans back whence they came to await new recruitment."

Paper after paper at the conference indicated that chances of employment in the rural areas is minimal. Labour bureaux are recruiting fewer and fewer people there and the fine of R500 on an employer who takes on an unregistered worker is having its effect.

Mrs Duncan labelled the new system "the urban black labour preference policy", following the model of the Coloured Labour Preference in the Western Cape.

"Influx control is the mechanism by which the labour preference policy is implemented. Influx control is the pass laws, the endorsing out of people who are not entitled to be in the urban areas, the migrant labour system, the bantustans, the resettlement camps, the deportations and the criminalisation of thousands of people.

"Influx control is the migrant labour system which has destroyed the family life of millions of people. It is the migrant labour system which has created the hostels, the breeding ground for violence and instability in the townships.

"Influx control is the migrant labour system which has created the shanty towns, the breeding ground for disease and squalor.

"Influx control is the migrant labour system which has created the bantustans, the poverty datums for the unemployed and the starvation wages for the employed.

"Influx control is the migrant labour system which has created the vast army of workseekers who are the source of cheap labour for the factories, the mines, the farms and the domestic households of South Africa."

Under the labour preference policy, a worker who wants to work in an urban area must first register as a workseeker at the Labour Bureau and then if they are lucky enough to be chosen from the crowd of unemployed workseekers, they can attest a contract with the unknown employer in an unknown town and proceed to the place where the job lies, where they will be registered for one year only — sometimes two years if they are from one of the 'independent' bantustans."

As recruitment is cut back and requisitions for labour are refused or discouraged by Administration Boards men and women can wait for years without ever being offered a job for labour arrives at the Labour Bureau and then if they are lucky enough to be chosen from the crowd of unemployed workseekers, they can attest a contract with the unknown employer in an unknown town and proceed to the place where the job lies, where they will be registered for one year only — sometimes two years if they are from one of the 'independent' bantustans."

Most of the women (89,9 percent) were also employed in the Western Cape.

But they are still considered migrant labourers and as such cannot "qualify" to live with their families where they work.

The Athlone Advice Office Report cites the case of "Mr D. M." who was born in Qumbu in 1947. He came to work in Cape Town in 1965 and has been on contract to the same employer ever since.

He married in Qumbu in 1968 and has four children — two born in Qumbu and two in Cape Town.

Although he has worked for 16 years for

When he applied to get urban rights his application was refused. The authorities contended that his employment was not continuous because the contract was renewed each year. By law, employers are compelled to discharge a recruited worker at the end of a year's contract and return him to his home area where he must attest a new contract if he is to come back to the same job.

The Johannesburg Legal Resources Centre helped Mr Rikhoto take his case to the Supreme Court — which found in his favour. But the East Rand Administration Board lodged an appeal [illegible]

not can they work in their own area [illegible] for [illegible] given to [illegible] workers in [illegible] parts of the country.

While urban rights now tied to the provision of legal accommodation — if you're black you cannot get a job unless you have a place to stay — the critical shortage of housing for blacks in the urban areas is also having the effect of preventing people from getting jobs in the towns.

In Cape Town there are now 2 500 families officially on the waiting list for houses in the townships; there is a 40-year waiting period for those who put their names on a list now for housing in Umlazi and no new houses have been built in Chesterville since 1945 and in Lamontville since 1968 — the two black locations still in the prescribed area of Durban.

"As overcrowding in the township houses becomes unbearable, people who qualify for a house of their own, were it available, move with their families out of the township to the surrounding areas.

"In doing so they lose the right to work in the urban area and subject their lives to the constant threat of arrest, eviction and demolition," says the Durban advice office report.

Europe — the State will even pay for him to do so — than it is for a black South African to come to town from a rural area.

"If only some of these companies, who spend so much time and money recruiting workers from the other ends of the earth, would devote a fraction of their energy trying to insist that black workers should have total freedom of movement in their own country, they just might be more credible in their protestations soared," said Mrs Duncan.

For as long as the majority are tied into the migrant labour system, never able to acquire rights to live with their families in the cities, they have no freedom to choose their employment and to bargain for better wages and a better deal.

"They are bound to their employers," said Mrs Duncan, "because the risk of losing the job is too great. If they become unemployed they cannot freely seek a new job but must go Western Cape.

"Employers cooperate because it is so much easier to employ someone with Section 10 (urban) qualifications who now no longer has to be registered" she said.

"People who live in the bantustans can only obtain legal employment in one way. They must register to seek work at the Labour Bureau in the home area.

"This does not mean that they are allowed to seek work. They must wait until a requisition of any kind.

An analysis of the cases of people who were evicted from the Nyanga site last year — amid a blaze of publicity — and who were subsequently deported shows that most (787 of 902 interviewed) came from the Transkei and Ciskei.

But many of those interviewed in the Athlone Advice Office (40.7 percent) have lived in Cape Town for more than 10 years and nearly all of the men (95.4 percent) were employed in the area.

the same employer, he cannot qualify for urban rights because he is on contract. His wife and four children must continue to live in Qumbu.

At present thousands of men, like this one, are waiting for an Appeal Court decision which could radically alter their lives.

The Appeal Court test case concerns Mr Mehlolo Rikhoto who was employed on the East Rand by one employer for more than 10 years on annual contracts.

to be heard.

The outcome of the Rikhoto case will be particularly important to contract workers in the Western Cape. More than half of the contract workers who came to the advice office in Cape Town hoped they might qualify for permanent residence.

The June 1950 amendments to the regulations of the Urban Areas Act do not apply to the residents of KwaMashu and Umlazi. This means they cannot move from one urban area to another

The events in Inanda provide an example.

"Contrary to what officials would have us believe the majority of the tenants in these informal settlements have lived in the greater Durban area most of their lives," says the report.

Some were evicted from Cato Manor in 1958, others from Newlands East, now an area for coloureds. Some have moved out of their parents' houses in KwaMashu and many more were born in Inanda.

Sun. Tribune
14/3/82
(339)

SUNDAY TRIBUNE, MARCH 14, 1982

State probes plan to sell off beer industry

By Shami Harichunder

DETAILS of a top-level probe into the possibility of selling the Government's multi-million rand sorghum beer industry to private enterprise were disclosed to the Sunday Tribune this week.

The Sorghum Beer Industry Development Committee is looking into the possibility of selling shares to blacks, with the Government retaining controlling interests — a move that would effectively block the giant South African Breweries from making inroads into the highly lucrative sorghum beer industry.

The probe was ordered by Piet Koornhof, Minister of Co-operation and Development, who set up the committee last year to carry out the task.

If control of the industry changes hands it could be bad news for taxpayers, who could be made to dig into their pockets to finance the running of administration boards.

The boards depend on funds from their business undertakings section — the sorghum beer industry — to run black townships, and if these are cut off, the Government would have to turn to the taxpayers to make good.

Boards' only other source of income — contributions from businesses that employ blacks — is not sufficient to run the townships, according to Port Natal Administration Board's chief director, Hendrik du Plessis.

"This is only a drop in the bucket," Mr du Plessis said. "The Government would have to find alternate sources if our business undertakings section had to go."

Mr du Plessis also said administration



Piet Koornhof

boards would have to be compensated for the millions of rands of assets they have in the sorghum beer industry.

"We are talking about a very very large sum of money. In Port Natal's case alone we would have to be compensated for the more than R1 million assets we have in the business undertakings section," he said.

The chairman of the Sorghum Beer Industry Development Committee, Professor Marthinus van Vuuren, said this week his committee was working in close co-operation with the administration boards and the Department of Co-operation and Development.

He also said his committee was liaising regularly with Dr Koornhof on investigation progress.

Johan Oosthuizen, press liaison officer of the Department of Co-operation and Development, told the Sunday Tribune the committee was investigating the possible sale of the industry to private enterprise.

"They are also looking into the possibility of blacks becoming shareholders," he said, adding that he was not in a position to comfurther as the committee hal not completed its investigation.

The committee has already obtained information from administration boards about production capacity of the breweries, sales of sorghum beer and assets they have in the breweries.

Asked why he thought the Government further as the dustry to go public, Mr du Plessis said: "Dr Koornhof is on record as having said we must start looking for alternatives to get the board out of the booze economy. Of course the Government also has a declared policy to pull out of what is really private sector.

"If the industry had to become private enterprise there will be immediate problems as a result of the fact that administration boards are largely dependent on money from the sorghum beer industry. Somebody will have to make good the money we need to run the townships.

"We are going to take a very close and careful look at what the committee comes up with to ensure that the people whose money we are working with are looked after. After all is said and done, we are looking at public money," he said.

Dr Koornhof said through his private secretary this week he was awaiting the report of the committee.

Children 'the big losers at independence'

BLACK people who are citizens of a homeland which opts for "indepedence" not only lose their South African citizenship, they stand to lose other benefits as well — and their children will lose still more.

This is the conclusion of a paper presented to the Black Sash conference by Mrs Sheena Duncan.

In terms of the 1970 Black Homelands Citizenship Acts, all blacks are automatically citizens of a homeland.

Thus far, four of these territories have opted for "independence" and in almost all cases, their citizens automatically become foreigners. Many of these "citizens" have lived their entire lives in "white" South Africa.

While citizens of independent homelands do have the right to renounce their citizenship and apply for South African citizenship — which means citizenship of a non-independent homeland — this is only granted if an error was made or if women who are married to a non-homeland citizen apply.

"We know of no case where the application has been granted simply because the person wished to remain South African," says Mrs Duncan.

Citizenship of an independent homeland, says Mrs Duncan, means losing a claim to political rights and a share of the country's wealth in South Africa.

The present generation of homeland citizens retain the all-important right to live permanently in the cities.

But their children born after independence will lose these rights, even if they would otherwise be entitled to them. They can only stay in the cities as "foreign workers", and permission to stay can be withdrawn at any time.

Even those who retain their Section 10 rights are not safe, however. They are "aliens" and can be deported without trial at any time — an action the authorities could not take if they were still SA citizens.

And independent homeland citizens who lease homes under the 99-year lease system can bequeath the house to their children born after independence — but, although the heir will own the house, he or she will only have the right to live in it if the authorities grant a permit.

Pensioners who are independent homeland citizens will continue to get their State pensions in the normal way if they live in "white" South Africa.

But if they live in the "homeland", they must get their pension from the homeland Government which can decrease or increase the amount payable.

One loss of rights which will affect present citizens of independent homelands is unemployment insurance.

Workers inside these territories cease to be members of the Unemployment Insurance Fund after "independence" as do commuters — who live in homelands but work in "white" South Africa — and contract workers in "white" areas.

Commuters and contract workers will, however, be entitled to unemployment benefits for three years after indepedence.

And, although citizens of these territories are technically supposed to carry passports instead of pass books, the passport continues to operate in the same way as a "dompas", says Mrs Duncan.

THE ARGUS, TUESDAY MARCH 16 1982

ARGUS 16/3/82 (339) ACC

First 'timid step' to sharing

Parliamentary Staff

THE Government was taking its first timid step towards 'healthy power-sharing' by referring the Black Local Authorities Bill to the Select Committee on the Constitution, the Assembly was told yesterday.

Welcoming the move, Mr Colin Eglin (PFP, Sea Point) said his party saw it as a formal recognition by the Government — for the first time in the history of South Africa — that black local affairs were an integral part of the constitution-making process.

He was speaking to a motion by the Deputy Leader of the Assembly, Mr Hendrik Schoeman, rescinding a previous resolution calling for the Bill's referral to 'a select committee' and proposing that it be referred instead to the Select Committee on the Constitution.

'We find that this is a fundamental departure in terms of the Government's attitude and earlier procedures,' Mr Eglin said.

The Leader of the Assembly, Mr Fanie Botha, denied, however, that there were any 'ulterior motives' in the Government's move and said the opposition should not try to make 'cheap political capital' out of it.

Mr Eglin said the Bill was one of the three 'Koornhof Bills' announced some 15 months ago by the Minister of Co-operation and Development as a 'package deal.'

The Bills affected black local authorities, black community development and black urbanisation and stabilisation, and were to offer a new deal to urban blacks.

Mr Eglin asked Dr Koornhof whether the other two Bills would also be referred to the select committee.

Dr Koornhof: Yes.

Mr Eglin: We are delighted to hear that that is so. We are delighted because at least there is going to be a continuity of examination. . . .

● More Parliament on Page 9.

URBAN BLACK FREEHOLD

Scope for real reform

339 123 FM 19/3/82

There are indications that freehold property rights for blacks are being seriously considered by government. At the weekend, PM P W Botha said on television that black urbanisation must be accepted as a reality.

It's been said before. But with the Treurnicht faction out of the party, expectations now will surely be that the NP is ready and willing to move fast towards affirming that reality.

In fact, the only impediment against freehold for blacks is ideological — a sort of drag from the past. In the wake of the Rickert Report, government spokesmen have indicated they would like to see the emergence of a stable black middle class.

History shows that middle classes are formed in relation to the economy as a whole. And where was there ever a middle class, in the Western sense, that did not have freehold?

Minister of Co-operation and Development Piet Koornhof has introduced the first of his rewritten three Bills on urban blacks. These are the "new deal" Bills, previously withdrawn largely because they wrote out the cherished Section 10 rights that legal urban blacks have to live and work in prescribed areas.

How far can the new legislation be expected to go in furthering — as their titles suggest — black local autonomy, community development, orderly urbanisation and settlement?

At this stage, they do not contain provisions for urban black freehold, according to Dr George Morrison, Deputy Minister of Co-operation and Development. However, Morrison, through his secretary, told the *FM* that the Bills are to be examined by a select committee of Parliament. He did not exclude the possibility of freehold rights being introduced at that stage.

In fact, in a surprise move on Monday, it was decided to refer the Bills to the Parliamentary Select Committee on the Constitution (SCC) instead of to an ad hoc select committee, as initially proposed.

The move is unprecedented. No Bills concerning blacks have ever been considered by the SCC.

The PFP opposition quickly interpreted this as a possible move to consider blacks in a constitutional power-sharing dispensation. This seems unrealistic. With the battle for the Transvaal still on, it is highly unlikely that P W Botha could move that fast.

The possibility of freehold rights being considered by the SCC is less distant.

It could also be significant that a private member's motion, introduced last week by Albert Nothnagel of Innesdal — considered an NP *verligte* — supported government's commitment to free enterprise in these terms: "99-year leasehold is in my opinion a step on the road to full property ownership rights for blacks."

In the context of this week's developments over Koornhof's Bills, this could have been far more than an individual opinion. However, Nothnagel would not elaborate to the *FM*.

Mpiyakhe Kumalo, a member of the Groskopff committee which considered the retracted Koornhof Bills, is positive that government accepts 99-year leasehold as only "a step on the road" to freehold. He adds: "It's a politically charged issue. But I believe, that though the government wants to keep a low profile, they want to move toward black freehold rights — if it can be done in a way that doesn't scare whites."

Black freehold does not demand the abolition of the Group Areas Act, one step that might scare rightwing whites. But the pace of black urbanisation is such that black township areas will probably double in size by the end of the century. It would really frighten most whites if that mass of population felt it had no real stake in stability.

Government recognises this. That is what the 99-year leasehold scheme is all about. Unfortunately, it has not come up to expectations.

Since 1978, when it was introduced, a minuscule total of 1 727 such leases have been registered in the whole of SA. Of these, 1 439 were in Soweto, which has received the bulk of the private sector's investment in black housing.

According to Tim Hart, executive director of the Association of Building Societies, credit of approximately R15m has been advanced for 99-year leasehold. He points out that the bulk of this has been for 80%-90% loans to build houses in the R20 000-plus range.

Most blacks cannot afford to build on this basis and the majority of those who have done so have had employers' assistance. Again, because of the expense and complexity of the process of registering leases — there are 29 steps — many householders with Section 10 rights have chosen the "right of occupancy" system.

As it stands, this means that the right to rent a house can be bequeathed or sold by participants in the scheme. This arose out of the 30-year leasehold system suspended in 1968, but later restored.

Hart argues that the small number of 99-year leaseholds registered can be put down to initial delays in getting areas surveyed and serviced and the limited availability of land for building. But he feels that the rate of registration is escalating: "In the next 12 months we'll probably see as many leases taken out as there have been over the last four years." For financing purposes, 99-year leasehold is as good as freehold, according to Hart.

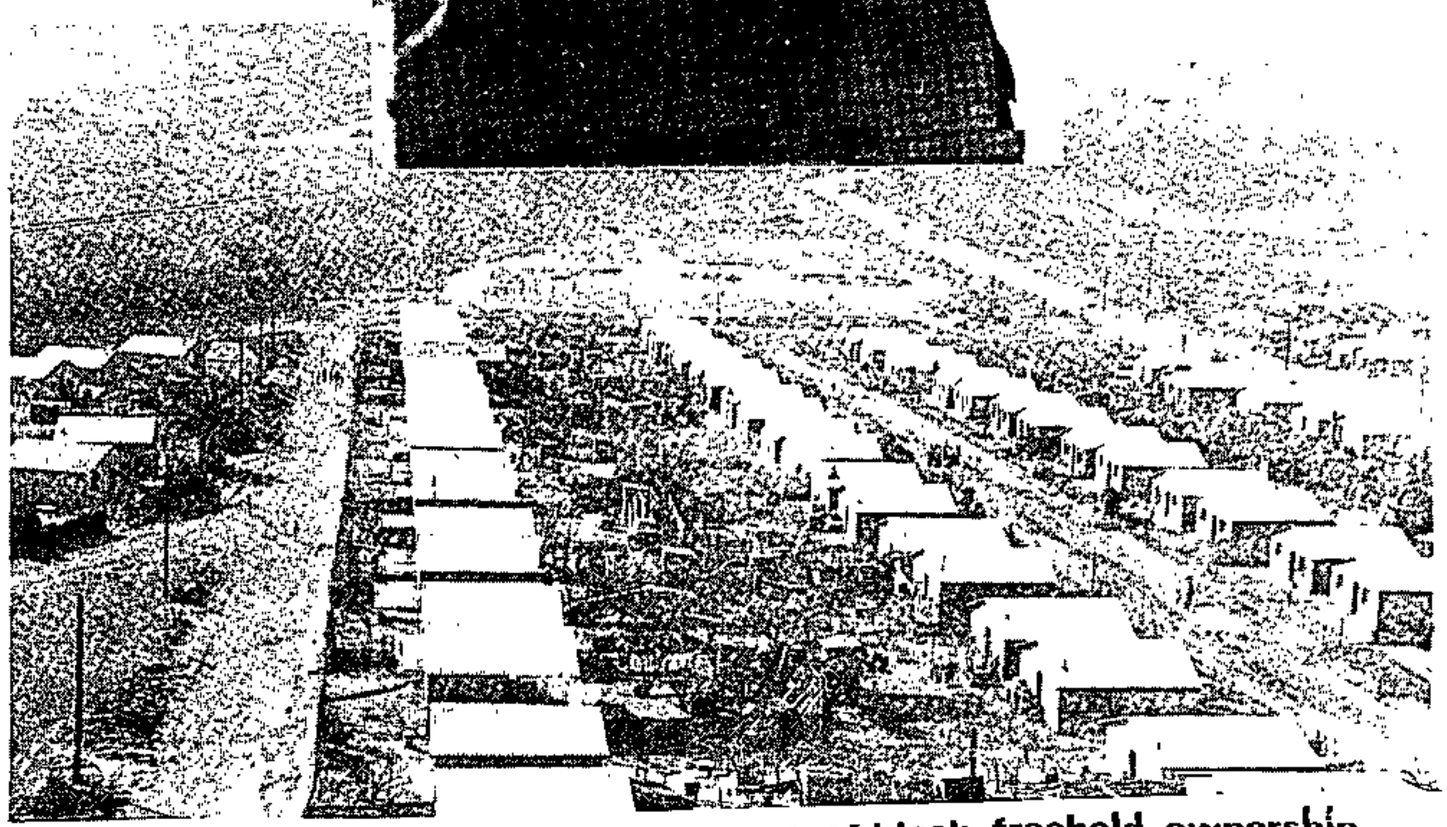
Not all see it that way. Pauline Morris recently brought out an authoritative study of black housing under the auspices of the SA Foundation. She noted that while 99-year leasehold has provided greater security and the opportunity for blacks to acquire building society loan finance, "the absence of freehold tenure, an active property market and the limited provision of commercial sites means that black urban areas have a very restricted economic or tax base. Land has no relative value in these areas, which means that land zoned for any one use has a uniform and relatively low value."

Soweto runs at a deficit of over R0,5m/month and currently its main revenue source is liquor. Services are visibly deteriorating. If townships are to become viable, freehold land will be an important contributor to healthy financing. Not only would rateable property help solve the deficit problem, but freehold would open up sources of foreign finance for township development.

In fact, foreign lenders would almost certainly be more willing than at present to lend to these areas if they were perceived as stable.

Opening up freehold will not solve the enormous black housing backlog that is growing by the day. In the area of low-cost housing, government will have to shoulder much of the burden for the foreseeable future. But to the private sector and to urban blacks, freehold would be a signal that [illegible] happening.





Koornhof . . . dangling the prospect of black freehold ownership

Indications Government is considering freehold title for blacks

Post Reporter

THERE are indications that the Government is seriously considering freehold property rights for blacks.

This is supported by a statement made by Mr P W Botha, on television, that black urbanisation had to be accepted as a reality.

According to an article in last week's Financial Mail, the National Party is ready and willing to move now that the "Treurnicht faction" is out of the NP.

"In fact, the only impediment against freehold for blacks is ideological — a sort of drag from the past," the article said.

In the wake of the Riekert Report, Government spokesmen had indicated they would like to see the emergence of a stable black middle class.

The Minister of Co-operation and Development, Dr Piet Koornhof, had introduced the first of his three rewritten Bills on urban blacks.

They were the "new deal" Bills, previously withdrawn, largely because they wrote out the "cherished" Section 10 rights that legal urban blacks had to live and work in prescribed areas.

How far could the new legislation be expected to go in furthering — as their title suggested — black local autonomy, community development, orderly urbanisation and settlement, the article asked.

At this stage the Bills do not contain provisions for urban black freehold, according to Dr George Morrison, Deputy Minister of Co-operation and Development. However, Dr Morrison said the Bills were to be examined by a select committee of Parliament.

In a surprise move last week, it was decided to refer the Bills to the Parliamentary Select Committee on the Constitution (SCC) instead of to an *ad hoc* select committee, as initially proposed.

The PFP Opposition interpreted this as a possible move to consider blacks in a constitutional power-sharing dispensation.

"This seems unrealistic," the article said. "With the battle for the Transvaal still on, it is highly unlikely that P W Botha could move that fast."

The possibility of freehold rights being considered by the SCC was less distant.

It could also have been significant that a private member's motion, introduced recently by Mr Albert Nothnagel, of Innesdal — considered an NP verligte — supported Government's commitment to free enterprise in the terms of a 99-year leasehold being, in his opinion, "a step on the road to full property ownership rights for blacks".

Black freehold did not demand the abolition of the Group Areas Act, a step which might scare Right-wing whites. But the pace of black urbanisation was such that black townships would probably double in size by the end of the century.

"It would really frighten most whites if that mass of population felt it had no real stake in stability," the article said.

The Government recognised this. That was what the 99-year leasehold scheme was all about.

"Unfortunately, it has not come up to expectations," the article said.

Since 1978, when it was introduced, 1 727 such leases had been registered in the whole of South Africa. Of these, 1 439 were in Soweto, which had received the bulk of the private sector's investment in black housing.

Because of the expense and complexity of the process of registering leases — there were 29 steps — many householders with Section 10 rights had chosen the "right of occupancy" system.

This meant that the right to rent a house could be bequeathed or sold by participants in the scheme.

The executive director of the Association of Building Societies, Mr Tim Hart, argued that the small number of 99-year leaseholds registered could be put down to initial delays in getting areas surveyed and serviced and the limited availability of land for building.

For financing purposes, 99-year leasehold was as good as freehold, according to Mr Hart.

"Not all see it that way," the article said.

A recent study of black housing under the auspices of the SA Foundation noted that while 99-year leasehold had provided greater security and the opportunity for blacks to acquire building society loan finance, the "absence of freehold tenure, an active property market and the limited provision of commercial sites means that black urban areas have a very restricted economic or tax base".

"Land has no relative value in these areas, which means that land zoned for any one use has a uniform and relatively low value."

If townships were to become viable, freehold land would be an important contributor to healthy financing. Not only would rateable property help solve the deficit problem in townships, but freehold would open up sources of foreign finance for township development.

"Opening up freehold will not solve the enormous black housing backlog that is growing by the day," the article said.

339 Hansard Q. 601. 443

Unemployed Black persons

23/9/82

380. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

How many Black males and females, respectively, were registered as unemployed in the area of each Administration Board as at 31 December 1981?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

Administration Board	*Males*	*Females*
Western Cape	4 853	419
Eastern Cape	38 330	15 593
Northern Cape	384	142
Southern O.F.S.	1 587	404
Oranje-Vaal	7 173	335
Port Natal	648	108
Drakensberg	1 308	935
West Rand	8 499	22 444
East Rand	7 234	3 067
Highveld	533	396
Eastern Transvaal	117	42
Northern Transvaal	0	0
Central Transvaal	308	186
Western Transvaal	1 146	533

SECTION 10 RIGHTS

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Appeal stands

FM 26/3/82

The appeal by the East Rand Administration Board (Erab) against last year's historic Rikhoto decision by the Supreme Court is still going ahead. Erab said it might reconsider its decision to appeal against the precedent-setting judgment that would allow more blacks permanent status in white urban areas. But a decision has not yet been reached to do so.

Legal sources say that Erab's reluctance either to accept the decision or publicly commit itself to contesting it could be a waiting game pending what Parliament does with Piet Koornhof's Bills on urban blacks. The previous version of the legislation was withdrawn after public criticism because, among other matters, it abolished Section 10 rights altogether.

Koornhof has said that if the Rikhoto decision stood, he would instruct the administration boards to implement it without any foot-dragging. But Koornhof has also said that his "new deal" Bills will implement the Riekert Commission's recommendation that black urban rights be based on the availability of work and housing. Given an economic downturn and the housing backlog (deriving from government housing policies between 1968 and 1977), both are likely to be in short supply.

A bleak year for urban blacks

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MDN 26/3/82

Political Correspondent

URBAN blacks face a bleak year if Mr Owen Horwood's 1982 budget is anything to go by.

Apart from a widening in the racial gap in pensions, a massive expected increase in the price of bread, the rise in the price of paraffin and projected increases in transport costs and rentals, there is more bad news for urban blacks.

The Department of Co-operation and Development has voted nearly double the amount than it did last year for maintaining influx control, indicating that tightening up of the application of influx control is likely.

The total estimates for items on influx control show a jump from R3 600 000 last year to more than R6-million this year. The amount for residential control has more than doubled from R1-million to R2 100 000.

In contrast to the vast increase in influx control expenditure the amount voted for black social welfare has only increased marginally by 10% — which means a cut of 3,5% in real terms with the inflation rate running at 13,5%.

State liquor sales bringing in the millions

A MASSIVE State-run trade in liquor has developed in the black residential areas outside the homelands.

By Barry Streek

Through the 14 administration boards, Government sales of sorghum beer and liquor has escalated into a multi-million-rand business.

Not only that, but there is clear evidence that the finances of the administration are to a large degree dependent on their sales of liquor

Quite what the size of the State's liquor industry has grown into is not easy to assess

The administration boards all have separate accounts, which are audited by the Auditor-General, and since the change in the areas of jurisdiction of the boards in 1978 not all the audits of the boards are available.

But the Auditor-General's reports into Government departments and funds for the 1980-81 financial year, which were tabled in Parliament last week, give some indication of the extent of this trade in liquor.

Since 1975 the Minister of Co-operation and Development has imposed a 0.25 cents-per-litre levy on sorghum beer sold by the boards for the central sports and recreation fund. In terms of this levy the fund earned R2 316 650 during the 1980-81 financial year.

This means that the boards sold 926,6 million litres of beer during the year. That works out at over 250 000 litres a day.

The boards are also required to hand over 20 percent of their profits on liquor sales to the Department of Co-operation and Development, while local authorities and employers must pay 80 percent of their profits.

Under this requirement, the department earned R4 367 917 during the 1980-1981 financial year.

If all the contributers paid 80 percent the profits would have been R5,5 million. If they all paid 20 percent, the profits would have been R21 839 585.

Beer research fund

As the boards are the major suppliers of liquor to black people for which this share of the profits has to be paid it is quite possible that their profits are in the region of R20 million.

The Auditor-General also revealed that in terms of a 1968 Government notice urban local authorities have to pay 0,75 percent of audited figures of sales of sorghum beer for the Sorghum Beer Research Fund. In 1980-81 this amounted to R1,02 million.

On the basis of this figure, sorghum beer sales totalled R133,6 million during 1980-81.

But these figures do not really convey the complete picture of the State's liquor industry because the boards deal in both beer and liquor.

[redacted]

Dr Vosloo also admitted that the contribution of beer sales was 'an indispensable source of finance for the boards'.

The old Midlands Area board, based in Port Elizabeth, submitted a memorandum to the Liquor Board inquiry into the possible legalisation of shebeens in which it expressed fears what this step would do to its liquor sales.

Without liquor, the Midlands board said, it would be heavily dependent on drafts from the consolidated revenue fund to keep going.

What these statements reflect is that liquor sales are an integral part of administration-board finances. Without them they would be in greater financial trouble.

Indeed, the conclusion that the administration boards, and therefore the Government, have a vested interest in controlling a substantial portion of South Africa's liquor-distribution trade does not seem unjustified.

For a government that professes to be in favour of the free-enterprise system, the contradiction is clear.

But that, in a real sense, is not the central issue. The government controls the distribution of liquor in countries like Finland and Canada, and there is clearly an argument for the community through political institutions to control such an industry.

The key question is whether the State should be pushing sale of liquor through quasi-local authorities like administration boards and whether they should constitute

Mercury
2/4/82

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Sales tell a story

The accounts of a relatively small board, like the Drakensberg Area Administration Board, give an indication of the situation.

In 1978-9 this board sold R7,5 million worth of beer at a profit of R1,2 million.

The following year sales of sorghum beer increased by 106,6 percent to R15,7 million and profits went up by 145,2 percent to R2,9 million.

Sales went up again in 1980-81 to R18,1 million, an increase of 16,2 percent, although profits declined to R2,4 million.

Liquor sales also increased over this period from R729 767 to R1 721 201, that is by 135,9 percent, and profits in 1980-81 on liquor were R98 947.

The Auditor-General's report reveals that this board had R5,8 million in the sorghum beer capital account and R126 808 in the liquor capital account. The beer reserves were R68 342 and the liquor reserves R8 477.

Dealing in a big way

Larger boards have considerably larger sales: in 1980-81 the Western Transvaal Area Administration Board sold R27,6 million worth of beer and liquor.

The West Rand Area Administration Board sold R41,9 million worth in 1978-9 and pushed sales up to R50,2 million the following year, earning profits of R4.1 million.

The East Rand Area Administration Board had sales of R36,3 million in 1978-9. By the following year this had risen to R48 2 million with profits of R4 3 million

During 1979 80 the East Rand Board sold a staggering R35.2 million worth of liquor

One could go on, but these figures show clearly that the State is into the liquor business in a big way.

And, of course, like any other business, increased sales should mean increased profits.

It requires capital as well. During the 1979-80 financial year the administration boards spent R823 685 on liquor facilities.

In 1978 the Deputy Minister of Plural Relations and Development, Dr Willie Vosloo, said the accounts of a relatively small board, like the Drakensberg Area Administration Board, give an indication of the situation.

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such an integral part of board finances.

Dr Vosloo estimated in 1978 that black adults were spending an average of R9 a month per head on liquor through the boards.

An All Media Products Survey (AMPS) in 1981 found that South African blacks were spending more than R1 000 million a year on liquor, at a rate of R90 for each person over the age of 16.

The Minister of Co-operation and Development, Dr Piet Koornhof, said in Port Elizabeth in June 1980 that he was distressed by the figures, which showed that black people in the area spent twice as much on board-provided liquor than on housing.

Dr Vosloo said it was 'an unfortunate fact that less-privileged sections of the population are often the heaviest users of liquor'.

In spite of these reservations, the boards have extended their involvement in the liquor trade.

Turnovers and profits have increased.

Even before the legalisation of shebeens was approved the fact that boards were selling alcohol to shebeen-owners was confirmed in the hearings of the Select Committee on Public Accounts last year when it was disclosed that the South Orange Free State Board had sold liquor on credit — R800 over a weekend — to them.

That disclosure revealed that the issues of legality or control were hardly significant; sales of liquor were

Administration-board officials have frequently pointed out that the profits from these sales go towards projects benefiting black people.

But it would not be unfair to claim they have an interest in putting the Government's liquor industry in the best possible light.

Others may have different views about whether the Government should be involved in such a trade.

A step in the right direction could, perhaps, be made by consulting the people in those townships who both pay for the liquor and have to suffer the consequences.

Administration Boards: insurance/bank accounts

(339) Hansard Q.61.553-554 2/4/82

*18. Mr. E. K. MOORCROFT asked the Minister of Co-operation and Development:

(a) Through which companies are the Administration Boards insured and (b) with whom do such boards bank?

†The DEPUTY MINISTER OF CO-OPERATION:

(a) Approved registered insurance companies of their own choice.

(b) Approved registered banks of their own choice.

*19. Mr. D. J. N. MALCOMESS (p. 308).—Reply standing over.



It's operation clean up as women sweep the highway at the Mdantsane bus terminus.

D. Dispatch 31/4/72 359

Campaign planned to keep Mdantsane clean

MDANTSANE — Arrangements had been made to fight littering here, both the manager, Mr I. Balk, and the town engineer, Mr C. Dempers, said yesterday.

Mr Balk said the matter had been brought to the attention of the Township Council which gave its blessings to efforts to stamp out littering.

He said their plans were still at an "embryonic stage" but they were aware of the concentration of litter in certain areas.

Mr Dempers said that following complaints about contractors who removed refuse for the Ciskei Department of Public Works not meeting their responsibilities, the Minister of Roads and Works, Chief D. M. Jongilanga, had called all contractors to Zwelitsha and spelt out the department's feelings about their failures.

Mr Dempers said several suggestions were made, one being that the department workers will report to superintendents and the manager's office when they did their collections.

"Since then there has been a marked improvement in the service they offer," Mr Dempers said.

He added there was a condition that if they did not supply superintendents and the manager with their itineraries they would not be paid at the end of the month.

This seemed to have produced the desired results as all contractors were now doing their best to meet their responsibilities, Mr Dempers saio.

He added that it had been recommended that an inspector , to check and report on the operations of the contractor, be appointed and it was hoped this appointment would be made soon.

Both Mr Balk and Mr Dempers said the moves by their departments had nothing to do with the big anti-litter campaign launched in East London last month.

Their moves had arisen from problems of littering within Mdantsane. — DDR.

Alternative is sought to fund black housing

Post Reporter

THE East Cape Administration Board (Ecab), which is investigating ways of dealing with the present housing crisis, is looking at alternatives to Government funds for black housing.

Ecab's chief director, Mr Louis Koch, said today the board could not "sit back" because of the lack of Government funds for housing.

The board was, therefore, considering applying for loans on the open market and approaching the private sector as alternative sources of finance

At this stage, interest rates were too high for Ecab to commit itself to this course of action.

Mr Koch said a comittee had been established last month to examine and suggest ways of dealing with the black housing shortage.

It was made up of Ecab, representatives of the Midlands Chamber of Industry and the Chamber of Commerce, the Port Elizabeth Afrikaanse Sakekamer, the Institute of Building Societies, the Institute of Estate Agents, the Urban Foundation, the Port Elizabeth and Uitenhage Community Councils and representatives of the motor industry.

Mr Koch said he hoped the committee would be able to motivate the private sector to consider the provision of housing. It had discussed a programme to persuade people renting houses to buy them, and would broaden its scope as new challenges were encountered, he said.

Saturday, April 17, 1982

No to full black property rights

CAPE Times 17/4/82 (BE) 339

Political Staff

HOUSE OF ASSEMBLY — The Prime Minister, Mr P W Botha, has squashed two major aspects of black aspirations — full property rights and South African citizenship.

However, he has not entirely ruled out some reciprocal citizenship terms of passports and other benefits once a confederation had been established.

These two issues, which have been at the forefront of black demands, were raised during the Prime Minister's vote in which Mr Botha spelled out in greater detail than ever before his general views on a future confederation.

He told the Leader of the Opposition, Dr Van Zyl Slabbert, that the government had gone "a long way" with the 99-year leasehold rights for blacks in the white urban areas and could not go further.

It would create "chaos", he said, and pointed out that even in the homelands not everyone was entitled to full property rights.

Sovereign states

Dealing with the concept of a Southern African confederation, Mr Botha said that the homelands became full sovereign states once they accepted independence from South Africa. Legal experts nevertheless distinguished between citizenship nationality.

He said he wanted to deal with the matter in some detail because Mr Vause Raw, leader of the New Republic Party had raised the issue of a common citizenship in the envisaged confederation.

"The first fundamental fact that he has to understand is that a confederation, unlike a federation, is not a state and therefore it cannot have citizens or nationals," he said.

"A confederation is a formal association or society of independent states which derives its existence from a multi-lateral treaty which also serves as the charter of the confederation.

"The confederation is normally formed for a well-defined purpose such as a mutual desire to co-operate in certain specific fields, for example, foreign affairs, defence, trade and finance."

Independence

A confederation had no central government with authority over the member states which retain their independence and sovereignty.

However, it did have to have a "confederal structure" in the form of an assembly or council which could not usurp the functions of government. The cooperation of the member governments was needed before the recommendations of the confederal assembly could be carried.

The functions of the assembly were limited in scope and had to be extensively defined. Representation was on the basis of "semi-diplomatic representation such as that in public international organizations".

Representatives were appointed by their governments and were not elected.

Various secretariats would have to be established to carry out the confederal assembly's recommendations or those of its specialized agencies.

"It is also not uncommon to establish an arbitral or judicial body to interpret the multi-lateral treaty and to decide questions of law," he said.

There would be no formal "head of state" and recommendations were formulated on a basis of unanimity.

"However, having said this, I wish to point out that there would be no reason barring a confederation from discussing and seeking solutions regarding matters which concern the citizenship and nationality of citizens and nationals of participating states," said Mr Botha.

"For instance, the fact that the international community consistently refuses to recognize the legal fact of the independence of the states that were formerly part of the Republic, certain problems regarding the passports issued by those states are being experienced.

"I would think that it would be appropriate for a confederation which involves those states to devise a method to solve this problem.

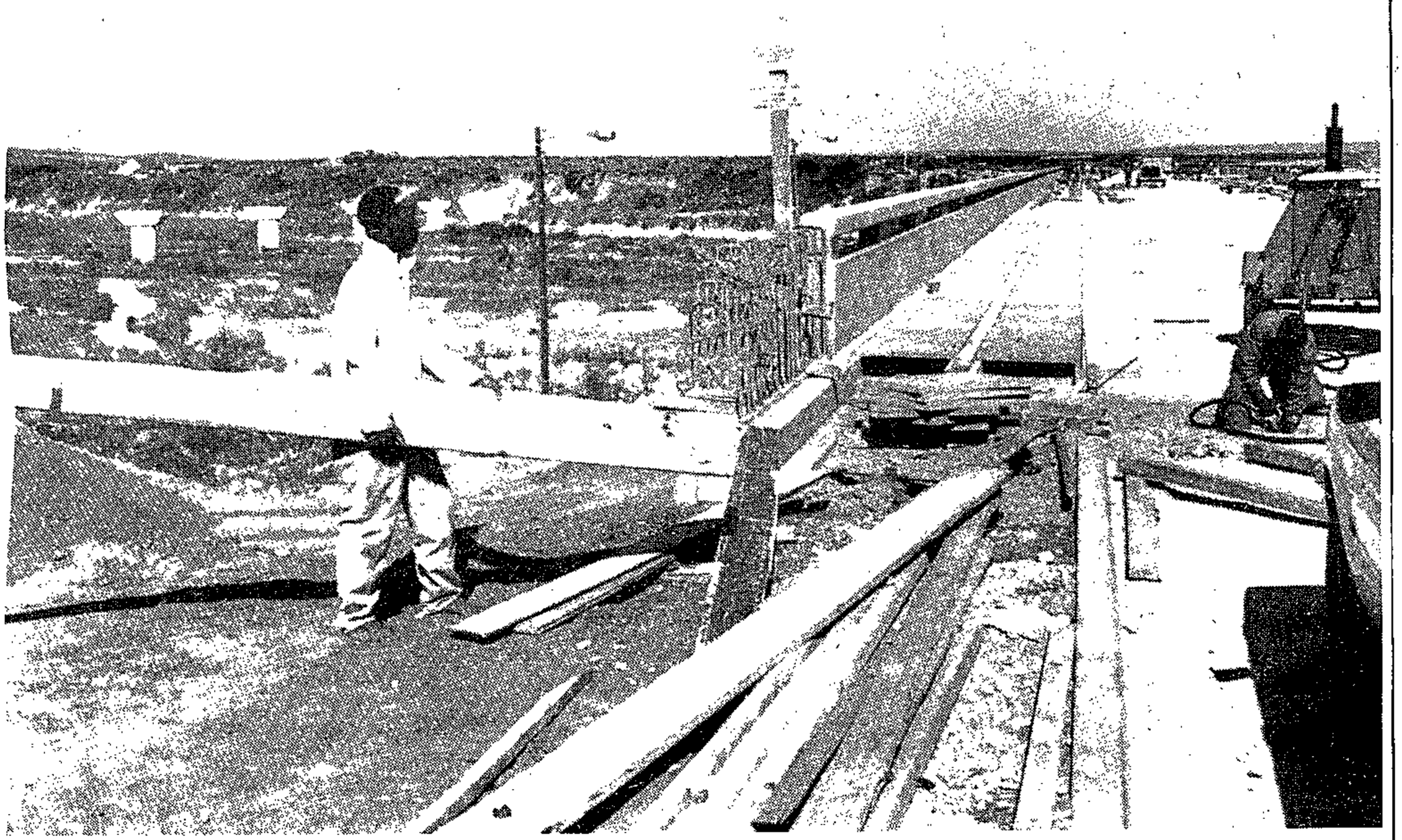
"It would also be possible for a confederation to consider reciprocal rights for the nationals of participant states in one another."

Mr Botha said this was already being done on a bilateral basis and there was no reason why it should not be done on a multi-lateral one.

"In character some such rights may in substance resemble citizenship rights such as preferential job opportunities and residence rights."

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Now floods won't cut workers off



Work is nearing completion on a R1,2 million bridge across the Swartkops River near Uitenhage, which will make life easier for the town's black workers.

New R1,2m bridge over Swartkops River open soon

By WAYNE ASHER

FLOODING will not stop Uitenhage's black labour force getting to work in future.

A new R1,2 million bridge is nearing completion across the Swartkops River, opposite the town's main industrial area.

At times of flood, workers were cut off from the factories when a causeway became submerged.

A second bridge will soon carry a rail spur from Uitenhage across the river to the Jagtvlakte industrial site, which is now being developed.

Mr Barry Erasmus, the Town Clerk, said a third and smaller bridge was also also being built across the Brak River near Despatch.

"The Provincial Administration is paying 80% of the final cost of the project which will be about R3 million, including the new access roads from Kwanobuhle township, which the bridges will serve.

"However, the Uitenhage Municipality is building the bridges and laying the roads. It's not being done by private contractors."

Mr Erasmus said the Town Council had decided to go ahead with the scheme after requests had been received from the Chamber of Commerce and the Chamber of Industries to improve the existing river crossing which many workers used to get to the factories along the river.

"Buses used to get bogged down on the old causeway when the river flowed strongly after heavy rains, for example during last year's flood.

"People couldn't get to work — this was the main reason for building the bridges."

He said the bridge across the Swartkops River which would be opened within the next few months had been named after the present Mayor, Mr Nic Claassen.

The smaller Brak River bridge had been named after the Deputy Mayor, Mr Bill Fourie, also the chairman of the Engineering Services Committee of the council.

PM: Hope of place for all

OUDTSHOORN. — The Prime Minister, Mr P W Botha, said on Saturday that he had no further political ambitions in South Africa and wanted only to see that each population group was allotted a fair place in South Africa in order to secure the future in a dangerous world.

Mr Botha was addressing a public meeting attended by more than 1 000 people in the De Jager Sports Centre here.

He said he had chosen the road of peace and negotiation as Prime Minister because he wanted to ensure that the backs of South African soldiers and police were covered while they defended the borders.

He would not slap away the hand of friendship offered him by two bishops leading more than eight million black Christians in the country.

This was not the time to divide the Afrikaner or chase them apart simply because certain politicians had grievances for which he could not be held responsible, he said.

There were several realities which could not be escaped and which any Government who wished to rule South Africa had to reckon with.

One of these was the fact that there were urban blacks around cities such as Port Elizabeth, East London, Johannesburg and Pretoria where they were needed in factories and in their daily labour.

'But they are people and are entitled to humane treatment,' Mr Botha said. It was for this reason that the Government was engaged in a programme in Soweto and other societies to create systems of self government.

The National Party Government policies since the time of Dr Malan had made it impossible to create a national homeland for coloured people, Mr Botha said.

Another South African reality was that blacks had opportunities to express political rights but the coloured and Indian population had none.

'All I ask for South Africa is to help establish instruments to provide a political home for these people.' He challenged those who had rejected joint decision-making and responsible principles as contained in the 1977 constitution proposals of the Government to offer an alternative. — Sapa.

Investment losses: boards get shares

Political Staff

CAPE TOWN. — At least two administration boards have become massive shareholders in a finance company in a controversial compromise settlement on huge investments they lost when two banks were placed under curatorship.

The compromise came to light in the reports of the Auditor General on the Port Natal and Western Cape boards and is the latest development in a two-year controversy surrounding the boards, their investments in floundering banks and their own lack of internal checks and controls.

It is understood that the compromise — in which the two boards have been allotted 6-million 1c shares — involved their earlier investments with the former Rondalia Bank which is now a financial institution.

The shares they have been allotted do not cover the full amounts outstanding on their investments and the balance has been regarded as a "shareholder's loan".

The Port Natal board, says the Auditor General, received 4 500 000 of 1c shares.

"Meanwhile the outstanding amount of R593 156 on March 31, 1980 was reduced by a capital repayment of R88 973 and the balance of R504 183 is in accordance with the compromise, regarded as a shareholder's loan."

The Western Cape board received 1 500 000 of 1c shares and in terms of the compromise the outstanding amount of R197 719 as at March 30, 1980 was also regarded as a shareholder's loan.

An amount of R29 658 was repaid to the board in November 1980.

The chief Opposition spokesman on finance matters, Mr Harry Schwarz, yesterday described the situation as "ludicrous".

"We will just have to see if they earn any dividends on their new shares," he said.

The boards now had shares which could not be utilised for providing urgently needed services for blacks, he said.

The financial position of the Western Cape board was not satisfactory, he said.

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CAPE TIMES 20/12/82

WCAB has share in finance company

Political Staff

HOUSE OF ASSEMBLY — At least two administration boards have become massive shareholders in a finance company in a controversial compromise settlement on huge investments they lost when two banks were placed under curatorship.

Chief opposition finance spokesman, Mr Harry Schwarz, yesterday described the situation as "ludicrous" and said: "We will just have to see if they earn any dividends on their new shares."

News of the compromise was revealed yesterday in reports by the Auditor-General on the Port Natal and Western Cape boards and is the latest development in a two year controversy surrounding the boards, their investments in floundering banks and their own lack of internal checks and controls.

Rondalia Bank

It is understood that the compromise, in which between them and two boards have been allotted six million one-cent shares, involved their earlier investments with the former Rondalia Bank which is now a financial institution.

The shares they have been allotted do not cover the full amounts outstanding on their investments and the balance has been regarded as a "shareholder's loan".

The Port Natal Board, says the Auditor General, received 4,5 million one-cent shares.

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An amount of R29 658 was repaid to the board in November 1980.

Mr Schwarz said yesterday that the boards now had shares which could not be utilized for providing urgently needed services for blacks.

"Here we have the spectacle of administration boards holding shares in a company in which the people they are supposed to serve would never have invested," he said.

The financial position of the Western Cape board he said was not satisfactory.

"The creation of local government institutions without adequate sources of revenue will provide no solutions," he said.

"Finances to provide adequate services must be a priority and existing conditions cannot be allowed to continue."

Boards' investment in bank criticised

ARGUS 20/4/82 (339) ~~300 366~~

Political Staff

GOVERNMENT and quasi-government bodies hold a solid proportion of Rondalia Finance, which has replaced the liquidated Rondalia Bank.

This has become clear following the Auditor-General's report on two of the administration boards — Port Natal and Western Cape.

Boards throughout the country invested millions of rands in the bank just before it collapsed and from the reports it is now clear that a 'compromise' has been worked out through which the boards have been given a substantial holding in Rondalia Finance.

The Port Natal board holds 4-million shares with an issued value of one cent each, while the Western Cape Board holds R1,5-million shares with the same value.

Mr Harry Schwarz MP, the Progressive Federal Party's spokesman on finance, said in an statement that 'the folly of the past was catching up with the present.'

The share holdings could not at this stage be readily disposed of, and 'it is ludicrous that the boards should now be involved in this company instead of using the money to improve the living conditions of blacks.

In all, the Natal Board has been paid back R88 973 with a balance, apart from the amount in shares, standing at R504 183 from its original investment.

The Western Cape Board was repaid R29 658, with R197 719 being outstanding.

Both the outstanding amounts are being considered as shareholders' loans to Rondalia Finance.

Apart from the Rondalia involvement the two boards, particularly the Western Cape Board, are criticised by the Auditor-General for lack of controls.

Referring to internal checks and controls of the Western Cape Board the Auditor-General said there was no improvement in the situation and 'in respect of rentals the instructions regarding internal checks and control are not being complied with.'

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339 Star 20/4/82

Admin boards under fire for Rondalia loans

Political Staff

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Both boards were criticised for not exercising proper control over sorghum beer containers.

Leases: Suzman, Morrison clash

CARE Times 22/4/82 (122) (339)

Political Correspondent

HOUSE OF ASSEMBLY — The Deputy Minister of Co-operation, Dr George Morrison, clashed with Mrs Suzman on the availability of land for the 99-year leasehold scheme.

He said that by the end of February this year 18 182 plots had been made available for the scheme.

In addition, more than 14 000 applications had been received for the scheme and by the end of 1981, 12 000 applications had been approved.

Earlier, Mrs Helen Suzman, MP for Houghton, slammed the government for "allowing every possible bureaucratic obstacle" to stand in the way of the private sector acquiring leasehold land in the black townships.

She said that housing developers and employers were by no means reassured that an amendment to the Black Urban Areas Act passed last year in fact gave them the same security of title and tenure as black lessees under the 99-year leasehold system.

The amendment, which was introduced at the end of the last session of Parliament, was interpreted as a move to open the black townships to the private sector by extending to them the same security for title and tenure enjoyed by blacks under the 99-year leasehold scheme.

The legislation arose from a key recommendation of the Viljoen committee report on black housing.

Mrs Suzman said the shortage of land remained a "major stumbling block" to the provision of housing units in every black township in South Africa.

"As for the obstacles provided by the absolutely idiotic regulations about survey, they continue to make the acquisition of 99-year leasehold — either by individual blacks or by the private sector where whites are concerned — practically impossible," Mrs Suzman said.

She also condemned the government for failing to implement the urgent recommendations of the Viljoen committee report concerning the payment of subsidies for housing.

"This vital issue was referred to a committee under the Deputy Minister of Finance, Mr Danie Steyn, for 'urgent investigation' as suggested by the Viljoen committee.

"What has emanated from this committee? For without a proper formula for subsidization the recommendations of the Viljoen committee are stillborn," Mrs Suzman said.

The report had stated: "The subsidies should be determined, the criteria set and the revised subsidy scheme introduced as a matter of the utmost urgency."

Mrs Suzman said: "A further three months have passed since the deputy minister's committee was set up. That makes it nine months since Viljoen reported.

"Thus, meanwhile, the shortfall in housing in Soweto has gone up by a further 2 660 units, using the Viljoen estimate of 4 000 additional units required per annum."

The Viljoen committee had estimated that the shortfall in black housing in the urban areas was 168 000 which would cost R1 700m to meet.

In Soweto alone the shortfall was about 35 000 units, growing at the rate of 4 000 units a year. 55 000 units were required in Soweto over the next five years.

Members' Questions

Planned City coloured area under review

THE government is now studying the Group Areas Board report on the proclamation of a coloured group area in Constantia or Hout Bay. The minister of community development, Mr Pen Kotze declined to say what the board had recommended. "The report of the group areas board was only received recently and is at present under consideration," he said in reply to a question from Mr Roger Hulley (PFP Constantia).

Kitson saw father five times

MISS AMANDLA KITSON was allowed to see her jailed father, David Kitson, five times in five days during her recent visit to South Africa, the Minister of Justice, Mr Kobie Coetsee, said yesterday. Mr Coetsee said these visits "constituted a deviation from existing policy. I, however, considered this to be justified in view of the fact that Miss Kitson lives abroad." He was replying to a question bt Mrs Helen Suzman (PFP Houghton).

5 Robben Island prisoners under 18

NONE of the 386 prisoners serving sentences on Robben Island for crimes against the security of the state were under the age of 18, the Minister of Justice, Mr Kobie Coetsee, said yesterday. Five of the other 201 prisoners on Robben Island were under 18. He was replying to a question tabled by Mrs Helen Suzman (PFP Houghton).

55 doctors left SÁ last year — PM

THE NUMBER of doctors to leave South Africa permanently dropped from 123 in 1979 to a preliminary estimate of 55 last year. This was disclosed this week by the Prime Minister, Mr P W Botha, in a written reply to a question by Dr Alex Boraine (PFP Pinelands). Mr Botha said 123 medical doctors had left South Africa permanently in 1979, 59 in 1980 and the preliminary figure for 1981 was 55.

Govt not notified of Ciskei toll-gate

THE CISKEI Government had not informed the South African Government of its intention to erect a toll-gate barrier on the national road between Grahamstown and King William's Town, the Minister of Foreign Affairs, Mr Pik Botha, said yesterday. He was replying to a question by Mr Errol Moorcroft (PFP Albany). — Political Staff and Sapa

339 Sowetan 22/4/82

Ucasa to discuss 'secret' meetings

"SECRET" meetings between certain community council chairmen and Dr Piet Koornhof, will be one of the major issues to be discussed at the Transvaal provincial conference of the Urban Councillors Association of South Africa (Ucasa).

By MONK NKOMO

Mr Zikhali Ndlazi, Ucasa's national organiser, said yesterday a group of council chairmen held secret meetings with the Minister of Co-operation and Development in Cape Town sometime last year without being given any mandate from their respective community councils.

And Ucasa has established that the council chairmen have not reported back to their councils on what transpired at the meeting, according to Mr Ndlazi.

Council leaders who are alleged to have attended the secret meetings included Mr David Thebehali (Soweto), Mr Knox Matjila (Sebokeng), Mr Don Mmesi (Dobsonville), Mr W M Aphane (Mamelodi) and the former Katlehong Community Council chairman, Mr Mpiyake Khumalo.

Mr Ndlazi said the Government's three draft bills aimed at giving local community councils autonomous power would also be discussed at the conference, which takes place in Witbank.

TRANSVAAL RETAIL MEAT TRADE EMPLOYEES UNION

Year	Membership					
	African	Asian	Coloured	White	Total	
1970				..	..	
1971				..	..	
1972				..	..	
1973				1 239	1 239	*
1974				1 250	1 250	*
1975				1 229	1 229	*
1976				1 019	1 019	*
1977				792	792	*
1978				1 020	1 020	≠
1979				998	998	≠
1980				1 114	1 114	≠

Address: 39-40 Shakespeare Hc
114 Commissioner Str
Johannesburg
2001

Telephone: (011) 838 6155

Officials: Secretary: G.S. Kc

Area of Operation: Transvaal

Founded: 1928

Registration: Yes

Industrial Council: Indust at Trade
(Witw

THE MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) Yes.

(a) 38 Black private individuals.

(b) No conditions

(c) Between March 1980 and March 1982.

(d) None.

(2) All residential sites.

FRIDAY, 23

Blacks (Urban Areas) Consolidation Act

23/4/82 693

*9. Prof. N. J. J. OLIVIER asked the Minister of Co-operation and Development:

(1) Whether he has recognized any persons as qualified persons in terms of section 1 of the Blacks (Urban Areas) Consolidation Act, as amended by the Laws on Co-operation and Development Amendment Act, No. 111 of 1981; if so, (a) who are these persons, (b) what were the conditions of their

Other big losers in Rondalia Bank fiasco

Mercury Reporter 23/4/82

THE Port Natal Administration Board was not the only large loser in the collapse of Rondalia Bank, the Mercury learned this week.

Among the lengthy list of investors who are now hoping to recoup their sizeable investments are Pretoria City Council, eight Rand towns, a large discount house and a prominent church.

Also among those who were caught in the bank's demise are Barclays Merchant Bank, the SABC, the Council for Public Resorts, four pension funds, a university, an investment corporation, 18 local authorities, 10 administration boards and eight private companies.

The largest investor was a discount house, which had R2 500 000 involved.

Following the bank's crash a complex series of financial manoeuvres resulted in the establishment of Rondalia Finance, a private company which has replaced Rondalia Bank.

Individuals, organisations and institutions who held investments in the bank are now shareholders in Rondalia Finance, a company which has been formed in an attempt to build its holdings to the point where their value will at least equal the original investments with Rondalia Bank.

Hope

Investors were able to recoup portions of their investments from the sale of the bank's licence.

Mr H A du Plessis, the chief director of the Port Natal Administration Board, said in an interview yesterday that the PNAB had a seat on the board of Rondalia Finance.

He said there was no way of knowing to what extent the PNAB's outstanding investment of R504 183 would be recouped.

'We can but hope that the company will resolve its financial situation', he said.

Mr du Plessis said the PNAB had followed its usual procedure in deciding to make the investment with Rondalia — calling for offers from investment institutions, and making a decision on the basis of the rate of interest and the soundness of the institution concerned.

'Contrary to what some people are now saying, we had no way of knowing that Rondalia Bank was in trouble.

'I have checked, and can find no reference to anything of the kind in the Press at the time.

'If we were misguided, then many other people of more substantial means were also,' he said.

Mr du Plessis said that the local authorities and the administration boards between them had a majority shareholding in Rondalia Finance.

TRIBAL LAW FM 23.4.82

The women lose out

An anomaly between tribal and civil law is placing building societies in an invidious position, and black women are bearing the brunt of it.

The Association of Building Societies (ABS) has advised members that granting loans to black women wishing to register leasehold is simply not worth the risk.

An unresolved conflict surrounding the contractual rights of women married in terms of traditional or customary union is at the heart of the matter. A woman who is married in terms of customary law is legally a minor and has no contractual capacity. Moreover, even if her *parents* have been married in terms of customary law and she is married in terms of civil law, if she is later divorced or widowed, she reverts back to minor status and her father or nearest male relative becomes her guardian.

Says one legal spokesman: "The majority of urban women are detribalised, married in civil law, and won't enter into tribal marriages. However, a situation can arise where a mortgage is advanced and a man later appears and says he is the customary law husband and that she is a minor and not in a position to create binding obligations. In the case of single, divorced or widowed women, the risk is even greater."

Women married under ante-nuptial contract are not regarded in a more favourable light. The reasoning is that even if the woman is married in civil law under an ante-nuptial contract, she could lose her husband, get divorced, and marry a second time in customary law — in which case she once again becomes a minor.

"Considerable difficulties are then created in enforcing the mortgage bond," says a society official.

Says ABS executive director Tim Hart: "Although societies are keen to grant loans to black women, we have advised all our members that they're on thin ice legally. Opinion is that, in terms of the law, we might be entering into an unenforceable contract with a woman who could be a legal minor."

The problem is complex. In terms of Section 6A(1)(a) of the Blacks (Urban Areas) Consolidation Act, administration boards can grant 99-year leaseholds to "qualified" persons. The Act is sexually non-discriminatory and there is nothing in it specifying that it applies only to males.

tions have been made to government for action to be taken, but have met with a reluctance to make changes in tribal law. A legal spokesman says: "Only a simple amendment to the Urban Areas Act is required. This should state that a 99-year leasehold bond is valid for any black woman over 21, regardless of status."

The establishment of the leasehold system has been beset with problems since it was introduced in 1978 — only 1 770 have been registered nationally. In the face of the critical housing shortage, elimination of the anomalies is urgent.

Law is grey

According to one building society spokesman: "Building societies are being forced to practice what appears to be discrimination when, in fact, we do not wish to discriminate on grounds of sex. The law is grey and indefinite and needs amending."

Babette Kabak, co-convenor of the Women's Legal Status Group, agrees. "The situation is reprehensible and should be clarified immediately. A woman married with an ante-nuptial contract, regardless of colour, should be treated like any other individual and only her credit-worthiness examined," she says.

There are also a number of unclarified, related problems. For example, a woman may inherit property with a bond attached. The question then arises whether she will be forced to sell the property despite her ability to fulfil financial obligations.

The *FM* understands that representa-

Long list of losers in bank's collapse

Mail Correspondent

DURBAN. — The Port Natal Administration Board was not the only large loser in the collapse of Rondalia Bank.

Among the lengthy list of investors who are now hoping to recoup their sizable investments are the Pretoria City Council, eight Rand towns, a large discount house and a prominent church.

Also among those who were caught in the bank's demise are: Barclays Merchant Bank, the SABC, the Council for Public Resorts, four pension funds, a university, an investment corporation, 18 local authorities, 10 administration boards and eight private companies.

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"Contrary to what some people are now saying, we had no way of knowing that Rondalia Bank was in trouble. I have checked, and can find no reference to anything of the kind in the Press at the time. If we were misguided, then many other people of more substantial means were also," he said.

Mr Du Plessis said the Boards and local authorities between them had a majority shareholding in Rondalia Finance.

TV comeback for Donna

By IAN REID

NEARLY two years after she quit her post as producer-/presenter of the SABC-TV series "Woman Today" (it was in October 1980), Donna Wurzel is poised for a comeback on the small screen.

No date was given by the SABC as to when Ms Wurzel will be chatting to viewers again, but it will be within the next couple of months.

She will be present "Open End" — interviews with showbiz personalities.

Ms Wurzel will be joining the SABC on a freelance basis and "Open End" will not be her only contribution.

She is also gathering material and ideas for a number of special reports which she will present and produce.

"I want to do something light and happy and entertaining for a change," she said in an interview. "I don't always want to be landed with a blue-stocking serious image. I love to meet and talk to show-business people. At the same time I can quietly get on with research for those special reports."

The programme is the brainchild of its producer, Ray Wilson, who has just returned from the United States where he's been looking at the handling of personality chat shows.



DONNA WURZEL
showbiz interviews

Mining for Zimbabwe

HARARE. — A company to start mining on behalf of the government would be established in July, the Minister of Mines, Mr Maurice Nyagumbo, said in an interview published yesterday.

Zimbabwe Mining Development Corporation would start operations as soon as all the necessary legislation had been passed, he said. — Sapa.

Clamp on cotton price rise

Pretoria Bureau

THE Government has taken a hard line on applications for a cotton price increase.

The chairman of the Cotton Board, Mr Gert Schoombee, said the new price was "totally inadequate".

Agricultural authorities said the Government's attitude indicated it would also limit maize price increase.

Mr Schoombee said in Pretoria yesterday the board would continue its representations to the Government on the new price, 167,19c/kg for average grade Dirk A2 cotton fibre, which was a mere 2,1% higher than last year's price.

He said the price was inadequate to cover production cost rises, to give farmers a reasonable return on capital, to prevent South Africa becoming totally dependent on imports, and to keep thousands of black workers in jobs.

Mr Schoombee said the industry employed more than 182 000 people.

The Government, he added, had to decide whether the country could afford to spend R35-million this year importing cotton fibre.

This figure could increase to R200-million if South Africa became totally dependent on imports, he warned.

4 The Cape Times, Friday, April 23, 1982

Govt 'winning' housing battle

HOUSE OF ASSEMBLY — The battle against the shortage of housing for blacks was being won, the Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday.

Replying to debate on his budget vote, he said there had recently recently been considerable changes in the government's attitude towards the housing problem.

The state was now providing low-cost housing for only the lowest income groups but was providing infrastructure to make it possible for higher-paid individuals and their employers to erect dwellings more easily.

Dr Koornhof said the 99-year leasehold scheme had made a relatively slow start, but more people were expected to make use of it during the next year than had done so in the past four years.

It had been decided that aerial surveys for land apportionment in Soweto would reduce costs considerably and would reduce the time of surveying the entire area from eight years to one year.

Dr Koornhof said he had hoped to be able to make an announcement in this regard yesterday, but the scheme still required the Surveyor General's seal of approval. An announcement could be expected in the near future.

Good progress had been made last year in the erection of dwelling units in Soweto and elsewhere. The provision of infrastrucure in Soweto was developing into a success story, the minister said, adding:

"Watch Soweto in the next two to three years."

Steps were being taken to make Soweto economically self-sufficient and this situation should be achieved within about five years.

Dr Koornhof said the next regions to enjoy such concentrated attention would be urban areas of the Eastern Cape.

He stressed that it was the duty of employers to help their employees secure proper housing.

"The collossal housing problem can be solved if we all work together," he said.

Development and housing in the urban areas enjoyed the highest priority next to the development of the national states and the urbanization problem was receiving high-level attention.

The Planning department in the Prime Minister's office was working on a national urbanization strategy aimed at a more even population spread. — Sapa

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NOTE

1. Th[illegible] answers only on the right hand pages will be marked. The left hand pages may be used for rough work, but no credit will be given for such work.
2. 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.
3. 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.
4. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.

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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Examiners' Initials		

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[illegible]ooks, 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

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EDSON

339 E. Post

Eastern Cape will be next after Soweto 'success story'

23/4/82

CAPE TOWN — The urban areas of the Eastern Cape will be the next regions to enjoy concentrated attention such as was now being enjoyed by Soweto, says Dr Piet Koornhof, Minister of Co-operation and Development.

Replying to debate on his budget vote, he said the battle against the shortage of housing for blacks was being won and there had recently been considerable changes in the Government's attitude towards the housing problem.

The provision of infrastrucure in Soweto was developihg into a success story, the Minister said, adding: "Watch Soweto in the next two to three years."

Steps were being taken to make Soweto self-sufficient economically and this situation should be achieved within about five years.

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"The collossal housing problem can be solved if we all work together," he said.

Development and housing in the urban areas enjoyed the highest priority next to the development of the national states and the urbanisation problem was receiving high-level attention.

The Planning Department in the Prime Minister's office was working on a national urbanisation strategy aimed at a more even population spread.

A drastically increased tempo of negotiations with black people to ensure a fair dispensation for everyone, remained the intention of the Government, he said.

He said urgent discussions were taking place betweeen the Prime Minister, members of the Cabinet and black leaders in the national states and white urban areas, to try to solve the problems facing the blacks.

The Government, he said, was not closing its eyes to the realities of the problems facing blacks. It was busy building on sound foundations to create better relations between white and black and to bring about economic prosperity for all.

This year, the Government intended spending R1 000 million on economic development in the national states. This was a great achievement and anyone who denied this progress was not aware of the facts. — Sapa

monsbiel

(339) Hansards Q col. 712

Black townships: electricity

28/4/82

*5. Mr. P. R. C. ROGERS asked the Minister of Co-operation and Development:

How many Black townships in the Republic will be provided with electricity over the next five years?

†The DEPUTY MINISTER OF CO-OPERATION:

The question of electrification of Black townships is related to the availability of adequate capital for the provision of infrastructure, the socio-economic needs of the communities concerned and their financial ability to repay the capital outlay and to pay for the consumption thereof.

In the light of the above and the fact that decisions regarding electrification are taken by the various Community Councils it is not possible to furnish exact information but recent examples of electrification schemes, apart from Greater Soweto, are Vosloosrus, Tembisa, Katlehong, Daveyton and Kwa Thema on the East Rand and Booi Street Area, Salmantu Street Area and Zwide 4 sections 1A, 1B, 3A and 3B in Port Elizabeth.

Delay on urban black laws

Political Staff

CAPE TOWN — There are growing doubts whether Dr Piet Koornhof's Bills affecting millions of urban blacks will be passed by Parliament this session.

A spokesman for the Department of Co-operation and Development said two of the long-awaited measures have not been fully drafted yet.

These are the Orderly Movement and Settlement Bill, which is aimed at changing the influx control system, and the Black Communities Development Bill, which will determine the future role of the administration boards in the development of black communities.

The third measure — the Black Local Authorities Bill — came before Parliament earlier this session but was referred to a select committee.

Lisbon military aid for Machel

The Star's Africa News Service

MAPUTO — Seven years after its ignominious withdrawal from Mozambique, the Portuguese military is going back to help its former enemies in their war against "freedom fighters."

In a deal signed in Maputo yesterday, Portugal has agreed to train Mozambique military personnel and provide technical assistance to the Mozambique armed forces, the official news agency AIM said here.

The deal is the first Mozambique has made with any Western country and was signed by Portuguese General Sousa Meneses and the Mozambique Security Minister, Major-General Jacinto Veloso.

Today in The Star

Brink discusses his latest novel

Andre Brink tells why it took him eight years to produce his latest novel, "Chain of Voices." The novel is Brink's gutsiest and most passionate — and is The Star Woman Book choice of the month.

Health and beauty editors Maya Kriel and Gita Obel discuss vegetarianism.

PLUS

How I lost 40 kilos and learned to love myself.

The story of two young South Africans who sailed their yacht up Africa.

ALL IN STAR WOMAN



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Finance	31/34		

PICK OF THE BOX

David Attenborough looks at Java's man-made cosmic mountain at 9.27 pm. Full TV programme in Tonight!

WEATHER

TRANSVAAL — Till 6 pm tomorrow: Partly cloudy and mild to warm with isolated showers but scattered over the southern and western parts. It will become colder over the southern parts tomorrow.

Temperatures and rainfall for the 24-hour period ended 8 am today:

	Max	Min	Rain mm		Max	Min	Rain mm
Bryanston	17	9	1.0	Vereeniging	20	8	4.7
S Suburbs	15	9	—	Cape Town	20	10	—
Pretoria	17	8	—	Durban	27	20	0.1
Krugersdorp	15	8	0.6	Port Elizabeth	19	13	29.0
Springs	12	7	1.0	East London	22	14	38.7
Nelspruit	25	9	—	Bloemfontein	22	7	—
				Pietersburg	21	12	0.5

JOUBERT PARK — Today: 8 am 14 deg C. Wind north-west. Yesterday: Maximum, 20 deg C; minimum, 10 deg C. Rainfall: 1.5 mm.

SUNSET today: 5.41; sunrise tomorrow, 6.30; sunset tomorrow, 5.40.

ROUND THE WORLD:

	Max	Min			Max	Min	
Rome	11	9	Clear	Paris	14	7	Cloudy
Lisbon	20	12	Clear	London	13	9	Clear
New York	15	13	Rain	Frankfurt	14	3	Cloudy
Athens	20	10	Clear	Tokyo	18	15	Cloudy
Tel Aviv	22	16	Cloudy	Toronto	12	10	Cloudy

EXPECTED TEMPERATURES FOR TOMORROW

	Min early am	Max pm		Min early am	Max pm
Johannesburg	8	17	Maritzburg	10	18
Pretoria	9	19	Port Elizabeth	10	18
Durban	18	23	Cape Town	14	20

Urban blacks: Govt policy detailed

CAPE TIMES 28/4/82 (339)

Political Staff

THE failures of past government policy on urban blacks, the complexities of dealing successfully with urban black aspirations and the hardline attitude now being adopted by the government have been spelt out by one of the triumvirate of men with powers over the lives of millions of black South Africans.

The Deputy Minister of Co-operation, Dr George Morrison, speaking at Stellenbosch last weekend, conceded that past government policy on urban blacks had stagnated and that the solution to the problem was complicated by whites fears for their own security.

"Any change in the *status quo* will therefore have to be considered with due regard for the self determination rights of whites," said Dr Morrison.

He also outlined how the government had placed all its hopes of meeting black political aspirations through local government and through links with their homelands or independent states.

Urbanization had become a reality in South Africa and surveys had indicated that by the year 2 000, about 75 percent of the total black population in greater South Africa would have moved to the urban areas.

He said that it would be cosmetic to attempt to solve the problem of the urban blacks using unrealistic measures and would lead nowhere.

Saying that the government could be proud of its implementation of the homeland policy, he admitted that in dealing with the urban black, the government had "not made such good progress".

"The truth is that our policies were somewhat stagnant because we believed that the black was here temporarily ... and that he should exercise all his rights in the homelands.

"It is apparent that now that we have created the national states, we must now do something about the urban blacks, his political and social needs."

He refered to the present structure for urban blacks without offering it as the final solution".

"But although community councils give urban blacks meaningful political rights at local government level, it is a fact that something must also be done to give them political rights at national level.

"This is an extremely difficult problem because blacks vastly outnumber whites and would totally dominate whites in a unitary state or under a Westminster system of government.

"In order to ensure the survival of the white it is therefore imperative that other effective and meaningful structures be created for urban blacks.

"It is National Party policy, but also of critical importance not only to whites, but also to blacks living outside the boundaries of the national states, that they remain bound to their national states politically and in other intergral ways.

"This bond must have meaningful content and be of value and this is where a confederation of states offers a solution."

But Dr Morrison said that in its present form the system was unsatisfactory because of the claim by urban blacks that so far independent states and self governing states had no direct way of controlling functions that affected urban blacks in South Africa.

"To succeed with a confederation it is imperative that all participating nations have equal status and this can only be achieved through taking independence."

1975	..	
1976	..	
1977	1 500	
1978	..	
1979	..	
1980	10 000	

Address: P.O. Box 2678
Cape Town 8000.

Officials: General Secretary: Jan Theron

Area of Operation: National

Founded: 1947

Registration: No

Recognition:
Fattis and Monis
Langeberg Co-op
Western Province Preserving
I & J Fish Processing Section
S.A. Milling
Meadow Feeds
Epol

The African Food and Canning Workers Union was established as legislation prevented the existing Food and Canning Workers Union from representing all workers. The Unions state that the interests of the workers in the Food Canning Industry would best be served by a single union open to all workers. The Union decided in 1979 to remain unregistered rather than register as a separate union. "Our objective as a Trade Union is to unite all workers in the food industry, in order to press for better living and working conditions for our members. Any legislation which makes our task more difficult, whether by creating racial or other divisions between workers or trade unions, or by lending encouragement to the formation of a weak and fragmented trade union movement, is against our interests and the interests of the trade union movement as we see it." (1) Industrial relations legislation has "created and enforced divisions along racial lines between white, coloured and African workers and trade unions.....Certain important categories of workers are excluded, such as workers employed in 'farming operations' (a term which is not defined) domestic workers and workers employed by the State. Regarding 'farming operations' this term has been held to include large establishments packing or processing food products which our Unions might organise. Further because, the constitution of a registered unions must be approved by the Registrar, the Registrar is in a position to lay down to a Union which industries they may cover and whom they may organise.....As Trade Unions we place great value on our autonomy to draw up our own Constitution to follow the policies we consider appropriate and to run our Unions and to act in our members' interests without interference by the State. We further believe that our members' interest are best protected by encouraging their active participation in the Union"(2).

Due to the seasonal nature of the Industry it is difficult to assess exact membership. However membership for both the African Food and Canning Workers Union and the Food and Canning Workers Union (See p. 163) is estimated at + 24 000 for 1980/81

(1) and (2) Memorandum of Objections to Draft Bill submitted by the two unions to the Director General, Manpower Utilization in South African Labour Bulletin 7(1&2)

(339) (204) Rikhoto case 5/5/82
Harvard Q.61.757 **

*10. Mr K. M. ANDREW asked the Minister of Co-operation and Development

(1) Whether the East Rand Administration Board is proceeding with its appeal against the ruling of the Rand Supreme Court in the Rikhoto case; if so, what steps has the Board taken to have its appeal heard; if not, . .

(2) whether Administration Boards have been instructed to implement the ruling?

†The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) The East Rand Administration Board

is proceeding with its appeal against the ruling of the Rand Supreme Court in the Rikhoto case. All the necessary steps have been taken to have its appeal heard and a date of hearing is awaited

(2) Falls away

Two years at hard labour if you are 'idle'

S. Express 9/5/82

339

TOP South African academics and lawyers this week slammed the continued enforcement of Section 29 of the Urban Areas Act, 1945, and called for the law to be abolished.

Designed to deal with the control of 'idle and undesirable' black people in urban areas, Section 29 has come under severe criticism over the last few years with even the Riekert Commission recommending it be repealed.

Billed as 'unfair', 'discriminatory' and 'ridiculous', Section 29 has been described as "one of the most scandalous laws affecting blacks".

Lawyers and legal academics spoken to this week were unanimous in their condemnation of Section 29 and called for it to be scrapped.

Reports by MIKE CADMAN

"It should not be law at all — it is ridiculous," said Professor John Dugard, head of the Centre for Applied Legal Studies at the University of the Witwatersrand. "I can see no reason for it.

"Blacks are punished for being unemployed," Prof Dugard said. "There is no justification for this."

Mr Ramarumo Monama, a lawyer at the Centre for Applied Legal Studies and an expert on Section 29, told the Sunday Express that Section 29, in effect, makes being 'idle' a criminal offence.

"This becomes clear if one looks at what happens to somebody found to be 'idle' by a commissioner," Mr Monama said. "An order may be made whereby that person can be detained at a work colony or similar institution for two years.

"That person is being punished, and the order bears no relation to his progress towards rehabilitation."

Officially, anyone found to be 'idle' has not committed a criminal offence.

A Durban attorney said anybody found to be 'idle or undesirable' could also be banned from returning to the place where he was found.

"Even if he has lived there all his life he could be banned forever from returning home," she said.

"One must also take into account the effect on his family," she said. "They have to cope with the trauma of having a loved one taken away, even if he has committed no crime.

"The fact that somebody can be arrested without a warrant under Section 29 because he is suspected of being 'idle or undesirable' is also shocking," she said. "How many people have been kept in prison until they see a commissioner and can prove that they are not 'idle or undesirable?' And the onus is on the accused to prove his innocence."

Professor Dawid de Villiers, head of the Institute of Labour Relations at Unisa, said in the light of the Government's acceptance of the Wiehahn Commission report the existence of Section 29 was nonsense.

Efforts by the Sunday Express to obtain figures relating to the number of people arrested and found to be 'idle or undesirable' from the Department of Co-operation and Development this week proved futile.

"Unfortunately we do not keep an up-to-date record of these cases and would have to contact every court around the country to get the latest figures," said Mr Johan Oosthuisen, liaison officer for the department. "Taking severe staff shortages into account we feel this would be a totally unproductive task."

Professor David McQuoid-Mason of the University of Natal law faculty, said that the excuse provided by the Department of Co-operation and Development was poor.

"We are dealing with an extremely harsh law and it should be made known how many people are subjected to this sort of treatment," he said. "In the light of the Riekert and Wiehahn Commission reports the time has come for this law to be changed."

The only figures the Sunday Express could obtain concerning Section 29 were provided by Mr Monama at Wits who said the discrepancy between those arrested and those found to be idle raised interesting questions.

"The figures were quoted in Parliament in 1978 by Dr Connie Mulder, the then Minister of Plural Relations and Development. They are only from the main centres."

They are:

- ☐ Pretoria: 314 arrested — 314 found to be idle.
- ☐ Witwatersrand: 3 101 arrested — 267 idle, 15 undesirable.
- ☐ East London: 1 261 arrested — 1 idle, 1 undesirable.
- ☐ Durban: 3 805 arrested — 20 idle, 3 undesirable.
- ☐ Maritzburg: 8 436 arrested, none idle or undesirable.

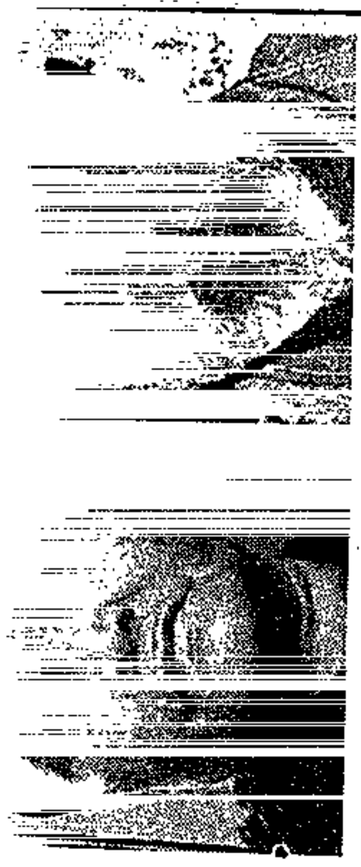
The PFP spokesman on civil rights, Mrs Helen Suzman, expressed dismay about the matter.

"I am most surprised to hear that Section 29 is still being used, and that people are sent to work colonies."

On Friday Mrs Suzman received these answers to her questions about Section 29:

- There were no up-to-date records on Section 29.
- In the first three months of this year 55 people were sent to work farms — 40 to Virginia and 15 to Voortrekkerhoogte, the only two work colonies in the country.
- On March 31 there were 111 Section 29 'prisoners' at Virginia and 84 at Voortrekkerhoogte.

XYX →



● Mrs Doris Mhlongo and husband John — glad their son Thulani is "at peace and away from trouble".

XXX →

SLUR OF 'IDLE' TAILS THULANI TO THE GRAVE

WHEN Thulani Mhlongo died at 24 the slur 'idle and undesirable' followed him to the grave, despite the fact that it had never been proved.

As happens to everybody arrested under Section 29, Mr Mhlongo had to prove he was innocent of being 'idle and undesirable' or face removal to a work colony or some other place of detention.

He was due to appear in court on April 13 to give account for himself on April 13, but he died on March 27.

At the time of his death Mr Mhlongo's parents and lawyer were desperately trying to show that he was not 'idle' but was ill and only capable of light work.

"He was a good boy and a good son," Mrs Doris Mhlongo, 60, told the Sunday Express. "He had a Std 8 education and had even attempted to go to vacation school while he was not working."

"He had worked at various places since leaving school but because of an ulcerating sore on his leg was not able to do heavy work," Mrs Mhlongo said. "He stressed this to the authorities several times and said he was willing to work."

Mr Mhlongo was first arrested on November 27 last year. He was held in prison until his first Commissioner's Court appearance on December 7.

There he was told to see a doctor and the hearing was put forward. Mr Mhlongo registered as a work seeker, as instructed, and was given a permit valid for one month.

"His permit expired on Friday, March 19 and at 3am on March 23 he was arrested again," his near-tearful mother said.

"I had a doctor's letter to prove that Thulani had fallen ill again but they would not listen."

Mr Mhlongo's lawyers were told by the Department of Co-operation and Development that the sick man would not be given bail.

Mr Mhlongo was released from prison on March 24 and died on March 27 at Durban's King Edward Hospital.

"We did all we could but still they harassed us," Mrs Mhlongo said. "I hope they are satisfied."

SUNDAY EXPRESS May 9, 1982

EXPRESSCOPE LOOKS AT A LAW THAT BLACKS HATE

Feared law banishes unwanted people to potato colonies

IT SHELTERS in the shadow of Section Six of the Terrorism Act — a law that can remove people from society without trial or explanation — but among blacks it is known as the law that banishes people to the place of the "amazambane" (potatoes).

It is a law that makes it an offence for a black man to be unemployed in an urban area.

On the statute books it is known as Section 29 of the Urban Areas Act of 1945.

It makes it possible for a black man who is found to be 'idle' to be sent to a work colony for two years, banned forever from returning to the place in which he was found (even though he might have lived there all his life) or to face detention at a number of other institutions.

While whites, coloureds and Indians may remain unemployed as long as they wish and live on their investments or family support, blacks in urban areas are denied this right regardless of their means.

Reviled and feared by blacks and slammed by judges and legal experts, including the Government's Riekert commission which reported "it could find no reason for the continued existence of Section 29", the controversial law results in hundreds of people being arrested under suspicion of being 'idle or undesirable' and facing banishment to a work colony.

One such work colony is at Virginia in the Free State. It is called 'the place of the amazambane' because prisoners there are used as labour on the numerous potato farms in the area.

Any black person, suspected of being "idle or undesirable", can be arrested without a warrant and asked to give 'a good and satisfactory account of himself'.

The arrested person would have to prove to a commissioner or magistrate that he or she:

- Was lawfully employed for more than 122 days in the past year.
- Was a student.
- Was lawfully engaged in some business, trade or profession.

The definition of 'idle' is wide and can include anyone who, on three successive occasions has:

- Failed to accept suitable employment offered to him by a labour bureau.
- Has failed to keep such employment.
- Has been discharged from such employment due to his own misconduct.

339 Hansard. Q. Col. 813 12/5/82

Administration Boards: rates of pay

615. Mr. P. R. C. ROGERS asked the Minister of Co-operation and Development:

What rates of pay are applicable to the (a) chairmen and (b) members of Administration Boards in (i) rural and (ii) urban areas?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(a) Rates of pay applicable to chairmen of the various Administration Boards are as follows—

(i) West Rand Administration Board: R29 190 per annum; and

(ii) all other Administration Boards: R13 410 per annum.

(b) Regarding members of Administration Boards no salary is applicable, but members are paid an allowance of R16,00 for each meeting attended.

339 ~~Mr~~ Hemsend Q.61.801-
Administration boards/residential stands 12/5/82 808

559. Prof. N. J. J. OLIVIER asked the Minister of Co-operation and Development

(1) Whether any Administration Boards have residential stands available for development by private companies; if so, (a) which Boards, (b) (i) how many such stands are available and (ii) in which townships are they situated, in respect of each such Board, (c) when did the stands become available and (d) what is the purchase price of the stands;

(2) whether any Administration Boards have made any residential stands available to private companies for development; if so, (a) which Boards, (b) (i) how many such stands have been made available and (ii) in which townships are they situated, in respect of each such Board, (c) on what terms were the stands made available and (d) what are the names of the companies involved?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) Yes.

(a) Highveld
Central Transvaal
Western Transvaal
Drakensberg
Southern O.F.S.
Oranje Vaal
East Rand
Western Cape

(b) (i) 82 079

(ii) *Highveld*

Balfour	Bethal	Lydenburg
Standerton	Dullstroom	Middelburg
Volksrust	Secunda	Witbank
Belfast	Hendrina	

Central Transvaal

Mamelodi	Atteridgeville

Western Transvaal

Biesiesvlei	Leeudoornstad	Stilfontein
Bloemhof	Lichtenburg	Swartruggens
Carletonville	Makwassie	Ventersdorp
Christiana	Orkney	Witpoort
Fochville	Ottosdal	Wolmaransstad

Hartbeesfontein	Potchefstroom	Zeerust
Klerksdorp	Sannieshof	Koster
Schweizer Reneke		

Southern O.F.S.

Bloemfontein	Fouriesburg	Springfontein
Boshoff	Henneman	Theunissen
Bultfontein	Hertzogville	Trompsburg
Brandfort	Marquard	Tweespruit
Clocolan	Petrusburg	Ventersburg
Dewetsdorp	Reddersburg	Virginia
Excelsior	Rouxville	Wesselsbron
Fauresmith	Senekal	Winburg
Ficksburg	Soutpan	Zastron

Oranje Vaal

Sebokeng	Zamdela

East Rand

Tembisa	Vosloorus	Refielwe
Kathlehong	Ratanda	Ekangala
Tokoza	Kwathema	

Drakensberg

Greytown

Western Cape

Langa	Nyanga	Guguletu

(c) Exact dates are not available.

(d) Residential sites are not sold. However, if a site is acquired in terms of the 99-year leasehold scheme the amount payable for a right of leasehold varies between R120 and R750 depending on the value of the land and the nature of the infrastructure provided.

(2) Yes.

(a) Highveld
Central Transvaal
Eastern Transvaal
Northern Cape
Eastern Cape
Southern O.F.S.
Oranje Vaal
East Rand
West Rand
Western Cape

(b) (i) 6 230

(ii) *Highveld*
Witbank

Central Transvaal

Mamelodi	Atteridgeville

Eastern Transvaal

Carolina	Piet Retief	Ermelo

Northern Cape

Galeshewe	Danielskuil

Eastern Cape

Port Elizabeth	Uitenhage	Grahamstown

Southern O.F.S.

Bloemfontein	Hoopstad	Rouxville
Bultfontein	Jacobsdal	Springfontein
Clocolan	Ladybrand	Virginia
Excelsior	Marquard	Welkom
Ficksburg	Odendaalsrus	Wesselsbron
Hertzogville		

Oranje Vaal

Sebokeng	Sasolburg

East Rand

Tembisa	Tokoza	Daveyton
Kathlehong	Vosloorus	Kwathema

West Rand

Diepkloof	Orlando West
Pimville	Diepkloof Extention

Western Cape

Guguletu

(c) Sites were made available in terms of the 99-year leasehold scheme and in terms of section 42 (f) of Act 25 of 1945. The sites in Guguletu were made available to the Uluntu Utility Company on a 30-year lease renewable for a further period of 30 years. The lease consideration is a nominal amount. The dwellings when completed will be let to eligible Black families.

(d) *Highveld*

United Development Company

Central Transvaal

Sigma Motor Corporation (Pty) Ltd.
Goldstein
United Development Company

Eastern Transvaal

Ermelo Mines

Northern Cape

De Beers (Pty) Ltd.
Wacon Lime
Record Stone Crushers

Eastern Cape

S.A. Permanent Building Society
United Development Company
National Building Society
Allied Building Society
Standard Building Society
Rhodes University
Volkswagen of S.A. (Pty) Ltd.

Oranje Vaal

United Development Company
S.A. Permanent Building Society
A.E.C.I.
Carbochem
Sasol I
Electricity Supply Commission
Private Individuals

Southern O.F.S.

Homes Trust
Poly Flora
Thaba Nchu Transport
Stoomhoek Transport
Excelsior Stropers
L.T. Motors
Electricity Supply Commission
Badenhorst Transport
Mobil Oil
South African Railways
Albany Bakers
Anglo American
Boerediens
Wesselsbron Electrical

East Rand

S.A. Permanent Building Society
A.E.C.I.
Gundle Industries
Ronald J. Hill
L.B. Mahlangu
United Building Society
Urban Foundation
Impact Homes
Lenning Holdings
J. en W. Beleggings
Barlow Rand
S.A. Trident for Impact Homes

West Rand

Rand Mines Properties
Rio Tinto
Machem
United Building Society
Future Generation
A.D.C.C. Homes
B. Peters
Allied Building Society
Everite (Pty) Ltd.
S.A. Permanent Building Society
South African Broadcasting Corporation
Poly Foil
D. and M. (Pty) Ltd.
De Beers (Pty) Ltd.
Nedbank
South African Police
Department of Education and Training
Anglo American
Pick 'n Pay
Sasol
Shell Oil
J. Mahlangu Building Contractor
Wimpy Homes
Goch Cooper
Concord Construction
Tshabalala Enterprises
L.T.A. Construction
Natal Building Society
Davis Construction
Edward Dube
Johannesburg Stock Exchange
Liberty Life
The Star
I.B.M.

ARGUS 18/5/82 (81.) (339)

Black 'right' to home ownership

ARGUS 18/5/82

Provincial Staff

THE right of blacks to home ownership had to be recognised in any "free enterprise society" with its political consequences, Mr Geoff Everingham (PFP Pinelands) said in the Provincial Council yesterday

"It is not the free enterprise system which is oppressing the black people of this country. Rather, it is the manner in which the system has been manipulated by the National Party," Mr Everingham, chief opposition spokesman on finances, said in the budget debate.

"After all, a characteristic of a communist economy is the absence of private property ownership, and that is precisely what applies to the black people of this country."

Only whites had the initiative of private enterprise, as blacks were prohibited from owning land in 87 percent of the country.

The Group Areas Act reserved all central business districts of the major metropolitan areas for whites — affecting blacks, coloured and Indians in conflict to the principle of free enterprise and private ownership.

In a free market economy, all people had freedom of choice in consumption, occupation, saving and investment. The absence of home ownership severely limited investment opportunities for blacks.

Mr Everingham said black property rights had to be recognised immediately, "together with the political consequences of accepting the permanence of an urban black population which has no interest in the homelands".

Mr Everingham moved the Opposition amendment to approve the Cape budget for 1982-83, the Provincial Administration made representations to the central Government to "implement balanced and planned social and economic policies in a true framework of free enterprise and for the benefit of all the inhabitants of the Cape and South Africa, including freehold ownership for blacks".



Mr Sanford Booi smiles at his victory.

Worker wins fight to live in Cape

MAGUS
20/5/82

Labour Reporter

MR Stanford Booi, a Fattis and Monis' worker, is a happy man after being granted right to remain in the Cape area permanently.

Mr Booi may now live with his family legally in the Western Cape and will not have to travel back to the Ciskei once a year in terms of his contract.

In a judgment in the Supreme Court on May 5, Mr Justice Schock declared Mr Booi was entitled to remain in the Western Cape permanently in terms of Section 10 (1) (b of the Black Urban Areas Consolidation Act.

He ordered the labour officer to stamp his pass book accordingly.

TURN DOWN

The African Food and Canning Workers' Union of which Mr Booi is a member, applied to the Administration Board early last year for permanent rights in Cape Town for 36 Fattis and Monis workers. The application was supported by the Fattis and Monis.

The application was turned down and the union took the Administration Board to court on behalf of one worker, Mr Booi.

DIFFICULT

Mr Booi who has two daughters, aged nine and five, said his family was very happy that they would now live with him.

"I managed to see my family for only two or three weeks a year and looking after them so far away is very difficult," he said.

It took six days to travel to and from Ndevana in Ciskei, where his family live and this had been very inconvenient," he said.

Black worker wins test case

CAPE TIMES 20/5/82 ~~200~~ ~~201~~ 339 ~~340~~

By PHILLIP VAN NIEKERK

IN A JUDGMENT which could open the way for hundreds of black workers to bring their families to the city, the Cape Supreme Court has granted a contract worker the right to permanent residence in the Western Cape

Mr Totosi Stanford Booi, who was elated at the news yesterday, was granted a court order by Mr Justice Schock declaring him entitled to Section 10(1)(b) rights and ordering the municipal labour officer at Nyanga to endorse his reference book accordingly.

The respondents — the Western Cape Administration Board and the Nyanga labour officer — were ordered to pay costs. They did not contest the action.

In an important test case in the Rand Supreme Court last September, Mr Justice O'Donovan ruled that a Germiston contract worker, Mr Mehlolo Tom Rikhoto, was entitled to permanent residence rights because he had worked continuously for one employer for more than 10 years.

Board appeal

However, the East Rand Administration Board has appealed against the judgment and its application to thousands of workers on the Reef has been frozen pending the outcome of the appeal in Bloemfontein.

Mr Booi lodged his application for permanent rights on the basis that he has been working for one employer (Fattis and Monis) for more than ten years. He claimed he started working there in 1969.

In terms of the Blacks (Urban Areas) Consolidation Act, only blacks who have Section 10(1)(a), (b) or (c) rights are entitled to permanent residence in the urban areas, while contract workers are allowed in for the duration of their contracts. All others may only remain in a "white" area without permission for 72 hours.

To obtain Section 10 rights blacks have either to have lived continuously in a "white" area for 15 years, to have worked continuously for one employer for 10 years or to have worked for several employers for 15 years — or be a spouse or dependant of someone who qualifies.

Little success

According to Mrs R N Robb, director of the Athlone Advice Office, however, very few contract workers have been able to get Section 10 rights in the past few year.

This is because of a 1968 government regulation stipulating that a contract can only be valid for a maximum of one year, that it has to be signed in a homeland and that the worker has to spend a period in the homeland before the contract's renewal.

Mrs Robb said this had allowed board officials to argue that the workers had not been employed "continuously" for 10 years, as their contracts are broken off every year. On that basis people like Mr Booi have been denied Section 10 rights — and the legal influx of blacks into the cities has been halted.

According to Mrs Robb, Mr Booi's case could open the way for permanent residence rights for a number of workers who are in a similar position and who have been refused these rights. "We have something like 300 people on our books who have worked for one employer for 10 years or more, who have been waiting for a decision like this," she said.

Precedent

Mr Jan Theron, general secretary of the African Food and Canning Workers Union, to which Mr Booi belongs and which employed the Legal Resources Centre to fight the case on his behalf, said they had a number of members — 30 at the Fattis and Monis plant alone — who would now be applying for permanent residence rights on the same basis as Mr Booi.

What possession of Section 10 rights means in real terms, according to Mrs Robb, is that workers who qualify would be able to bring their families to the city to live with them, choose where they wanted to work, change jobs freely and move from town to town.

Yesterday Mr Booi said he would now try to find accommodation in Cape Town for his wife and two young daughters, who live in Ndevana near King William's Town in the Ciskei.

Mr Timo Bezuidenhout, Chief Commissioner for Co-operation and Development in the Western Cape, was not available for comment.



A Mitchells Plain family narrowly e: which they were travelling burst ini Jacobs, a schoolteacher, pulled off : was pouring from the vehicle. As Mi his wife a

Reported SA acceptance on SWA doubted

From BRUCE STEPHENSON

LONDON. — Senior British sources are sceptical of reports that South Africa has accepted the second phase of proposals aimed at bringing SWA/Namibia to independence.

They were responding to a report in The Times of yesterday which

SWA/Namibian voters.

The phase two proposals, which would include the enforcement of a ceasefire by a United Nations peacekeeping force, disarming of forces and the limiting of both sides to base, has not yet been formally tabled, the source said.

There have, however, been informal discussions

Twelve Swapo killed in week

WINDHOEK. — Security forces in SWA/Namibia have shot and killed 12 Swapo insurgents in the past week, bringing to 512 the number of armed insurgents killed this year.

SWA Territory Force headquarters said in Windhoek yesterday that security force patrols had

Bandit killed in raid on farm

From DAVID FORRET

HARARE. — One armed bandit was killed and four others were repulsed after they broke into a house in the Gwaai farming area in Matabeleland and opened fire on the white occupants.

The farm-owner, Mr Harry Steffen, 57, and his 25-year-old son, Deon, fought off the armed intruders in a life-and-death struggle that began after the bandits cut through a security fence at their Umkumbo ranch in Dete (formerly Dett), near the Wankie National Park, on Tuesday night.

Mr Deon Steffen, a professional game-hunter, said last night that he was alerted to their presence by his 75-year-old grandmother, Mrs Maggie Bredenkamp, from Johannesburg, and his mother, Marie, 50, who were working in the kitchen.

He said he grabbed a rifle which he had been using to hunt elephant that afternoon, and "was at the ready" when the first bandit entered the lounge

Two to ra

Staff Repor

THE trial of tw charged with ra year-old Grassy woman was adjo the Regional Co terday when the was told that the ney, Mr R Vassen not attend bec illness.

At a previous h on January 27, M Munroe, 21, of Sy Avenue, Retreat, a Roger Poggenpoel, Copper Street, Ro Mitchells Plain, p not guilty to the c

Outlining the ba their defence the the magistrate the been taking a w home in their car dance at the Good Centre when they up a hitch-hike Strandfontein.

They said the

A ← From pag

with Britain.

Mrs Thatcher sai Argentina's reply British position as ered in New York not look very en ing".

The flotilla is r lieved to be stati

(1) (a) Which Administration Boards received shares in respect of the whole or part of their claims against a banking institution the name of which has been furnished to the Minister's Department for the purposes of his reply and (b) what number of shares did each receive;

(2) what percentage of the total issued share capital of the new company is now held by Administration Boards;

(3) whether the Administration Boards concerned have any representation on the board of directors of the new company; if not, why not; if so, who are their representatives;

(4) what are the assets of the new company?

Administration boards: claims against banking institution

587. Mr. H. H. SCHWARZ asked the Minister of Co-operation and Development:

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) (a) and (b).

Administration Board	*Shares of 1c each*
Central Transvaal	4 500 000
West Rand	8 136 000
Northern Transvaal	1 503 000
East Rand	4 500 003
Drakensberg	150 000
Port Natal	4 500 000
Southern O.F.S.	2 655 000
Western Transvaal	600 000
Western Cape	1 500 000

(2) 13,02%

(3) Yes, Mr. A. J. Nel, member of the East Rand Administration Board was appointed as a director on the board of directors on 30 January 1981 and is acting on behalf of all ten Administration Boards concerned.

(4) Holiday resorts, motels, a printing business, agricultural property, loose assets and debtors.

URBAN BLACK FREEHOLD FM 21/5/82 (339)

Reform pace steps up

Yet another government-appointed agency is expected to come out in support of freehold property rights for blacks in urban areas.

The *FM* understands that the so-called Croeser working group is to urge government to accept this principle.

The working group was appointed in November 1980 to study and evaluate the report and recommendations of the Browne committee on local authority finance. The committee found a good deal wrong with existing systems of local government and recommended a thoroughgoing overhaul, which upset the assumptions of many local government bodies.

In chapter 11 of its report, the committee says that economic and administrative considerations "make it imperative that a purposeful policy be followed to encourage freehold property rights in urban black townships in the white areas."

The committee said if places like Soweto were to be viable in any sense, they would have to develop along the lines of white local authority models, the financial cornerstone of which was the taxation of freehold property.

It urged government to commit itself to freehold property rights for blacks in order to provide a stable yet flexible tax base for autonomous local authorities. The committee said that unless a system could be devised whereby property taxes could provide at least half total projected current revenue of black local authorities (R250m out of R504m in financial 1989-90), severe strains would develop in their finances.

It would mean that local authorities would have to continue to rely heavily on liquor operations and sharply increased levies on employers of black labour. Assuming that government were to follow through its apparent intention to hand over township liquor business, including the production of sorghum beer, to local free enterprise, employer levy contributions would have to be increased to R201,8m in financial 1989-90, or R52 per worker.

In terms of the existing system of site rentals, the Browne committee calculated that local authorities would be hard pressed to raise more than R37,2m from this source in 1989-90. This would be equal to about 7% of projected current revenue in that year. To raise rents to more acceptable levels would be politically reckless.

The committee said a freehold property system provided a sound, convenient and effective basis for tax revenue and urged that it be developed as soon as possible to reduce the excessive reliance on employer levy contributions which, it said, were an unnecessary cost inflater in the production sector. It added that it would be unreasonable to expect township dwellers to develop a sense of civic pride or a sense of involvement in local authority politics if residents were denied a vested interest through property ownership.

Without granting freehold rights and introducing white-type municipal rates and taxes in the towns and cities, black local authorities would continue to have to rely on liquor profits to keep going — about R32m in 1990 on a 12% retail mark-up. And this only if local authorities were relieved of the impost whereby 20% of liquor profits had to be paid to the Department of Co-operation and Development as a transport subsidy to commuters between the non-independent homelands and the common area.

SHEBEENS FM 21/5/82

Time, gentlemen

339

A milestone has been reached in the SA liquor industry. This week Tjaart du Plessis Director-General of Commerce, Industry and Tourism addressed a gathering of 600 technically illegal liquor operators — shebeeners — at the Carlton Hotel.

At the First Annual National Tavern Association Conference (FANTAC) Du Plessis — who referred to the conference as a "historic" — claimed he had come in the hope of clearing up a lot of the misunderstanding and confusion surrounding the legalisation issue.

The most important aspect of Du Plessis' speech was his call to shebeeners to pursue rezoning with unrelenting tenacity. He claimed that he and his department had no problem with the legalisation of shebeens. But he pointed out that the Liquor Board could not start work on the processing of liquor licences or special authorities until the shebeeners' residential premises had been rezoned for business. Next move was thus up to the local authorities.

Conference MC Eric Mafuna said shebeeners viewed Du Plessis' participation as a signal that the authorities were at last lending a sympathetic ear.

The reason for the hold up on shebeens is partly due to the fact that residential premises have first to be rezoned for business — responsibility of the community councils.

Although invited, WRAB director John Knoetze did not attend.

But the shebeener body — the National Tavern Association (NTA) — lined up an impressive list of speakers from commerce and industry, and major liquor houses were represented. Industry heavyweights included Stellenbosch Farmers Winery chairman Lothar Barth, Peter Lloyd, GM of SA's Beer Division and Union Wine marketing director Henry Kempen.

Ruling gives hope to 5 000

Weekend Argus Reporter

ABOUT 5 000 black workers could have the right to permanent residence in the Western Cape as a result of a recent "test case" in the Supreme Court, Cape Town.

They could, subject to certain conditions, work for whom they like, change jobs freely and — most important — gain some normality in their personal lives by being allowed to bring their families to the Western Cape from the "homelands".

HISTORIC

In an historic judgment — only the second of its kind in South Africa — Mr Justice Shock ruled that Mr Totosi Stanford Booi — a worker for Fattis and Monis since 1969 — was entitled to remain in the Western Cape permanently in terms of section 10 (1) (b) of the Black (Urban Areas) Consolidation Act.

The respondents — the Western Cape Administration Board and the Nyanga labour officer — did not contest the action and were ordered to pay costs.

The chief commissioner of the Department of Co-operation and Development in the Western Cape, Mr Timo Bezuidenhoud, told Weekend Argus: "I would say a safe figure of those who could qualify would be about 5 000 workers. The results can be very dangerous."

The pressure for housing, with a current waiting list of 4 000 would become greater — particularly for family housing — and workers would be inclined to sell their labour more cheaply.

"I will study the order in depth as soon as I have received it officially. If the court has decided thus, we will have to legalise workers in similar cases," Mr Bezuidenhoud said.

Mr Jan Theron, general secretary of the African Food and Canning Workers Union — to which Mr Booi belongs, and which instituted the court action on his behalf — said: "We welcome the decision because the people who will benefit live permanently in the Western Cape."

The union had informed its members in about 50 Western Cape factories more than a year ago that it intended instituting the test case and would now be informing them of the result.

"Workers concerned will now be able to bring their families to Cape Town when previously the only chance to see them was during their holidays," Mr Theron said.

● In the only other similar test case so far, a Transvaal Supreme Court judge ruled last year that a Germiston contract worker was entitled to permanent residence rights because he had worked continuously for one employer for more than 10 years.

But the East Rand Administration Board appealed against that judgment and its application to thousands of workers on the Reef has been frozen pending a decision from the Appellate Division in Bloemfontein.

(3) Loss of R267,3 million.

(4) Yes.

(a) R72,2 million plus R14,6 million consumer subsidy.

(b) State funds.

Maize surplus

653. Mr. P. A. MYBURGH asked the Minister of Agriculture and Fisheries:

(1) Whether any surplus is anticipated in the production of maize for domestic consumption in the current year; if so, (a) what percentage of the current crop will be exported and (b) at what price;

(2) whether any surplus is anticipated after export and domestic consumption; if so, what is the extent of the anticipated surplus;

(3) Whether storage facilities exist for such surplus maize; if not, why not?

The MINISTER OF AGRICULTURE AND FISHERIES:

(1) Yes.

(a) ±12 per cent.

(b) Not yet available.

(2) No, only the normal 900 000 tons will be carried over.

(3) Yes.

X Hansard 46/1.915-922 X

Workers requisitioned from national states

200 339 107 27/5/82

655. Dr. A. L. BORAINE asked the Minister of Co-operation and Development:

(1) How many workers were requisitioned from (a) Lebowa, (b) Gazankulu, (c) Qwaqwa, (d) KaNgwane, (e) KwaZulu, (f) KwaNdebele, (g) Venda, (h) Bophuthatswana, (i) Ciskei and (j) Transkei by each specified Administration Board in 1979, 1980 and 1981, respectively;

(2) how many of these requisitions were for (a) bulk labour and (b) individual workers?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) *Administration Board Western Cape*

	1979	1980	1981
Lebowa	—	—	—
Gazankulu	—	—	—
Qwaqwa	—	—	—
KaNgwane	—	—	—
KwaZulu	—	—	—
KwaNdebele	—	—	—
Venda	—	—	—
Bophuthatswana	—	—	—
Ciskei	5 734	5 010	5 477
Transkei	38 475	40 425	42 642

Administration Board Oranje Vaal

	1979	1980	1981
Lebowa	637	873	943
Gazankulu	112	152	155
QwaQwa	5 494	7 535	7 850
KaNgwane	286	393	426
KwaZulu	127	2 254	2 352
KwaNdebele	1 640	174	160
Venda	79	109	117
Bophuthatswana	557	764	805
Ciskei	175	240	263
Transkei	6 819	9 347	9 681

Administration Board Drakensberg

	1979	1980	1981
Lebowa	—	—	—
Gazankulu	—	—	—
QwaQwa	1 168	283	503
KaNgwane	703	366	302
KwaZulu	172 154	225 372	255 120
KwaNdebele	419	114	165
Venda	34	18	79
Bophuthatswana	24	388	501
Ciskei	379	1 752	1 526
Transkei	14 310	20 026	25 807

Administration Board Southern Free State

	1979	1980	1981
Lebowa	1 787	2 051	2 001
Gazankulu	535	645	895
QwaQwa	6 275	6 770	4 973
KaNgwane	—	—	7
KwaZulu	3 526	5 617	4 049
KwaNdebele	461	398	356
Venda	287	320	390
Bophuthatswana	5 005	9 985	9 082
Ciskei	4 108	2 110	2 443
Transkei	9 175	10 447	9 137

Administration Board Eastern Cape

	1979	1980	1981
Lebowa	2	—	—
Gazankulu	1	—	2
QwaQwa	6	—	1
KaNgwane	—	—	—
KwaZulu	1	242	29
KwaNdebele	—	—	1
Venda	—	—	2
Bophuthatswana	2	—	2
Ciskei	7 004	11 003	13 561
Transkei	2 272	2 480	2 722

Administration Board Highveld

	1979	1980	1981
Lebowa	8 734	12 809	15 286
Gazankulu	1 413	2 231	3 160
QwaQwa	679	1 213	1 696
KaNgwane	2 835	5 100	6 230
KwaZulu	2 357	4 209	4 435
KwaNdebele	3 821	5 372	7 217
Venda	290	472	662
Bophuthatswana	624	1 046	1 362
Ciskei	36	59	265
Transkei	1 947	2 267	3 344

Administration Board East Rand

	1979	1980	1981
Lebowa	10 972	13 661	17 565
Gazankulu	2 749	4 085	4 058
QwaQwa	1 129	2 144	2 044
KaNgwane	926	1 605	911
KwaZulu	2 408	5 533	3 058
KwaNdebele	3 078	4 055	3 231
Venda	1 027	1 992	2 874

Administration Board East Rand	*1979*	*1980*	*1981*
Bophuthatswana	1 301	2 092	2 187
Ciskei	326	577	539
Transkei	2 336	5 562	3 235

Administration Board Port Natal	*1979*	*1980*	*1981*
Lebowa	712	766	18
Gazankulu	642	625	41
QwaQwa	2 518	2 904	113
KaNgwane	1 020	1 144	96
KwaZulu	282 220	308 297	346 285
KwaNdebele	68	47	16
Venda	24	20	8
Bophuthatswana	84	59	12
Ciskei	573	460	16
Transkei	47 980	34 358	21 731

Administration Board Western Transvaal	*1979*	*1980*	*1981*
Lebowa	544	916	579
Gazankulu	371	70	105
QwaQwa	361	541	413
KaNgwane	45	64	29
KwaZulu	301	311	378
KwaNdebele	22	37	49
Venda	113	—	—
Bophuthatswana	32 857	43 923	40 443
Ciskei	68	51	72
Transkei	4 147	3 861	3 058

Administration Board Eastern Transvaal	*1979*	*1980*	*1981*
Lebowa	6 091	8 016	11 440
Gazankulu	2 838	3 194	3 903
QwaQwa	285	154	86
KaNgwane	6 189	8 593	10 167
KwaZulu	2 840	4 277	3 573
KwaNdebele	657	609	502
Venda	487	1 118	1 446
Bophuthatswana	380	347	43
Ciskei	28	43	99
Transkei	167	174	722

Administration Board West Rand	*1979*	*1980*	*1981*
Lebowa	26 987	37 065	36 892
Gazankulu	10 143	12 877	12 527
QwaQwa	3 937	5 685	5 058
KaNgwane	1 167	1 761	1 269
KwaZulu	20 092	33 226	30 943
KwaNdebele	3 249	4 020	2 619
Venda	12 971	13 755	13 174
Bophuthatswana	28 368	37 917	29 659
Ciskei	1 262	3 140	2 075
Transkei	18 031	29 376	30 263

Administration Board Northern Cape	*1979*	*1980*	*1981*
Lebowa	—	—	—
Gazankulu	—	—	—
QwaQwa	129	259	148

Administration Board Northern Cape	*1979*	*1980*	*1981*
KaNgwane	—	—	—
KwaZulu	121	—	—
KwaNdebele	—	—	—
Venda	95	109	125
Bophuthatswana	19 929	19 906	21 052
Ciskei	191	191	218
Transkei	667	745	933

Administration Board Northern Transvaal	*1979*	*1980*	*1981*
Lebowa	54 293	45 099	41 999
Gazankulu	17 660	14 863	13 504
QwaQwa	422	227	166
KaNgwane	730	491	266
KwaZulu	902	514	355
KwaNdebele	15 294	5 308	5 980
Venda	2 856	5 913	5 733
Bophuthatswana	1 686	1 179	949
Ciskei	275	127	50
Transkei	1 386	546	438

Administration Board Central Transvaal	*1979*	*1980*	*1981*
Lebowa	38 088	43 183	44 744
Gazankulu	17 864	15 508	15 711
QwaQwa	2 549	3 538	3 777
KaNgwane	3 642	3 467	3 906
KwaZulu	5 082	4 538	4 885
KwaNdebele	35 591	38 874	41 299
Venda	4 441	5 782	6 041
Bophuthatswana	75 245	77 918	84 260
Ciskei	155	134	196
Transkei	2 581	2 234	2 400

(2) Unfortunately statistics in this regard are not available.

(340) **Nomondi Township, Molteno**

661. Mr. P. A. MYBURGH asked the Minister of Co-operation and Development:

(1) How many houses are there in Nomondi Township, Molteno;

(2) whether there is a waiting list for accommodation in the township; if so, how many families are on such list;

(3) whether any houses were built in the township by (a) his Department and (b) the local authorities during the latest specified period of five years for which figures are available; if so, how many in each category; if not, when were houses last built there;

(4) whether there are any plans for future residential development in Nomondi Township; if so, what is the nature of such plans?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) 530: Nomondi.
331: Zwelitsha.

(2) Yes: 310 families.

(3) (a) and (b) No: 1967.

(4) Yes, the extension and replanning of the area will take place in the near future. Surveyed plans are available for replanning and extension of the township.

Candidate for board of directors of banking institution

339 Q61.937 Hansard 28/5/82

*Mr. Mrs. H. SUZMAN asked the Minister of Co-operation and Development

(1) Whether any Administration Boards received a request from any municipal body for their support for a candidate seeking election to the board of directors of a banking institution the name of which has been furnished to the Minister's Department for the purposes of his reply; if so, (a) which Boards, (b) (i) from whom did the request emanate and (ii) when was it received and (c) what was the response of the Boards concerned;

(2) whether he will make a statement on the matter?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) No.

(2) No statement is contemplated.

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Death slept beside wife

London Bureau

LONDON. — An elderly woman slept beside her dead husband for almost a year.

Police discovered the corpse of John Hedges, 65, only after tenants at the flat where he lived with his wife Mary, 61, complained of the smell.

An inquest at Southwark heard Mrs Hedges told a policeman: "My husband's asleep in bed. I think he's getting better."

An open verdict was recorded.

Urban Foundation warns of unrest

Political Staff

CAPE TOWN. — The Urban Foundation has warned the Government that unless it accepts black people as permanent residents in urban areas incidents like the 1976 Soweto riots are likely to recur.

Yesterday, in a memorandum to a Parliamentary select committee investigating the Black Local Authorities Bill, the foundation urged that black local authorities be given the same powers and authority as white, coloured and Indian authorities.

It urged the committee to accept the permanence of blacks and to approach legislation on this basis.

"If the laws remain that blacks will not live permanently in urban areas, they will continue to have a destablising effect on urban black communities and the patterns of the past which gave rise to incidents such as the Soweto Riots of 1976 are likely to be repeated."

So close, as Lamb slams fine 99

London Bureau

LONDON. — Allan Lamb produced a batting feast without the mint sauce at The Oval yesterday -- he failed by one run to score his maiden century for England

Playing in the second one day international against India, the South African hit a superb 99 in 152 minutes and his runs came off only 110 deliveries.

Indian skipper Sunil Gavaskar had won the toss and put England in to bat on a sweltering summer's day.

But after opener Barry Wood had gone for 15, Lamb and David Gower hammered the tourists' attack.

England finally reached 276 for nine wickets in their allotted 55 overs, with Lamb sacrificing his wicket in the chase for runs as the overs slipped away.

His innings must have ensured him his Test debut in the first Test against India at Lord's on Thursday.

From the first ball he faced he looked in command and he and left-handed Gower figured in a magnificent 159-run partnership.

In 108 minutes the pair put on an exhibition of stroke-play that gave the large crowd plenty to cheer about and that turned the match firmly in England's favour.

As Lamb approached his century, Gavaskar put the pressure on him by bringing in the field to stop the singles.

And, seeking to keep the score moving merrily, Lamb played an uncharacteristic stroke off seamer Madan Lal and skied a return catch.

England won by 114 runs, India finishing with 162 for eight wickets.

● See Back Page



building to a waiting ambulance after pulling his body from the wreckage of the lift shaft.

Warrant to the islands

LONDON. — A warrant from Queen Victoria, appointing Thomas Edward Laws Moore "our governor and commander-in-chief in and over the Falkland Islands and in their dependencies and dated the sixth day of July, in the 19th year of our reign (1856)" was sold at Christie's auction house yesterday for R1 170. It was bought by a private collector. — Sapa-AP.

● Premiers' summit — Page 2

Masa

Other

Diamond Cutters Union of South Africa
Jewellers and Goldsmiths Union
Optical Workers Union
S.A. Association of Dental Mechanicians
S.A. Diamond Workers Union

ELECTRICITY, GAS AND WATER

Cape Town Gas Workers Union
Escom (Cape Western Undertaking) Salaried Staff Association
Escom Salaried Staff Association
Escom Workers Association
General Workers Union
Johannesburg Municipal Water Work Mechanics Union

CONSTRUCTION

Amalgar
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WHOLE

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337
206

Govt warned: Riots will recur

Political Staff

HOUSE OF ASSEMBLY. — The Urban Foundation has warned the government that unless it accepts that black people are permanently resident in urban areas outside the homelands, incidents like the 1976 Soweto riots are likely to be repeated.

In a memorandum to a parliamentary select committee tabled yesterday, the foundation said no system of black local government was likely to succeed if black people were not accepted as permanent inhabitants of the urban areas.

The Urban Foundation submitted the memorandum and gave evidence to the select committee investigating the Black Local Authorities Bill.

It urged that black local authorities have the same powers and authority as white, coloured and Indian authorities.

"Historically the idea that blacks would not be permanently in urban areas has shaped the laws dealing with black administration, including local government laws, and has led to the concentration of powers in a single government department which is today the Department of Co-operation and Development."

No system of decentralized local government for black people had been allowed to develop.

The community councils which had been introduced in 1977 were required to operate within this framework. But, the foundation said, for effective decentralized government to exist there had to be a large measure of independence, representativeness and collective responsibility as well as the economic and financial means to act independently.

"The fact that government was made subject to the control and supervision of administration boards, was one of the main reasons for the lack of support given to community councils by the black community.

"The acceptance of the permanence of the urban black population is crucial to the trilogy of which the Black Local Authorities Bill forms part.

"If the laws remain directed to the proposition that blacks will not live permanently in urban areas, they will continue to have a destabilizing effect on urban black communities and the patterns of the past which gave rise to incidents such as the Soweto riots of 1976 are likely to be repeated."

The foundation urged the committee to accept the permanence of black people in the urban areas as a fact and then to adopt an approach to the three bills on that basis.

ministration Board. The parties concerned have come to an agreement regarding a

(271) (124)

Goshen/Kwelera: title deeds

*10. Mr. E. K. MOORCROFT asked the

19/5/82

Hansard Q. Col. 856

†The DEPUTY MINISTER OF CO-OPERATION:

can Ambassador in Washington who had received a letter containing sinister implications. The assador considered it to be rative and in South Africa's est to reply thereto.

b) fall away.

lumer Foundation

H. SCHWARZ asked the ıstries, Commerce and Tou-

any relationship exists be Internal Trade and Con- fairs Division of his Depart the Consumer Foundation; at is the nature of the re-

s Department has (a) given on to the functions of and d an attitude to the Con- ndation; if so, with what

ER OF INDUSTRIES, ND TOURISM:

b) The Consumer Founda- had informed the depart- of the aims and functions of oundation. The aims are worthy and the Govern- ment trusts that the Consumer Foundation would pursue the responsibilities of a consumer organization in a balanced and responsible manner.

(344) Hansard 858-859

Murders of Dr. Robert Smit and his wife

19/5/82

*14. Mr. G. B. D. McINTOSH asked the Minister of Law and Order:

(1) Whether investigations into the murders of Dr. Robert Smit and his wife are continuing; if so, what rank does

Saturday, June 5, 1982

Foundation warns Govt

(139) Mercury 5/6/82

Yesterday in Parliament

Parliamentary Correspondent

CAPE TOWN—The Urban Foundation has warned the Government that unless it accepted that black people were permanently resident in urban areas outside the homelands, incidents like the 1976 Soweto riots were likely to be repeated.

In a memorandum to a Parliamentary select committee, which was tabled yesterday, the foundation said no system of black local government was likely to succeed if black people were not accepted as permanent inhabitants of the urban areas.

The Urban Foundation submitted the memorandum and gave evidence to the select committee investigating the Black Local Authorities Bill.

It urged that black local authorities have the same powers and authority as white, coloured and Indian authorities. It said the proposed Bill had to be seen in the context of the history of black local administration and governmental policies for blacks living in urban areas.

'For many years the permanence of blacks living in urban areas was denied and their presence in such areas was regulated in terms of laws and principles of administration based on that proposition.

New approach

'More recently there has been an indication of a new approach which involves the acceptance of a permanent urban black population.

'There has not, however, been a change in the laws and principles of administration necessary to give effect to this new approach.

'In the opinion of the Urban Foundation, the new scheme of legislation, of which the Urban Local Authorities Bill forms part, is not likely to succeed unless it acknowledges and makes provision for the permanent urban black population.

'Historically the idea that blacks would not be permanently in urban areas has shaped the laws dealing with black administration, including local government laws, and has led to the concentration of powers in a single government department which is today the Department of Co-operation and Development.'

Allowed

This had resulted in the concentration of all aspects of black urban administration within a single government department with every mechanism of legal, financial and political control firmly vested in the hands of the minister and his officials.'

No system of decentralised local government for black people had been allowed to develop.

The community councils which had been introduced in 1977 were required to operate within this framework. But, the foundation said, for effective decentralised government to exist there had to be a large measure of independence, representativeness and collective responsibility as well as the economic and financial means to act independently.

Trilogy

'The fact that government for blacks was inadequately financed and was made subject to the control and supervision of administration boards, was one of the main reasons for the lack of support given to community councils by the black community.

'The acceptance of the permanence of the urban black population is crucial to the trilogy of which the Black Local Authorities Bill forms part.

'If the laws remain directed to the proposition that blacks will not live permanently in urban areas, they will continue to have a destabilising effect on urban black communities and the patterns of the past which gave rise to incidents such as the Soweto riots of 1976 are likely to be repeated.'

The foundation urged the committee to accept the permanence of black people in the urban areas as a fact and then to adopt an approach to three bills on that basis.

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ply to the Department of Community Development for the necessary funds. When those funds will become available is also not known yet.

Mr. P. A. MYBURGH: Mr. Speaker, further arising out of the reply given by the hon. the Deputy Minister, could he tell us when the Department actually took over the responsibility for the running of that township?

The DEPUTY MINISTER: Mr. Speaker, these Black townships were taken over in 1973.

(2) Yes.

Goshen/Kwelera: title deeds

*11. Mr. E. K. MOORCROFT asked the Minister of Co-operation and Development:

Whether his Department called in the title deeds of free-hold landowners in (a) Goshen, Cathcart, and (b) Kwelera, near East London; if so, (i) in terms of what statutory provision, (ii) for what reason, (iii) on whose instructions and (iv) by whom were such title deeds called in?

†The MINISTER OF MINERAL AND ENERGY AFFAIRS (for the Minister of Foreign Affairs and Information):

(1) Yes.

(a) (i) The South African Police

(ii) The information relates to the hospitalization of certain detainees.

(b) At the request of the South Afr

'New deal' for urban blacks to become law

(339) S. Times 6/6/82

NEARLY four years after the Riekert Commission report and after at least three rewrites, the first of the trilogy of laws affecting urban blacks has been finalised and has met with a warm response from Opposition circles.

The newly-revised Black Local Authorities Bill will put black municipalities on a par with white municipalities in all material respects.

It also contains provisions to enable the State President to transfer greater powers to the black municipalities than those enjoyed by white local authorities.

The Bill was first published in 1980 as part of the three-part "new deal" for urban blacks, which was savagely criticised and eventually plucked from the public view for a complete rewrite.

Early this year, it reappeared in revised form and was generally welcomed as a great improvement.



It was referred to the Select Committee on Constitutional Matters under the Minister of Internal Affairs, Mr Chris Heunis, and worked over once again, to appear this week in Parliament in amended form.

It is expected to go through its final legislative stages during the coming week, the last of this session of Parliament, and will form the basis of black local authority elections scheduled for September.

The Bill covers all aspects of local government for blacks, except for the crucial question of financing.

According to sources, this has been left out pending the outcome of the Croeser Committee's investigations into the whole question of local government financing.

□□□

Also, the President's Council recommendations for local government leave open the possibility that urban blacks may be included in proposed metropolitan councils, which (depending on the Government's final response) would have implications for the financing structures in black local authorities.

Professor Nic Olivier of the Progressive Federal Party commented yesterday that both Mr Heunis and the Minister of Co-operation and Development, Dr Piet Koornhof, had shown themselves achieve a Bill that would be acceptable to blacks.

They had been "amenable to improvements to the Bill", he said.

Prof Olivier said the revised Bill now followed almost exactly the Transvaal Municipal Ordinance, which lays down the rules and regulations and powers of white local authorities in the Transvaal.

He said that while the PFP would prefer to see blacks fall under the same authority as whites rather than be dealt with as a separate category, within the framework of Government policy the new Bill was a distinct improvement.

□□□

Mr Jan Steyn, the executive director of the Urban Foundation, which, among other agencies, was partly responsible for the withdrawal of the original "new deal", said the new Bill contained certain important provisions and reflected real and substantial reform of the structures of black local government.

He highlighted certain fundamental principles enshrined in the new Bill:

- The right to vote is extended to all blacks lawfully in urban areas for more than 12 months (the qualification period may be extended by the Minister of Co-operation and Development, but cannot exceed three years);
- Real autonomy is conferred on black local authorities — their powers are not extended or capable of arbitrary revocation by the Minister or his officials, but are detailed in legislation;
- Community councils cease to exist and a new dispensation is created upon the election of a black municipality under the provisions of the Bill;
- Black municipalities, like their white counterparts, can acquire freehold title to land.

The remaining two Bills in the revised deal for urban blacks — one deals with community development and the other with influx control — are expected to come before Parliament next year.

□□□

Dr Koornhof told newsmen the law had been so reworked that it would be impossible to achieve greater acceptability for it "this side of the grave".

He expected the best brainpower among blacks to come forward and make their contributions and be elected to the new local authorities.

If that happened this important instrument would make an enormous contribution to better living conditions for urban blacks, he said.



MR CHRIS HEUNIS
Praised for new Bill

PC's proposals.

persuades voters to accept cussing any detail and to ... proceed.

255 339 5. Express 6/6/82 343

Verkramp. department gets slap from Govt

Political Correspondent

THE notoriously verkramp Department of Co-operation and Development has suffered a remarkable rebuff from the Government.

As a result, political observers are confused and in doubt about the department's earnestness in tackling programmes of reform.

In its report on the Black Local Authorities Bill, which was introduced with much fanfare from the department earlier this year, Parliament's select committee on the constitution, chaired by the Minister of the Interior, Mr Chris Heunis, found it necessary virtually to rewrite the Bill.

It did so to ensure that Black local authorities would have the same rights and status as their white counterparts.

No fewer than 32 clauses of the 57-clause Bill introduced in Parliament by the Minister of Co-operation and Development, Dr Piet Koornhof, earlier this year have now been radically rewritten, even though the department had claimed its Bill represented "drastic reform".

Most of the amendments accepted by the Nationalist-dominated Select Committee were proposed by opposition party members. Both the NRP and the PFP will now support the Bill when it is debated in Parliament this week.

The tabling of the committee's report only a week before Parliament prorogues is also clearly meant as an answer to Government critics who have condemned its reform programme as being limited to coloureds and Indians.

The minutes of the select committee reveal that at one stage it considered jettisoning the Bill because it did not meet the demands of reform.

But, apparently because of the delay this would have caused, the committee voted instead to undertake an unprecedented string of ammendments, based largely on the evidence and suggestions of experts from the Urban Foundation who testified before the committee in May.

After spelling out the situation in Soweto, an expert on administrative law, Dr Pieter Henning, suggested to the committee that the Bill be scrapped.

The suggestion was taken so seriously by Mr Heunis that he asked the witnesses to leave so that the committee could debate the issue and vote on whether to proceed.

Dr Henning was one of the lawyers who represented the West Rand Administration Board in its Soweto riots damages case against Santam.

He described the original Bill, drawn up by officials of the Department of Co-operation and Development and which provided for ministerial discretion on every level, as another case of "Pretoria deciding for Soweto".

A survey conducted by the Rand Afrikaans University in 1979 found that 95% of the adult inhabitants of Soweto had lived there for 20 years or more.

Another study, he said, found that 77% of the inhabitants of Soweto regarded themselves as permanent residents and had no ties with any homeland.

He also suggested that the administration boards should be phased out completely as soon as possible

"They should not be allowed to re-emerge as 'Development Boards' — they must disappear from the scene completely."

A co-ordinating development function, he said, should be carried out by regional councils, on which local authorities were represented.

Skydivers in a mid-air tangle

By PHILLIP GARDNER

THE South African parachute stack record was broken at Sun City yesterday — but not without two near disasters.

The 11 skydivers had just broken the record of nine and were falling off individually to land when the parachutes of Peter Lawson and Steve Woodford became entangled as they plunged towards the ground.

One did a 'cutaway' to release himself from his main chute, and activating his reserve. The second, already at a height of less than 1 000 feet, became entangled further in his colleague's parachute, and also had to do a 'cutaway' in order to use his reserve.

Both eventually landed safely.

The stack attempt was part of the Sun City Canopy Relative Work Championships. A United States team holds the world record of 14.

The first attempt on the South African record was made on Friday night. The skydivers jumped out of two light-aircraft at just over 10 000 feet and got nine men into the stack.

Soon after the last had 'docked' in the stack, the bottom half began to swing violently because of air turbulance. The 10th man could not enter the stack and the attempt had to be abandoned.

The second attempt was made early yesterday morning. The 11 skydivers — seven of them Springboks — jumped from the aircraft at 10 000 feet, opened their parachutes almost immediately, and began stacking.

The stack was eight deep when the bottom skydiver 'slipped' off the stack. But he was able to dock with the stack again, and was followed closely by the three remaining skydivers still floating next to the stack.

Whoops and howls of delight from the skydivers greeted their success.

They held the stack for about 15 seconds, then broke off to land next to the hotel.

The 11 skydivers were: Mike McWilliams, Max Brody, Trevor Roux, Greg Sinclair-Brown, Mike Snoyman, Thys Kritzinger, Don Bodley, Alan O'Gorman, Steve Woodford, Peter Lawson and Arthur Siviter.

But the day's drama was not over. After setting the new record, one skydiver landed in the lake next to the golf course.

He was floundering in the icy water when a golfer, 15-year-old Kevin Stone, of Rustenburg, dived into the water and swam out to him.

"I was playing golf on the 16th tee with my brother, occasionally watching the parachutes, when I saw one chap land in the lake," Kevin said. "I dived into the water without a second thought."

Kevin struck out towards the stricken skydiver fully clothed, as officials on the far bank sped to the scene in a boat.

"I could hear him screaming for help as I swam out to him. I was very tired, but I got to him and supported him until the boat arrived," said Kevin.

The young rescuer and the unidentified skydiver were brought safely to shore.

Sweet Workers Industrial Union (Natal)
Sweet Workers Union
Sugar Industry Employees Union
South African Allied Workers Union (SAAWU)
S.A. Boilermakers, Iron & Steelworkers, Shipbuilders and Welders
S.A. Electrical Workers Association
Western Province Sweet Workers Union
Witwatersrand Baking & Confectionery Industrial Union
Witwatersrand Brewing Employees Union

Tobacco

African Tobacco Workers Union
National Union of Cigarette & Tobacco Workers
Rustenburg Tabakwerkersvereniging

Textiles, Clothing, Leather and Footwear

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New bill could mean freehold for blacks

elders

Political Staff

THE present Black Local Authorities Bill is very different to the one that first emerged from the parliamentary select committee on the constitution. Opposition spokesmen believe it could open the door to freehold rights for black local authorities.

A 25-page schedule of amendments was tabled yesterday.

Professor Nic Olivier, Opposition spokesman on black affairs and member of the select committee, said the changes made to the bill significantly raised its level of acceptability to the Progressive Federal Party.

The powers of blacks at the local government level are substantially extended and the powers of the Minister of Co-operation and Development in relation to these authorities are limited.

The existing bar on freehold rights for local authorities in the earlier version of the bill is removed.

However, the government has made it clear that it is not prepared to extend freehold rights to blacks on an individual basis now.

The latest redraft has the backing of the Urban Foundation and is likely to be supported at second reading by the PFP.

However, the Opposition has reservations. It feels the bill does not go far enough on the crucial issue of freehold rights, nor sufficiently limit the powers of the minister in relation to black local authorities.

It also has reservations about the funding of black local authorities which is not catered for in the bill.

Dr Koornhof said the question of local authority finance was being studied by the President's Council and the Croeser Committee.

"The government is, however, committed to acceptance of the principle of autonomous local government for blacks, properly supported by appropriate financial measures," Dr Koornhof said.

Local Government ordinances.

He said the Transvaal Ordinance was used as a basis for identifying and eliminating discrimination from existing provincial ordinances.

The existing bar on freehold rights for local authorities in the earlier version of the bill is removed.

However, the government has made it clear that it is not prepared to extend freehold rights to blacks on an individual

Cape Times 7/8/82 329

(339) Hansard Q. col. 1001 - 1002

Spending of subsidy

7/6/82

710. Mr. E. K. MOORCROFT asked the Minister of Co-operation and Development:

On what projects was the subsidy referred to by him in his reply to Ouestion No. 12 on 21 May 1982 spent in the financial years 1978-'79, 1979-'80, 1980-'81 and 1981-'82, respectively?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

During the 1978-'79, 1979-'80, 1980-'81 and 1981 '82 financial years the amount of

R30 000 per annum from the South African Development Trust was utilized by the Eastern Cape Administration Board to provide necessary services such as sanitation, refuse removal, water, health and library services, etc. The cost of these services was only partly met by the Trust's contribution.

Cape Times 8/6/82 (Local) 339

New black local govt bills

HOUSE OF ASSEMBLY. — Two bills affecting blacks outside the national states were published here yesterday.

Both bills, the Black Local Authorities Bill and the Black Communities Development Bill, were introduced by the Minister of Co-operation and Development, Dr Piet Koornhof.

The Black Local Authorities Bill provides for the establishment of local committees, village councils and town councils for blacks in certain areas and for the appointment of a director of local government.

One of its key provisions is the conferring of autonomy on these bodies.

The powers conferred in the legislation include the right to the acquisition by the local authority of immovable property within its area of jurisdiction, in a similar way and with the same force and effect as that which applies to a white municipality.

The legislation creates new structures since the existing community council system would end with the establishment of new black local authorities.

The right to participate in the electoral process would be conferred on all persons 18 years or older, lawfully resident in the area of jurisdiction of the local authority concerned for a prescribed minimum period of between one and three years.

Provision is also made for the establishment of a municipal structure to help maintain law and order.

The Black Communities Development Bill provides for the development of black communities outside the national states and for the consolidation of certain laws affecting them.

Among other things, it provides for the establishment of townships and hostels. — Sapa

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(327)

most coveted secrets in the Ministry of Security, admitted that he had met General Coetzee on previous official visits in the past three years.

He said he had been an honest worker for his government even though he had contemplated defecting for more than eight months.

Left family

Mr Costa, who left behind a wife, three children and his parents, said his country was economically almost on its knees, that Frelimo plans had failed to materialise and that the Soviet Union was destroying the economy.

"Southern Africa with its mineral and agricultural wealth is of strategic importance to them and is their main target. the 21st century food will be the biggest problem.

"I am not prepared to oppress my people and will not work in matters against my people just because the Russians want

"I have always supported the freedom of my country in the way I said Frelimo had a good programme in the beginning but the economic aid promised to it by communist countries did not materialise."

anti-SA propaganda

He said one of his functions was to spread propaganda in Mozambique about South Africa backing resistance movements in his country

"I even drew maps of where South Africans infiltrated the country. These were used in Mozambican papers readily."

General Coetzee said at yesterday's conference that there had been regular liaison between Mozambican police and the South African Police on criminal matters. He said security police were involved in discussions on border matters.

Praise for black local govt bill

(339) CT. 8/6/82

Political Correspondent

THE executive director of the Urban Foundation, Mr Jan Steyn, yesterday praised proposed new legislation on black local government and said he hoped urban blacks would accept it.

Mr Steyn issued a statement following the tabling in Parliament last week of the Black Local Authorities Bill, extensively amended by a parliamentary select committee after the orginal version had been severely criticized.

The new bill is now largely acceptable to the Progressive Federal Party, although the PFP is expected to seek to improve it furher during its passage through Parliament this week.

The measure gives freehold title to black local authorities — which the PFP believes could be the precursor to individual freehold rights for blacks — and severely limits the powers of the government to interfere in the operations of proposed black municipalities.

The Minister of Cooperation and Development, Dr Piet Koornhof, said in a statement after the bill had been tabled that it resulted from a broad basis of agreement.

He said the bill was "a clear break with the past" and represented the government belief that black town and village councils should be truly independent.

"This legislation is a determined effort of government to demonstrate its belief that black communities are willing and able to participate in the process of self-government at local level."

Dr Koornhof also committed the government to accepting the principle of autonomous local government for blacks, "properly supported by appropriate financial measures".

The whole system of financing local government, both black and white, was being investigated and decisions affecting all should be taken in the near future

In his reaction, Mr Steyn said the bill was the first in a series of legislation through which a new, and hopefully acceptable, dispensation for urban blacks would be created.

"The foundation is pleased that those who have for so long been denied an opportunity of effective participation are afforded such opportunity in an acceptable form at local level."

'Advantages'

He said the legislation had "great symbolic significance" even if some regarded the structure within which it had been created as unsatisfactory. He said the main advantages were.

- Real powers were conferred on black local authorities.
- The legislation was virtually identical with that governing whites at local level
- The grant of title to black municipalities confirmed in legislation the recognition of urban black permanence.
- The widely extended right to vote (the franchise will be extended to all blacks who have been legally in urban areas for between one and three years) should provide the opportunity for truly-elected leaders to establish themselves through the democratic process.

Mr Steyn hoped the government's investigation of local government would result in financial measures which would provide the essential economic underpinning for black local authori-

West envoys for talks in Africa

LONDON. — Representatives of Western governments negotiating SWA/Namibia's independence were to meet leaders of frontline States this week to wrap up a set of "concrete proposals" aimed at implementing a settlement plan before the end of this year, diplomatic sources said here yesterday.

The proposals will be delivered to the South African Government, Swapo, the frontline States and SWA/Namibian internal parties within two weeks of the discussions.

Western envoys are to visit Zambia, Angola and Tanzania. The main thrust of their mission is to achieve agreement on the establishment of a UN transition group to supervize the independence process.

"There is a keeness among all the parties involved — we are hopeful of real progress," one Western official said yesterday.

In the past 48 hours, the president of Swapo, Mr Sam Nujoma, and Zimbabwe's Prime Minister, Mr Robert Mugabe, have both expressed optimism about a settlement of the dispute.

In Dar es Salaam, Mr Nujoma said there seemed to be "a definite degree of seriousness" in the contact group's approach to negotiations.

In Harare, Mr Mugabe returned from a seven-nation European tour and told a press conference: "It is believed South Africa is going to be responsible this time and that it will not stand in the way of the exercise to give Namibia its independence."

South African Government representatives met US State Department officials in Geneva last month to discuss the latest Western plan and sources here said South Africans would not be involved in further direct consultation, indicating that a measure of agreement had already been reached. — Sapa

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Nats try again for a better black deal

339
RDM
16/6/82

After nearly two years of trying the Government has come up with changes to urban black local government which appear to be a step on the road to real reform. Political reporter CHRIS FREIMOND looks at the new dispensation.

IT HAS taken more than 18 months to achieve, but at last Dr Piet Koornhof's much revised "new deal" for urban blacks appears to be a genuine step towards reform — at least at local government level.

The Local Authorities Bill — to which extensive amendments were published last week by the Select Committee on the Constitution (SCC) — is the first of three Bills affecting urban blacks.

It is expected to pass through all stages in Parliament this week — with the support of the official Opposition.

The other two Bills published this week are the Development of Black Communities Bill and the Orderly Movement and Settlement of Blacks Bill which sets out influx control measures.

Both these Bills are likely to be referred to the SCC for possible revision and are expected to come before Parliament next year.

The three Bills were originally published in November, 1980 but, in the words of Mr Jan Steyn, executive director of the Urban Foundation, were found to be "not only inappropriate, but in many respects a mere consolidation of an existing system, regarded by many as oppressive and destructive of human dignity".

The Bills were withdrawn after considerable public opposition and referred to the Groskopf Committee for redrafting.

Further Government revision and a final reshaping by the SCC resulted in the Local Authorities Bill which has been hailed in many circles as a breakthrough — by National Party standards — in urban black government.

The Urban Foundation, which was instrumental in lobbying for a better "new deal" than was originally planned, welcomed the Bill.

Mr Steyn said it reflected "real and substantial reform" of black local government.

He said the more significant aspects of the Bill were that:

- It was virtually on a par with the Transvaal Local Government Ordinance — which regulates white municipalities — and gave real power to black local authorities.
- It took away much of the Minister of Co-operation and Development's direct control of urban black local government.
- It allowed black local authorities to own land in their areas — like their white counterparts.
- It gave voting rights to blacks who were lawfully in urban areas and had been so for a period of more than 12 months.
- Community councils would cease to exist and the new dispensation would come into effect with the election of town and village councils.

Mr Steyn said: "Some may regard the structure within which this legislation has been created as unsatisfactory. But even if this is so, this legislation has great symbolic significance."

When he introduced the Bill, the Minister of Co-operation and Development, Dr Piet Koornhof, said a valid criterion to determine the autonomy of black local authorities under the new dispensation was to see whether the powers conferred were the same or substantially the same as those conferred on white local authorities.

He said: "It is our belief that the provisions of this legislation reflect an acceptance of the principle that (black) town and village councils should be truly independent and not, as was the case with community councils, subject to the extensive control of a Minister."

The Progressive Federal Party's director of research, Professor Nic Olivier, said the Bill with the SCC amendments was a "major improvement" on both the original Bill and the Bill as submitted to the SCC.

But some black community leaders were not fully convinced of the Government's good intentions.

The president of the Urban Councils Association of South Africa, Mr Steve Kgame, said from reports it appeared blacks could look forward to a better deal — but the pace of change was still too slow.

He was critical of the fact that blacks were not invited to participate in the planning of changes which affected them.

Blacks' greatest priority was "their own liberation" and whites who wanted to help in that process had to understand that the "new agenda" had to be written by blacks themselves.

The chairman of the Soweto Committee of 10, Dr Nthato Motlana, acknowledged the significance of placing urban black local government on a similar footing to white local authorities and thereby scrapping some discriminatory aspects of black local government.

But his major objection was the separate development framework within which the new measures would apply.

There was no way that urban black aspirations could be satisfied while they were regarded as foreigners in the urban areas, he said.

One crucial aspect of the "new deal" remains unresolved — financing of urban black local authorities.

This was left hanging by the Bill because the issue of local government financing — black and white — is still under scrutiny by the President's Council and the Croeser Committee.

But, according to Dr Koornhof, the Government is committed to the principle of autonomous local government for blacks "properly supported by appropriate financial measures".

Both Mr Kgame and Dr Motlana saw this issue as a possible major obstacle.

Mr Kgame said: "You can't tell the people to pull themselves up by their boot laces and then give them boots with no laces."

The Government would have to provide adequate infra-structure in black municipal areas and come up with a viable financing plan.

Dr Motlana said as long as the financing of black areas depended on liquor sales and rent new measures would not succeed.

He said the Government should "make its intentions very clear" on financing.

CAPE Times 10/6/82

Influx bill clamps down on majority

By John Battersby

HOUSE OF ASSEMBLY. — The government's long-awaited bill on black influx control, which was published in Parliament yesterday, will relax restrictions for blacks who qualify to be in the cities, while tightening measures to keep those who do not qualify, out.

The implications of the Orderly Movement and Settlement of Black Persons Bill are that it will make the lives of a relatively small percentage of black South Africans easier while fortifying the barriers that keep the majority of blacks banished to impoverished rural areas.

The influx control bill is the third in the trio of "Koornhof" bills which were originally introduced by the Minister of Co-operation and Development, Dr Piet Koornhof, in October 1980 with the claim that they heralded a new dispensation for urban blacks.

The bill, together with the Black Communities Development Bill which provides for the replacement of administration boards by "development boards", has been referred to the parliamentary select committee on the constitution.

Following extensive amendments to the Black Local Authorities Bill during its passage through an all-party select committee, there are wide expectations that extensive improvements could still be made to the other two bills in the trio.

In terms of the new bill on influx control the category of permanent black urban residents will be recognised for the first time. Those who have been resident in cities continuously for 10 years will qualify for this new category.

Mr Nic Olivier, director of the PFP's research department and a recognised expert on laws affecting blacks, said that in ideological terms this was a "tremendous advance" for the government

"However, I will have to study the bill more carefully to determine whether all people who currently qualify under section ten rights to reside legally in the cities will be included in the new definition," Mr Olivier said.

In terms of the bill, the base of influx control will be whether a person has approved accommodation and has been provided authority to remain in an urban area.

The implications of the bill are that, once authorised, a black will have permanence in the cities and will no longer be resident there on ministerial sufferance.

However, it is clear from those sections of the bill dealing with the removal of unqualified blacks that the application of the pass laws is likely to be ruthlessly tightened.

The bill provides for:

- "The minister to declare any area an unemployment area which will mean that no unqualified person may seek or take up employment there.
- "The minister may summarily order blacks to vacate land if he believes that their settlement there is calculated to canvass support for a campaign to repeal any law or to endanger the maintenance of law and order, or threatens their own health or welfare."
- "Inspectors of the department appointed by the director-general to enter any premises where blacks are accommodated, at any time of day or night, and question or demand information from them in connection with the Act.

URBAN BLACKS FM 11/6/82 (339)

Enshrining Riekert

The three revised Bills relating to urban blacks reflect an appalling dichotomy in government's race policies.

Two of the Bills — the Black Local Authorities Bill and the Black Communities Development Bill — are to a large extent a triumph of progressive renewal over reactionary elements in government's thinking on the position of blacks in the common area.

But the third — the Orderly Movement and Settlement of Black Persons Bill — negates the reforms. Blacks, in order to enjoy certain benefits of local autonomy and economic growth in the common area, must negotiate a maze of new controls and regulations.

As the title implies, the Orderly Movement and Settlement of Black Persons Bill (OMSBP) follows the guidelines set by the Riekert Commission. It sets up a rigid linkage between the right of a black to be in the common area and the availability of work and accommodation.

This introduces a strong element of control that was not there before. The Minister can control the flow of blacks by controlling the supply of accommodation; and if the business cycle is in a recessionary phase the Minister may, in terms of section 11, declare that no unauthorised person "shall seek or take up employment in any urban area" in which he deems a "state of unemployment" to exist.

This prevents competition for work at a time when such competition could favourably influence the investment decisions of employers.

The OMSBP repeals Section 10 of the Blacks (Urban Areas) Consolidation Act, 1945, though the rights conferred by the latter are not prejudiced by the new measure.

Section 3 of the OMSBP says a black person may stay in an urban area as long as he has approved accommodation and provided authority has been granted to him by "a designated officer."

Section 5 sets at rest the minds of blacks who will lose Section 10 rights. It states that blacks who automatically are deemed to have been granted authority to stay in an urban area under Section 3 shall be:

☐ Persons with rights under any other law (Section 10, etc);
☐ Persons authorised in terms of agreements between SA and other governments;
☐ Persons licensed to carry on business in an urban area;
☐ Contract workers and "authorised" workseekers with approved accommodation;
☐ Hospital patients and hotel guests; and
☐ Ordinary guests of permanent residents, provided they have the permission of a designated officer (who may not authorise visits in excess of 14 days).

While the Bill seems lenient enough in respect of blacks with existing *de jure* rights to be in an urban area, it does present severe obstacles to persons who may wish to acquire rights of permanent urban residence.

In terms of Section 6 of the OMSBP "a black person who is a SA citizen and who has been legally resident in an urban area for a continuous period of at least 10 years or who belongs to any other category of persons determined by the Minister by notice in the Gazette, may on the prescribed form and in the prescribed manner apply to the Director-General (of Co-operation and Development) to be recognised as a permanent urban resident."

No reasonable applications *shall* be refused provided the DG thinks the applicant has the right credentials.

No unauthorised person may look for work unless he has the approval of the designated officer. But he won't obtain approval if the urban area in question is in a "state of unemployment" or if certain categories of work (stipulated in the Gazette) are deemed to be in full supply of workers. This would seem to be yet another unwarranted intrusion of bureaucracy in the workings of a market economy.

Curfew regulation

At the same time "no unauthorised person shall at any time during the hours 22h00 on any day to 05h00 on the following day be present in an urban area" except if he is a commuter or if he is on his way out of an urban area in public transport or in a licensed taxi.

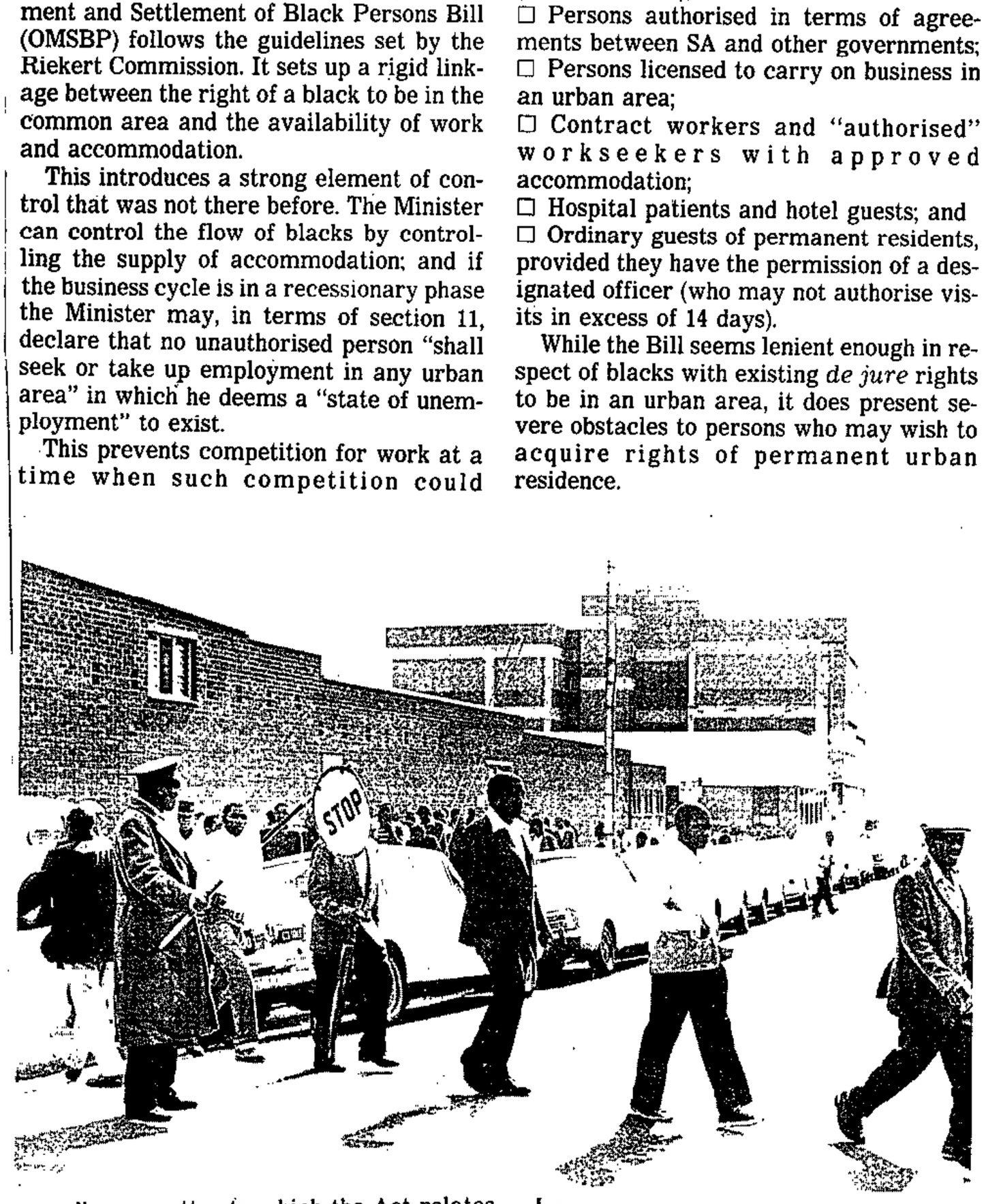
Employers who engage unauthorised blacks face a maximum fine of R5 000 or 12 months' jail; and legal blacks who accommodate illegals in their homes face a fine not exceeding R500 or six months' jail.

All forms of squatting are outlawed and "no court of law shall be competent to interdict, suspend, postpone, prevent or prohibit the execution of orders" to remove squatters and other illegals.

In all this the so-called designated officer assumes a position of omnipotence. He will be a public servant who will regulate the movement of people, being both a passport control officer and a labour broker. He will have almost unlimited power and he will be served by an army of inspectors appointed by the Director-General of Co-operation and Development.

His word will be law, although "any person who is aggrieved by a decision of a designated officer may within the prescribed period appeal to the Minister."

The inspectors of the DG will have awesome powers. They may, "without previous notice" at any time enter any premises where a black person is accommodated, resident or employed or is suspected to be accommodated, resident or employed and question any person on those premises re-



garding a matter to which the Act relates.

He may require any such person to furnish him with information regarding any person who is accommodated, resident or employed on those premises; at any reasonable time enter any premises where any records are kept or suspected to be kept; and:

☐ Require any person on such premises to submit such records to him;
☐ Examine such records or make a copy thereof or an extract therefrom; and
☐ Require from such person an explanation of any entry in such records.

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339 Hansard Q. Col 1043
11/6/82

Black townships

733. Mr. G. B. D. McINTOSH asked the Minister of Co-operation and Development:

(1) (a) How many Black townships outside the national states were (i) proclaimed and (ii) deproclaimed in each of the latest specified five years for which figures are available and (b) where are such townships situated;

(2) (a) how many persons removed from the deproclaimed townships were resettled (i) in and (ii) outside the national states and (b) in which areas outside the national states were the persons concerned resettled?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) (a) (i) 1977—1
1978—2
1979—nil
1980—4
1981—nil

(ii) 1977—nil
1978—nil
1979—1
1980—nil
1981—1

(b) Mosselbay, Jamestown, Hanover, Middelburg (Cape), Crossroads, Leandra and Secunda.

Springs and Evander.

(2) Figures not readily available.

339 Hansard Q.61. 1038 – 11/6/87

Rondalia 1980 Limited

712. Mr D. J. N. MALCOMESS asked the Minister of Industries, Commerce and Tourism:

Whether (a) State and (b) semi-State bodies other than Administration Boards hold shares in Rondalia 1980 Limited; if so, (i) how many shares are held by (aa) State and (bb) semi-State bodies and (ii) what percentage of the total share issue is held by such bodies?

The MINISTER OF INDUSTRIES, COMMERCE AND TOURISM:

(a) Yes, only local authorities such as municipalities but not Government departments or provincial administrations.

(b) Yes, if statutory bodies such as Universities are implied.

(i) (aa) 82 368 648 shares of 1 cent each

(bb) 37 191 003 shares of 1 cent each

(ii) (aa) State bodies—38,25%

(bb) Semi-state bodies—17,26%.

'Illegals' Heavy fine proposed

Own Correspondent

JOHANNESBURG. — Employers of "illegal" blacks face fines of up to R5 000 or a year's jail if draft legislation read for the first time in Parliament this week becomes law.

This represents a 10-fold increase over the present fine of R500. The Orderly Movement and Settlement of Black Persons Bill also provides for a fine of R500 or six months' imprisonment for giving accommodation to "illegals", plus an additional fine of R20 a day for every day for which the "illegal" continues to be accommodated.

The bill has been referred to the Select Committee on the Constitution (SCC), which becomes a commission of inquiry when Parliament rises.

The commission can hear evidence from interested parties and may suggest amendments to the bill, which is expected to go before Parliament again early next year.

Mrs Sheena Duncan of the Black Sash described the proposed bill as "absolutely dreadful." She said the present penalty was quite effective.

Professor John Dugard, director of the Centre for Applied Legal Studies at the University of the Witwatersrand, said last night that the proposed fine was "bizarre and ridiculous".

"But it is of course in line with the philosophy of this government that any social or economic problem can be solved by punitive measures."

PLIGHT OF THE BLACK WIFE

Despite court rulings, black families fight for normal life

BLACK women are still being denied the legal right to live with their husbands in urban areas.

This is happening despite an historic judgment delivered by the Appeal Court on August 19, 1980 which opened the way for thousands of black women and children to live legally with their husbands in the cities.

Despite Mr Justice Goldstone's criticism of the West Rand Administration Board's refusal to properly implement the court's decision, and despite Wrab's 11-month-old promise to obey the law, black women are still being refused the legal rights allowed to them by the Komani decision.

In 1980 Mr Veli Willie Komani appealed against a Supreme Court dismissal of his claim that his wife was legally entitled to live with him in Cape Town. The appeal judge ruled that wives and children of men who qualified to be in the area did not require a lodger's permit from the township superintendent.

Yet since that ruling the Legal Resources Centre has handled the cases of 101 clients whose rights have been denied by Wrab.

Some of these cases had to be taken to the Supreme Court and all but five of them have since been resolved.

"Wrab is certainly being as obstructive as it possibly can," Mrs Sheena Duncan, national president of the Black Sash, told the Sunday Express this week.

"On Tuesday we had a case when a woman who qualified for Section 10 (1)(a), (b) and (c) rights went to the administration board's office with several affidavits.

"The official read these affidavits and handed them back to her without saying a word. He simply left her standing there with a blank reference book."

An LRC lawyer confirmed that the problem of recognition of rights was still continuing.

These matters were usually resolved when the centre wrote to Wrab or appealed to the Chief Commissioner, the department's senior representative in Johannesburg.

But recently even this right had apparently become a privilege and Mrs Duncan reported that some of the people who approached the Black Sash for help have been refused leave to appeal on highly technical grounds.

According to Wrab labour director Mr A E Steenhuisen all people had the right to appeal.

In a prepared statement he also said that Wrab had adhered to the principles of the Komani case "and no problems are experienced in regard to any legal implications".

The main difficulty in granting Section 10 rights to wives and children had come about when applicants had not brought certain documentary proof, he said.

Last September it seemed that black men who wanted to live and work in the cities had won a victory when Mr Justice O'Donovan ruled that a Germiston contract worker, Mr Mehlolo Tom Rikhoto, was entitled to permanent residence rights because he had worked for one employer for more than 10 years.

Mr Rikhoto was a contract worker, who, in terms of a 1968 government regulation had had to return to his homeland every year to renew his contract.

This regulation, which affects thousands of black workers, had allowed administration board officials to argue that they had not been employed 'continuously' for 10 years, as their contracts were broken every year.

The Rikhoto case could have paved the way for the granting of city residence rights to all these workers, but the East Rand Administration Board has appealed against the judgment and its application has been frozen pending the outcome of the appeal.

A similar case, involving Mr Totosi Stanford Booi, was heard in the Cape Supreme Court last month.

Like Mr Rikhoto, the court granted Mr Booi Section 10 rights but the local administration board did not contest the case.

Now organisations that help those who fall foul of the country's complex influx control laws are hoping that the Booi case will set a precedent.

However, a pessimistic note was sounded by Mrs Duncan, who believes that the Government might try to pass legislation that will eliminate Section 10 (1) (b) rights.

RULES FOR URBAN FAMILY LIFE

EVERY black who comes into a white urban area is bound by provisions of the Blacks (Urban Areas) Consolidation Act of 1945.

In terms of Section 10 (1) of the Act, blacks cannot stay in an urban area for more than 72 hours without proof that:

- **They have, since birth, resided there continuously.**
- **They have worked there continuously for one employer for 10 years or have lawfully resided continuously in the area for 15 years.**
- **They are either the wife, unmarried daughter, or son under the age of 18 years of any person who ordinarily resides with that person.**

Until the Komani case administration boards interpreted 'ordinarily resides' to mean that a wife or child must have a valid lodger's permit issued by the township superintendent.

By ARLENE GETZ



● Sheena Duncan
... Wrab 'being obstructive'

Government policy meanders along — where to?

The Black Local Authorities Bill drew guarded optimism from various black leaders last week. Editor of the The SOWETAN Joe Latakgomo traces the recent history of black local authorities, and looks at the implications of the present "dispensation".

THE POSITION of the urban black has been the subject of debate for decades. However, since the death of the advisory boards —which did just that only — and the birth of the community councils, even more debate has emerged.

The advisory boards were replaced by Urban Bantu Councils, and most of these councils were provided with offices and chambers — but no power at all. They, in fact, did exactly what the advisory boards were doing: They advised the various administration boards under whom they served.

The colourful characters of the Advisory Boards were many, but certainly, in a place like Soweto, the name of Sofasonke Mpanza will long be remembered.

He was dedicated. He was forthright. He demanded rights for his people, and, as his name suggests, he often told them: "We will die together." It is that type of grassroots-approach that won Mr Mpanza great admiration, even from his detractors.

But, in the final analysis, it was this very lack of power that brought on the death of the Advisory Boards. In their place, black communities were burdened with Urban Councils.

But even at that time, rumblings of dissatisfaction could be heard. People were tired of "advisory" bodies.

RUMBLING

In fact, after June 1976, the councillors came under tremendous pressure to resign. One by one, they did that, until the body in Soweto came to a complete standstill.

At about the same time, the Soweto Committee of Ten was formed "to fill the vacuum" in the township.

However, in August, when they had set themselves for their first meeting — a mass affair planned for the Regina Mundi Church — the meeting was banned.

The following week, it was again banned.

It is significant to look at the blueprint drawn up by the Committee of Ten.

Envisaging a "Soweto City Council," in the policemaking body of the local authority — it would have been made up of 50 members elected from 50 wards into which Soweto would have been divided.

All residents over the age of 25 years, who had lived in Soweto continually for at least five years, would have been eligible to vote in those elections.

A Management Council would be elected, which would have executive powers to delegate authority to the Town Clerk, heads of departments, Clerk of the Council and other officials.

Various departments would be set up to administer the city, and various committees responsible for these departments would be set up. These would include Grants, Housing, Technical Services, Works and Tarriffs, Utilities and Health and Amenities.

The Management Committee would appoint the main executive officers in the council: City Treasurer, City Engineer, Medical Officer of Health, Housing Officer, Recreation and Parks Officer.

In view of the freehold rights issue, a special section of the management council would have been set up to work towards obtaining freehold rights for Soweto residents.

FINANCE

However, one of the biggest problems the Committee of Ten would have faced would have been the question of the financing of the township. Then, as is the case even now, the financing of black townships depended largely on profits from liquor sales by the various administration boards.

The "Ten" was denied a chance of putting their position to the people of Soweto. Indeed, on October 19, several officers were detained and held incommunicado.

In the meantime, the Community Council machinery went into operation. There was one council for Dobsonville, another for Diepkloof and Meadowlands, and the Soweto Community Council.

At election, a poor turn-out in Soweto did not deter the Government from going ahead with the system. One of the major objections to the councils was that they were no better in real terms than the UBCs, and it was a period when name-changing was the "in" thing: Department of Bantu Education became Department of Education and Training; Department of Bantu Affairs became, first, Department of Plural Affairs, then Department of Cooperation and Development: all of these were the same institutions with different names.

Those who participated in the councils often said that they believed it was a step forward, and hoped that they would get more powers. However, even today, the councils are largely overlooked: in Soweto, when the last increases in rent were announced, the "mayors" of Dobsonville, Diepmeadow and Soweto all said they had not been consulted. In Potchefstroom, there was a small riot over rents — and again councillors said they had not approved the increases.

In Pretoria, the "mayors" of Mamelodi and Atteridgeville both said they had not approved rent increases. But it is on record that in both these cases, the increases have been implemented.

Last year, the elections for most councils were postponed to this year (in terms of the Community Councils Act, officers of the council could only hold their positions for three years) as most of the councils had been elected in 1978.

In the meantime, Dr Piet Koornhof, in an effort to make the councils look more respectable, had been working on another "new deal" for urban blacks. The first publication drew such sharp criticism that it was hastily withdrawn.

Finally, in March this year, Dr Koornhof tabled the Bill in Parliament, where it was read the first time and immediately referred to a Parliamentary Select Committee.

And so, on June 4, the Black Local Authorities Bill, 1982, was tabled in Parliament. It was the first of Dr Koornhof's "trilogy" of "new deal" Bills. The other two were tabled last week, and also referred to select committees. They are the Development of Black Communities Bill and the Orderly Movement and Settlement of Blacks Bill.

In a statement after the tabling of the Local Authorities Bill, Dr Koornhof said that for a number of reasons, "some valid and some less valid", the community councils did not succeed in "securing the total widespread acceptance and support which it was hoped the enabling legislation would generate."

BELIEF

He said that "it is our belief that the inhabitants of a city, town, or village should have the right to control and manage their own affairs and local level through elected representatives. The implementation of this principle requires that meaningful powers should be conferred on local government. It is our belief that further significant powers now be conferred on black local authorities."

He said that a valid criterion to determine whether the new "dispensation" structuring black local government is autonomous "is to see whether the powers conferred are the same, or substantially the same, as those conferred on white local government."

Immediately, the Urban Foundation said in a statement that the Bill contained "certain important provisions", and reflected "real and substantial reform".

Mr Justice Steyn said in this statement that certain fundamental principles were embodied in the Bill: some of them, he said, were:

"The legislation is in virtually all material respects on a par with that which governs the lives of whites at local government level;

VOTE

"The right to vote is extended to all blacks who are lawfully in urban areas, and have been so for a period of more than 12 months or such longer period —not longer than three years — as the Minister may direct;

"Real autonomy is conferred on black local authorities. The powers which they receive are contained in the Bill and are not extended or capable of arbitrary revocation through ministerial discretion."

In many respects, this is what the Committee of Ten demanded four years ago. However, there is still the question of financing of black townships.

This is particularly so in the light of the investigation by the Competitions Board into liquor distribution. The Board has recommended that there be a "let-up" in the brewing of sorghum beer by the administration boards. The legislation of shebeens is also going on, with "off-sales" already licensed in Soweto.

If this trend continues, Soweto, and other black townships, will find their financial resource drying out. So finance must come from other sources.

A committee and a Commission of Inquiry are presently looking into the financing of local authorities — both black and white — and it is on their recommendations that the future of local government —particularly the new black municipalities —will depend.

Presently, white municipalities get their revenue from property rates and taxes, and also from a subsidy by the Government or the provincial body.

If, points out one observer, the Pretoria City Council, which houses many Government departments and buildings on which the Government does not pay tax, gets around to getting the Government to pay tax to that council, it would help the city's finances no end.

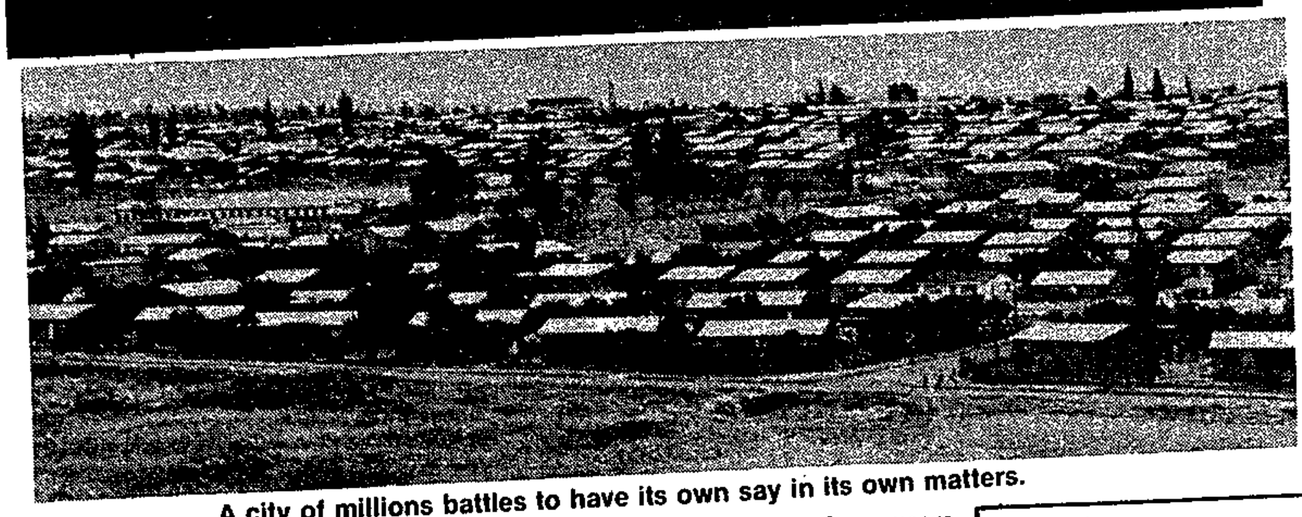
There would then be a very interesting development, indeed. As blacks do not own most of the property in black townships, they cannot be taxed directly. The Government, which, through its various agents, owns them, would therefore have to pay tax to the black municipalities.

If the financial resources of the Government are strained, there would probably be an urgent rethink on the question of freehold rights in the black townships.

Already, the principle of "permanence" of the urban black has been established. So, with the "temporary sojourner" thinking out, the next step can only be freehold rights.

It seems, therefore, that we could be in for some interesting times. That is, if the Government does not put on the brakes once more through pressure from the right.

We're still waiting for freehold rights



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She'll take you for a ride—but that's her job

Star 14/6/81 332



SHARON ISAACSON — "If I were scared I wouldn't be doing the job."

Most men like to think that women excel at taking other people for a ride, and Sharon Isaacson is eager to prove them right.

She is a taxi-driver, young, well-educated and pretty far removed from the standard image of the lady cab-driver.

The idea of a young woman cruising the streets of Johannesburg, at all hours, letting strangers into her car, is a rather silvery one and one's immediate impulse is to ask Sharon whether the job scares her or not.

That impulse is best ignored because Sharon has heard the question so often that she has considered making a pre-recorded answer which could be played back on her cab radio to save the irritation of having to answer it.

"It really is a silly question because if I were scared, I wouldn't be doing the job. The risks are obvious and you don't take them unless you know you can cope with them. You couldn't drive around all day being scared of what might happen. You would go mad," she says.

She admits she has been lucky not to encounter any serious danger in the six months she has been working, and that there are some fares she refuses, but that, she says is elementary caution rather than fear.

In fact, she is more concerned about the image cab drivers have than about the risks of the job. "Taxi drivers in this town have no identity at all," she says. "The New York cabbie is almost a tourist attraction and London cabs are as much part of the image of the city as Big Ben.

"If you look down from the top of the Empire State Building you see streets laced with yellow cabs, but if you look down from the top of the Carlton Centre all you see is cars," she says.

"Taxis are invisible on the street and affluent Johannesburgers with so many cars to a single family drive

Star 16/6/82 (332)

Sharon Isaacson is one of the very few female taxi cab drivers in Johannesburg. She spoke of her background and her experiences to BARRY RONGE.

themselves wherever they want to go, and use taxis only in emergency," she continues.

"But if you consider I could take you from one of the nearer suburbs — Yeoville, Berea or Hillbrow — to the city centre and back for about R6,00, and you bear in mind this is the fee for parking all day in a city centre parking garage — in addition to which you have to pay your own petrol and running expenses — you see taxis as a competitive form of quick, easy transport."

That is what Sharon is hoping will come about, because she feels that cab-travel is a very specialised activity and the relationship between driver and passenger a fascinating one.

"I've never made a friend of a passenger, but I have found that people seem to treat you as an intimate and speak very freely and uninhibitedly. They also rely on you and trust you utterly. They will get into the cab, say, 'I want to go to that bank on Main Street,' and trust you to get them there, even if they don't know the name of the bank themselves.

"I am often asked to take people to the most popular brothel, pick-up spot or gay cruising area, and I was surprised to find out just how extensive the prostitution racket in this town is, and that almost anything is available on a price scale from a few rands to a few hundred rands."

She is neither cynical nor shocked as she recounts this, which is slightly surprising, because she comes from a very conventional background.

Her father is a prominent medical academic, and she had a typically cosseted upper middle-class upbringing in a plush northern suburb. Such girls seldom, if ever, move from the spacious ghetto of their family and class, but Sharon was never interested in the careers pursued by her friends.

She worked as promotions secretary on a jazz musician's tour of the country and as production secretary on a couple of movie sets but when she got the chance to buy her taxi "triangle" the Transport Department's permit, she joined the taxi ranks.

It was a costly business, and has proved costly to operate as well, because running expenses are between R500 and R600 a month, which, she says, "is tantamount to keeping a second flat."

But the rewards are potentially high as well, and on a good day fares can amount to R120 which could add up to a most adequate monthly package. But it takes hard work and grindingly long hours to achieve this, which coupled to the feeling that taxi drivers are an unacknowledged force in the city, are just some of Sharon's problems.

But, as Sharon says, she knew the risks involved and the job is giving her what she wanted.

in the townships is still unclear. When attacked last week in Parliament by the Conservative Party, Koornhof indicated he saw no reason why the local authorities should not have freehold rights.

However, Olivier says: "My information is that government cannot bring itself at this stage to legislate individual freehold rights for township citizens. Its own ideology prevents it."

This raises the question of the councils' financial base — hence their credibility, and who will participate in them.

The financing issue must await the findings of the Croeser committee.

An Urban Foundation spokesman commented: "It was clear that both Dr Koornhof and Mr Heunis were open to suggestions for changes in the Local Authority Bill."

It is therefore to be hoped that Koornhof will be equally open to representations on the other two Bills. The Black Communities Development Bill and the Orderly Movement and Settlement of Black Persons Bill will go through the same process as the Local Authorities Act. When Parliament prorogued the SCC became a commission of inquiry, which will now make recommendations on the Bills at the next session.

URBAN BLACKS FM 18/6/82

Successful lobby (339)

Two of Minister of Co-operation and Development Piet Koornhof's major Bills on urban blacks have, after their first reading, been referred to the Parliamentary select committee on the constitution (SCC) under the chairmanship of Interior Minister Chris Heunis. They are the Orderly Movement and Settlement of Black Persons Bill, and the Black Communities Development Bill.

The Black Local Authorities Bill was passed after significant amendments by the SCC. It provides for village, town or city councils for black townships. It is interesting to note the range of bodies which gave written evidence to the SCC on the Bill. They included the Department of Co-operation and Development itself, Inkatha, the SA Institute for Public Administration, and that increasingly powerful and ubiquitous lobby, the Urban Foundation. In addition, the SCC heard detailed verbal testimony from the foundation.

According to SCC member Nic Olivier of the PFP, the Urban Foundation's evidence homed in on the very extensive discretionary powers originally allowed to the Minister of Co-operation and Development.

The foundation, and PFP members of the SCC, argued that the relationship of the Minister to black local authorities should be similar to that between a provincial Administrator and a white municipality.

Legal status

The foundation argued that, rather than black councils' powers and procedures being extended to them at the Minister's discretion, they should be defined in law if the proposed authorities were to have any credibility.

As a result, provision for consultation by the Minister, and restrictions on his discretionary power over a local authority, have been written into a number of clauses in the Bill.

For example, in the earlier draft of Section 6, providing for the constitution of local authorities, the Minister could unilaterally determine the number of members of a black local authority, and could nominate members to a local authority for an indefinite period.

The law now provides for ministerial *consultation* with an existing local authority on any new decision concerning its numbers. Members nominated by the Minister to a local authority may not exceed the number of vacancies; and may only occupy the positions until an election is held.

The Minister is bound to direct that an election be held to fill any vacancy. Thus any appointments to a black town council must be temporary, and government power to pack an independent-minded council with its own appointees is prevented.

Similarly, the Bill gave "an official of the State or a representative of the development board" the right to attend council or management committee meetings. Such attendance now is at the council's discretion.

Provisions in the draft Bill specifying that the local authorities could own immovable property only on a leasehold basis have been changed in the Act to include the possibility of freehold land ownership by black local authorities.

Though the Act opens the door for freehold ownership by black local authorities, the question of individuals' freehold rights

A total strategy on influx control

339 206 R104 18/6/82

The Orderly Movement and Settlement of Black Persons Bill is part of Dr Piet Koornhof's "new deal" for urban blacks. It sets out the Government's latest thinking on influx control. Political reporter CHRIS FREIMOND looks at the proposed new measures.

PICTURE an urban area in South Africa: prosperous whites, fairly well-off blacks. Work for almost everyone at reasonable reward. Adequate health care, schools and other social benefits for most people. Blacks able to travel between most urban centres to new jobs. A relatively contented community.

Imagine also an invisible barrier around this urban enclave: it locks out hundreds of thousands — perhaps millions — of black South Africans. Many live in abject poverty in vast human dumping grounds.

There is virtually no employment outside the barrier. Much of the land is too overcrowded or degraded to grow crops or support livestock. Hunger is widespread. Community facilities are overburdened or non-existent. Disease and illness are rife. Resentment and bitterness smoulder.

Back in the urban centres Government inspectors patrol day and night. They raid homes in black and white residential areas. They raid factories and offices. They search unceasingly for "unauthorised" blacks who have slipped in.

Some people will be able to get through the barrier "legally". If they have "legal" employment they will be allowed to commute each day to and from homeland residential areas bordering on the urban centres.

But for those far removed from the urban centres — deep in the hearts of the homelands — the situation will be most desperate.

It is a frightening picture. Possible consequences are not difficult to imagine.

The scenario is not the idle musing of some writer of futuristic horror. It is the nightmarish situation that could arise if the Government's latest proposals to bar "surplus" blacks from the cities are taken to their logical conclusion.

The proposals are contained in the Orderly Movement and Settlement of Black Persons Bill which was read for the first time in Parliament last week.

It has been referred to the Parliamentary Select Committee on the Constitution for consideration and possible amendment.

The Bill and two others — the Black Local Authorities Bill and the Black Communities Development Bill — form the "new deal" for urban blacks offered by the Minister of Co-operation and Development, Dr Piet Koornhof.

When first introduced in 1980 the Bills were condemned so strongly that they were withdrawn and referred to the Groskopf Committee for revision. After further redrafting by State officials they were re-published this year.

The Orderly Movement and Settlement of Black Persons Bill includes the most severe influx control measures ever proposed publicly by a South African government.

The intention seems clear: to improve the quality of life for blacks who qualify for permanent urban residence status and to bar those who leave depressed homeland areas and travel to the cities without authority to find work or live with relatives or friends.

Proposals in the Bill which in particular indicate the determination with which the Government intends pursuing its goal include that:

- Employers of blacks "unauthorised" to be in urban areas be fined R5 000. The present fine is R500.
- People who accomodate "illegals" as well as the "illegals" themselves be fined R500.
- "Unauthorised" blacks be barred from urban areas between 10 pm and 5 am. The present 72-hour period of grace will be scrapped.
- Visitors be allowed to stay in urban areas for a maximum of 14 days a year. The present three-month renewable visitors permit will be scrapped.
- Dr Koornhof be given extra-ordinary powers to unilaterally take away rights granted to blacks in terms of the Bill.

Mrs Sheena Duncan, national president of the Black Sash, believes Dr Koornhof may immediately use this power to override court decisions which have given certain black migrant workers permanent urban residence status.

Under such circumstances it became nonsense to speak of "legal rights", she said.

Mrs Duncan believes citizens of homelands and independent national states who qualify for urban rights will lose those rights unless they are stamped in their "pass" books before the Bill becomes law.

She said the new clamp on vistors permits was "dreadful". Many women visited their husbands — at considerable expense — to conceive children.

The Bill also gives "designated officers" the right to decide if a person lives near enough to his place of work in an urban area to commute from outside the area.

Mrs Duncan said this could mean that if an official in Johannesburg believed Winterveld north of Pretoria was within daily travelling distance of the Reef he could refuse a person authority to live in Johannesburg.

She believes the higher penalties for giving work or accommodation to "illegals" will make influx control totally effective.

It is most unlikely that either whites or black friends and relatives in the townships will assist people "unauthorised" to be in an urban area.

The Bill also gives the Minister sweeping powers to deal with situations such as the Cape squatters.

Blacks may be summarily removed to their homelands or any other place if Dr Koornhof believes that by squatting they are:

- Trying to put pressure on the Government to change certain laws or their application.
- Endangering the maintenance of law and order.
- Threatening their own health and social welfare or the health of the public in general.

At present unless squatters are citizens of an independent national state to which they can be summarily deported they must be tried in a commissioner's court before being sent home.

Dr Koornhof is also able, by notice in the Government Gazette, to prohibit even "legally" resident urban blacks from working or seeking work in any area where he considers that a state of unemployment prevails.

People who want to appeal against decisions by "designated officers" will have to first pay an as yet unspecified amount of money which could make it difficult for many people to appeal, Mrs Duncan said.

The onus of proof in any proceedings under the Bill is on the accused. Mrs Duncan believes if there is to be any improvement of the current situation this must be stopped.

Mrs Duncan said the one "vast improvement" in the Bill was that certain dependents of people with urban status would not lose their right to remain in an urban area if the person on whom they were dependent died.

At present dependents can be expelled from urban areas if a husband or father dies.

ht raids' on blacks foreseen

cer to stay in that urban area, and the period for which such authority was granted has not terminated.

(2) No unauthorized person shall at any time during the hours 10pm to 5am on the following day be present in an urban area."

The bill was introduced in Parliament during the last week of the session and referred to a select committee before second reading. This means that the principles it contains can still be altered.

On first examination, Professor Olivier regarded the bill as an improvement on the status quo.

Closer examination has shown, however, that the bill is a retrogressive step which marginally improves the lot of a small number of urban blacks while severely tightening up influx control and drastically widening ministerial powers in the application of the pass laws.

Professor Olivier said that in another important respect the bill was a retrogressive step even in relation to the 1980 draft legislation.

While the 1980 legislation provided for the eventual repeal of the curfew provisions contained in section 31 of the Blacks Urban Areas Act, the present draft legislation also repealed the curfew but then reintroduced it in another form in section 54 of the bill. This section prohibits a black who does not qualify to be in the city from going outside a black residential area without a permit.

Professor Olivier said that another disturbing aspect of the bill was that in terms of section 6 read in conjunction with the definition of a permanent urban resident, citizens of the independent black States would be barred for all time from obtaining South African citizenship once the bill came into effect — unless they already qualified before the bill became law.

In terms of the bill, a permanent resident is a black who has been legally resident in an urban area for a period of at least 10 years or belongs to any other category of persons determined by the minister by notice in the Government Gazette.

Those who were authorized in terms of section 10 (I) (a) and (b) rights under the Blacks Urban Areas Act before the commencement of the bill, the owners of fixed property in an urban area, and a person with parents who were "qualified" in terms of the bill would qualify for permanent resident status.



Professor N Olivier

'Massive night raids' on blacks

Political Staff

THE government's latest attempt to reform the controversial pass laws is a retrogressive move which will require massive night raids in the black townships.

This is the view of Professor Nic Olivier, director of the Progressive Federal Party's research unit and a recognized expert on laws affecting blacks, after a week of studying the complex Orderly Movement and Settlement of Black Persons Bill.

Professor Olivier said that under the present dispensation, blacks who did not qualify to be in urban areas had 72 hours' grace before they faced arrest.

In terms of the new draft legislation, this would be changed by a 10pm to 5am ban on the presence of "unqualified" blacks in the urban areas.

"I cannot see how this law could be implemented without massive night raids in the townships," he said.

The relevant sections of the bill are clause 3 (1) and (2) which read:

"(1) A black person may stay in an urban area as long as he has approved accommodation in that urban area and provided authority has been granted to him by a designated officer to stay in that urban area, and the period for which such authority was granted has not terminated.

(2) No unauthorized person shall at any time during the hours 10pm to 5am on the following day be present in an urban area."

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Cape Times
19/6/82
(331)

Koornhof's Bill sparks concern for urban blacks

339 E. Post 19/6/82

By BRIAN POTTINGER
Political Correspondent

CAPE TOWN — The third "Koornhof Bill" dealing with influx control has sparked deep concern among legal academics, Opposition supporters and community workers for its draconian terms.

The Orderly Movement and Settlement of Black Persons Bill has been referred to a select committee and will probably be returned to Parliament early next year — possibly modified.

But preliminary analyses by experts has shown that the Bill could make things much worse for blacks and is perhaps no better than the highly controversial Bill introduced — and then hastily withdrawn — in 1980.

Although the Bill could initially lead to an expansion of the number of urban blacks who qualify for permanent urban residence, thereafter the numbers who qualify will steadily decrease because of the "foreignisation" of millions of blacks through homeland independence.

Also causing deep concern is the scrapping of the Section 10 rights (gained by length of residence and employment) and its replacement with a phrase "deemed to be authorised", subject to wide ministerial powers.

Other key defects identified thus far in the Bill are:

● A dropping of the present 72-hour permit system for visiting the urban areas, to be replaced by a virtual 24-hour deadline.

● A complete shifting of the basic philosphy under which black access to urban areas is regulated.

● Jacking up the influx control system itself with immensely increased penalties for pass offences, employers and providers of shelter to "illegals".

● Retention, and, in fact, tightening, of the hated "pass on demand" system.

Experts such as Mrs Sheena Duncan, of the Black Sash, have warned that if the Bill is passed into law the only way it can be implemented is by massive nigh-time raids on homes.

In the schedule of repealed laws attached to the Bill, Section 31 of the Black Urban Areas Consolidated Act — the present curfew regulation — is shown as repealed.

But under what one expert regards as a totally inappropriate section of the Bill — the regulatory powers of the Minister — the exact same curfew powers are again entrenched.

The only advantages seen to stem from the Bill is the possible initial expansion of the number of urban blacks who qualify for urban residence, slight relief for dependants of qualified people and a provision which means that aged farm workers do not have to move off farm lands if the owner does not insist.

But the Bill expressly excludes citizens of independent homelands.

There are an estimated nine million of these "foreign" blacks who will now never have the opportunity to qualify for permanent residence.

The present basis of influx control is that only blacks who have Section 10 rights (rights of permanent residence through length of residence or employment) and blacks staying less than 72 hours in an area are "authorised" to be in an urban area.

In the 1980 proposals the Government sought to replace this with influx based on the Group Areas Act and wide ministerial powers.

The new Bill — together with other legislation — seeks to regulate the presence of blacks in urban areas on the basis of accommodation, employment and a clause that no "unauthorised" black person may be present in an urban area between 10pm and 5am.

Mrs Duncan claimed the only way this law can be effected is by massive night-time raids on homes in the townships and suburban outhouses.

"The hated klopjag — far from being dead — would seem to get a new lease of life in terms of this legislation," she said.

One of the most contentious of the Bill's provisions is the one that gives the Minister wide powers to make the laws applicable or not applicable to whatever areas or people he wants.

Another big concern is that the Bill refers to "authorised" Section 10 people being able to claim permanent urban status.

But Mrs Duncan and other experts point out that people with Section 10 rights have them by right and not by "authorisation".

Mrs Duncan said it appeared that only those blacks with their Section 10 rights endorsed in their books would qualify.

But in the past there had been scores of instances where officialdom had refused to recognise those rights, forcing Supreme Court actions in some cases.

An employer providing shelter for an unauthorised person will now be subject to a fine of R5 000, an unauthorised person faces fines of R500 for being in an urban area or for failing to produce his document on demand, while a individual giving shelter to an unauthorised person is also liable to a R500 fine.

Urban links with homelands

Political Reporter

HINTS on how the urban black will achieve full political rights came from Dr Piet Koornhof, Minister of Co-operation and Development, at Warner Beach at the weekend.

Mayors of large urban black towns such as Soweto or Kwa Mashu could be elected to the general assemblies of the national States to which individual mayors were linked.

They would provide a direct link between national states and the 'city states' mooted in legislation still to be approved by Parliament, Dr Koornhof said.

Ways of setting up machinery for urban black representation at regional level were under investigation by the Commission for Co-operation and Development.

Without representation at regional level, the urban black could seek a say on provincial councils.

Dr Koornhof was replying to a questioner who sought clarity on how whites could retain authority in the new dispensation embodied in the recommendations of the President's Council.

His reply gave the first inkling of Nat moves to accommodate the political aspirations of several million urban blacks who have only tenuous links with the national states.

Dr Koornhof said the parliamentary select committee on constitutional matters had deliberated long on the powers of black local authorities.

It had finally been decided that a black local authority would have exactly the same structure and functions as any white local authority, such as Durban or Johannesburg, with a mayor, management committee and councillors.

He said the Government was doing everything possible to avoid having a one-man, one vote situation forced on the country as had happened in Zimbabwe.

The Government was pressing ahead with its policy of self-determination.

To this end there would be no mixed voters' rolls, Parliament would retain its present character and there would be no mixed residential areas or schools.

Soweto leader hits census conclusions

339 RDH 6/7/82

By JOUBERT MALHERBE
Pretoria Bureau

A STRIKING feature of the 1980 population census is the large increase in the number of blacks in the homelands, says an article by a leading Government statistician.

The survey also showed that the population was ageing fast and that there had been an increase in the number of unmarried couples living together.

Mr Neville Gouws, chief statistician in the Demographic Statistices Division of the Department of Statistics, wrote in the magazine Publico that the increase in blacks in the homelands between 1970 and 1980 was 69%, while the black increase in "white" South Africa was 23%

But, yesterday Dr Ntatho Motlana, the Soweto civic leader, criticised the analysis, saying that it was "completely unnatural and farcical."

Dr Motlana also criticised another finding — that the population of Soweto increased from 602 000 in 1970 to 869 000 in 1980.

Everyone, including officials of the administration board, knew that Soweto's population was about 1 500 000, Dr Motlana said.

He described the conclusion as "most misleading" and said it was a pity that statisticians wanted to promote "what is politically convenient but economically disastrous."

The main reason for the apparent increase in homeland population was the excision of large parts of "white" South Africa, which were then incorporated into the homelands.

A township such as KwaMashu in Durban was incorporated into the KwaZulu homeland which, theoretically, led to an increase in the population of KwaZulu.

When the Nationalist Government started to enforce the Squatters Act, millions of blacks were evicted from land they had acquired in the days of Paul Kruger.

They had no choice but to settle in the homelands. The critical housing shortages in the urban areas also forced black workers to seek accommodation in homeland areas while still working in urban areas, Dr Motlana said.

Mr Gouws said that there had been an increase in the average age of the population.

The white median age rose from 25,1 in 1970 to 28 in 1980. The median age for Indians was 21,2 in 1980 compared with 18,7 in 1970, and that for blacks increased from 18,2 to 19,6.

According to Mr Gouws, the number of white couples who showed their marital status as "living together" increased from 6 156 in 1970 to 16 630 in 1980.

The average growth rate for all population groups was 33% — 20% for whites, 28% for coloureds, 30% for Indians and 38% for blacks, the survey showed.

ARGUS 13/7/82

Worker permits: Black Sash reacts

THE Black Sash today reacted strongly to an announcement that the West Cape Administration Board would delay dealing with applications from contract workers to stay permanently in the Peninsula.

The board received applications from workers in the wake of two separate but similar cases heard in the Cape and Rand Supreme Courts earlier this year.

The courts granted permanent residence permits to two contract workers on the grounds that they had worked for one employer continually for 10 years.

A spokesman for the board confirmed today that applications had been received from workers, but said they would not be dealt with until the outcome of an appeal against the judgments was known.

Mrs Sheena Duncan, national president of Black Sash, said the court's decision in the Cape was quite clear and the Government was legally obliged to grant the permits.

"In the Cape there was no appeal against the case, so the Supreme Court decision is now law," she said.

The board spokesman said those workers who had made applications for work permits would have their contracts lengthened until the Appeal Court decision was known.

"This is a straightforward untruth," Mrs Duncan said. "People in the Witwatersrand who have lost their jobs are not having their work permits renewed."

CAPE TIMES 13/7/82

Meeting on new urban blacks bill

Chief Reporter

THE "more stringent" implications for urban blacks of the Orderly Movement and Settlement of Black Persons Bill are to be discussed at a public meeting to be held at Rondebosch on Monday night.

The meeting has been called by the Cape Western Region of the Black Sash and the speakers will be Professor Nic Olivier, MP, a Progressive Federal Party spokesman on laws affecting blacks, and Ms Sheena Duncan, national president of the Black Sash and also an authority on laws affecting urban blacks.

The Orderly Movement and Settlement of Black Persons Bill has, with the Black Communities Development Bill, been referred to a parliamentary select committee.

It will have the effect of replacing the Urban Areas Act of 1945 as amended and in doing so, says a Black Sash analysis, "it will control the lives of urban blacks even more stringently".

In terms of the new measure, no unauthorized person shall at any time during the hours 10pm to 5am, be present in an urban area.

The Black Sash analysis, conducted by Mrs R N Robb, says: "This will not apply to commuters travelling to or from work, or in using public transport — including a licensed taxi — to a destination outside the urban area.

"It would appear that between 10pm and 5am streets and premises in white and black areas will be combed to make sure that unauthorized blacks are not present.

"This will surely mean the stopping of every black during these hours to separate the authorized from the unauthorized, as well as the searching of houses at night."

Mrs Robb says it would also appear that no Ciskeians or Transkeians, who constituted 90 percent of the black population of Cape Town, would in terms of the bill become permanent residents here, nor would the children of permanent residents born after the date on which their States became independent.

She sums up her analysis of the bill by saying: "It would appear that there will be no recourse to the courts. The decision of the 'designated officer' seems to be final.

'No security'

"It (the bill) finally prevents future generations of blacks from having any security in urban areas. Ciskeians and Transkeians will only be able to come into urban areas on contract for a specified period and their years with one employer will no longer give them the right of permanent residence — since they are not South Africans.

"Surely this bill will make Kwazulu and others who have not yet taken independence all the more determined to refuse to do so."

● The meeting on Monday night is to be held in the Rondebosch Congregational Church Hall, in Belmont Road.



BLACK FOREIGNERS: Black Sash president Mrs Sheena Duncan.

Those passbook blues again

14/7/82 Sowetan 10 339

MILLIONS of blacks whose ancestors came from the so-called "independent homelands" will no longer carry South African reference books.

In terms of the Status Act, they are foreigners in South Africa and will have to carry travel documents that will substitute the pass books.

According to the Status Act, millions of other blacks in the urban areas are likely to be affected if their "homelands" opt for independence. This startling revelation was unearthed after worried parents, who are trying to get reference books for their children who have come of age, phoned **The SOWETAN.**

The parents say their children are forced to take "passports" from urban homeland representatives even if they qualify under Section 10(1)a of the Urban Areas Act.

The parents, from in and around the Pretoria-Witwatersrand-Vereeniging areas, claim they have been asked to go to offices of homeland urban representatives in Thembisa and elsewhere, where they are given documents granting qualification for "passports".

The president of Black Sash, Mrs Sheena Duncan, said that in 1970 the Government had passed the Bantu Homelands Act, which had made every black person in the country a citizen of a "homeland".

By virtue of this Act, she said, every black person belonged to a homeland, depending on his/her language, and therefore ceased to be a citizen of South Africa.

She said that, according to the Status Act, passed later, all blacks who originated from the "independent homelands" were foreigners in South Africa and qualified to carry "passports".

The SOWETAN investigation revealed that urban blacks who have obtained such documents still retain their urban residential rights such as Section 10(1)a or b.

But Mrs Duncan said that "blacks are all South Africans and deserve the rights which other population groups enjoy.

"Besides, if the urban authorities feel you are an undesirable element you can be deported to your homeland. This passports issue is just a fuss because it has deprived and will continue to deprive millions of their birthrights."

People interviewed yesterday at the Black Sash offices said the passports were rather "suspicious."

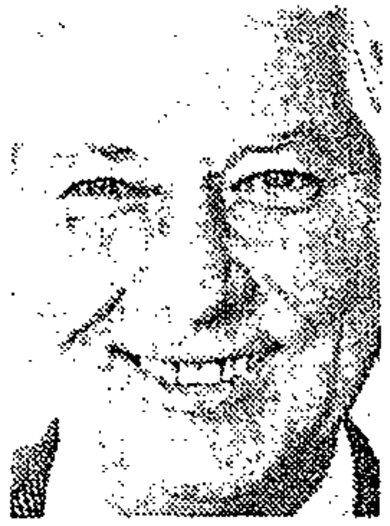
According to a spokesman for the Public Relations Officer of the Department of Cooperation and Development in Pretoria, there is an agreement between the "homelands" and SA concerning the issuing of these passports.

NEW BILL A 'DISASTER'

THE ARGUS, TUESDAY JULY 20 1982



Mrs Sheena Duncan



Mr Nic Olivier



Dr Piet Koornhof

Keeping blacks from urban areas means 'genocide' — Duncan

DR KOORNHOF'S new Bill on blacks was not yet law and South Africans should make it clear they would not be able to obey it, the national vice-president of the Black Sash, Mrs Sheena Duncan, said last night.

Speaking to a packed hall in Rondebosch, Mrs Duncan said one had to ask the question whether the exclusion of blacks from urban areas did not amount to genocide. "I don't believe the analogy is becoming too stretched anymore," she said.

Mrs Duncan warned that the implementation of the Orderly Movement and Settlement of Black Persons Bill could only spell disaster in real human terms.

"The disaster is something we will not be able to contain," she said.

The Bill was published in the last days of the 1982 Parliamentary session and was referred to a select committee.

It contained a new structure of influx control which would undoubtedly be more efficient, she said.

The recommendations of the Riekert Commission that control over the influx of black people into urban areas be removed from the streets to the places of employment and accommodation had been largely put into effect in the proposed new legislation.

PENALTIES

The Bill made provision for increasing the fine for employing "illegal" blacks from R500 to R5 000 and 12 months' imprisonment.

It dealt with who could stay in an urban area and imposed severe penalties on people found without permission in an urban area between 10 pm and 5 am, on those employed without permission, on those who gave them illegal accommodation and on those who gave them illegal employment.

Mrs Duncan said clause 52 of the Bill was of the utmost importance. It gave the Minister the power to change the legislation as it suited him by proclamation in the Government Gazette.

Any person who provided accommodation for blacks in an urban area, including a black township, unless that black person was authorised to be in the area was liable to a maximum fine of R500 or six months' jail for a first offence.

Mrs Duncan said the penalties were so great that everyone was being made into a policeman to enforce the legislation. "People will have to turn to relatives and say 'Sorry you have to go,'" she said.

Mrs Duncan said it had been estimated that two to three million blacks had been relocated in homelands in the last 25 years and the majority were rendered landless. The new policy was to improve the quality of life for urban blacks by giving them certain privileges.

"All the privileges being accorded to urban people are at the expense of the rural population," she said.

"MALICIOUS"

Mrs Duncan predicted the growth of huge squatter settlements at points on the borders of homelands which were within commuting distance of major industrial areas.

In terms of the new Bill, black people would no longer have the right

P. T. O. FOR CONTINUATION

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to remain in urban areas for 72 hours without permission. They would be liable to prosecution if they remained in urban areas between 10 pm and 5 am without permission.

She said people did not comprehend the enormity of what had been done to the black population. "About eight million people have had their South African citizenship taken away from them in the space of five years".

The new Bill was "maliciously punitive" towards visitors to an urban area, she said. Visitors would not be issued with a permit for more than 14 days in a year. This would seriously affect married people who lived apart.

Mr Nic Olivier, PFP MP and the party's expert on laws affecting black people, said in all the fundamental respects, the provisions of the proposed Act were more obnoxious than the existing measures. He said the Bill opened the door for "massive night raids" on the urban black population.

Mr Olivier said all thinking people had come to realise it was impossible to stop the process of urbanisation.

Mr Chris Heunis, the chairman of the select committee which was studying the Bill, had said he was prepared to accept recommendations until the end of August.

ALTERNATIVE

Mr Olivier said he could not see how any amendment to clauses in the Bill could be of any effect.

"The only alternative is that an entirely new Bill be written," he said.

If the Bill was adopted and rigidly applied, hundreds of thousands of people would be sent to homelands. "Nowhere in the world have we seen a group of people so subjected to never ending interference in their private lives," he said.

Answering a question from the floor, he said no solution was possible until the Government dropped its basic ideological premise.

"How it happens will be due to pressures — internal, external and economic," he said.

Mr Olivier said in spite of all its provisions, the law would be incapable of coping with influx.

"The Government can try to stop the process but the facts of life in South Africa will show these measures to be totally ineffective.

"I have no immediate answer. I think in every way possible it is up to us to resist the implementation of this Bill," he said.

CURFEW LAWS (339)

Closing the streets

FM 23/7/82

The best method of combating crime at night seems to be a thorny issue. Some municipalities take the line that the imposition of curfews provides the solution, but the Riekert Commission and at least one senior police officer have contradicted the notion.

Curfew rules are contained in Section 31 of the Black (Urban Areas) Consolidation Act. The Riekert Commission report, published in August 1978, stated that out of the 309 areas where blacks were subject to curfew laws only 49 applied them strictly. The normal procedure is that towns ask for their own curfew regulations which are then published in the *Government Gazette*.

The commission recommended that Section 31 be abolished, with the comment: "In so far as the night permit (curfew) system can be justified at all, which the Commission strongly doubts, its success, if any, in combating crime ... cannot be weighed against the price that is being paid in disturbed relations between population groups."

The report said allegations that curfews are not designed to inflict penalties on law-abiding people, but rather on people with evil intent, did not hold water. "It assumes a superhuman insight on the part of authorised officers to distinguish between people who have ulterior motives and those who have not, or it proceeds from the assumption that black persons who are in public places in certain areas between certain hours of the night must in fact have ulterior motives. The latter assumption is obviously ... incorrect."

These recommendations do not appear to have influenced Westonaria and Randfontein in 1982. The Commissioner of Co-operation and Development responsible for both areas sent out a letter in February pointing out that provisions for the imposition of curfews exist but were not being applied. The Commissioner's office was of the opinion that if the curfew laws were enforced the danger of crime would diminish.

When the matter came before the Westonaria Town Council, a resolution supporting the strict enforcement of a curfew was unanimously passed. A request for the SA Police and West Rand Administration Board officials to implement the curfew was duly sent out.

Westonaria Town Clerk Hannes Van Niekerk told the *FM* that the local police had started curfew crackdowns before the council request came through because there had been a lot of murders, car thefts, burglaries and assaults.

Lieutenant Neville Thoms of the Westonaria CID confirmed the police action and linked it directly to a drop in the crime rate.

Randfontein Town Clerk Con Joubert said his council had received the same letter from the Randfontein Commissioner and had taken similar action to the Westonaria council.

"According to the Randfontein police there has been a marked decrease in housebreaking, theft and other petty offences. The presumption is obvious that it is because they did something to diminish loitering," he told the *FM*.

A senior police officer who knows the areas, Colonel Willem Fouché, acting divisional commander of Krugersdorp, contradicted the notion that enforement of curfews leads to a decrease in crime. He confirmed that patrols had been stepped up in Westonaria and said this had contributed to the fact that the crime rate had dropped. "There have not been a lot of arrests in terms of the curfew laws and the decrease in crime is due to the patrols. I don't think curfew regulations have any effect on crime."

Despite the Riekert Commission's recommendation the curfew issue is still far from settled. Section 54 of the Orderly Movement and Settlement of Black Persons Bill, one of three "new deal" Koornhof pieces of legislation, contains provisions for curfew enforcement.

Select committee

The headquarters of the Department of Co-operation and Development has refused to comment on the curfew provisions in the Bill because it is now being studied by an all-party Parliamentary select committee.

But according to Sheena Duncan of the Black Sash: "I think the curfew issue is totally ridiculous and anachronistic. On the one hand you talk about improving the quality of life for the 'urban black' with international hotels, restaurants and atres. The next minute you are making an offence for someone who who has b to one of these places to be finding his wa home."

• Plan to get rid of their black problem

THE NATIONALIST 'GENOCIDE BILL'

Sowetan 26/7/82

THE new urban-black Bills have been attacked for "amounting to genocide". Sheena Duncan, of the Black Sash, said the proposed Bills "create walls around the cities, trapping people in the homelands. The situation that faces them in these homelands amounts to genocide."

Her words are hauntingly reminiscent of those used by a Progressive Federal Party team who toured the Ciskei shortly before that homeland gained independence last year.

Mrs Duncan, national president of the Black Sash and possibly the foremost expert on influx control and how it affects black people, is more perturbed than she has ever been in years of apartheid-watching by the proposed new "Orderly Movement and Settlement of Black Persons Bill" (OMSBP).

Johannesburg in 42 minutes at speeds averaging 200 km/h.

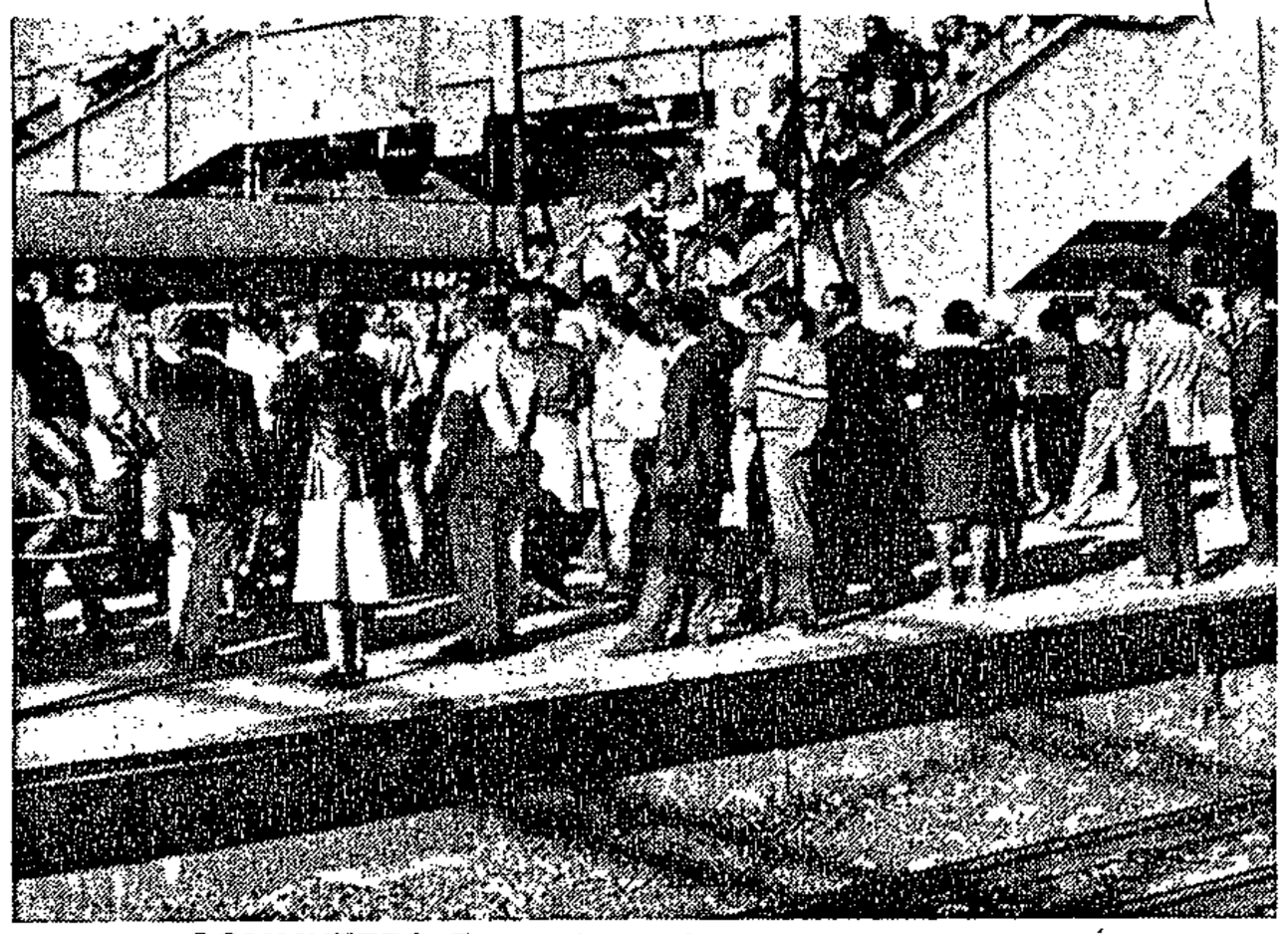
The rail link will carry blacks from surrounding areas such as KwaNdebele and Winterveldt, and will cut their present commuting time dramatically from the present four hours.

Marian Lacey, a researcher at the Institute of Race Relations and an expert on labour bureaux, believes the Government never introduces Bills it hasn't to some extent tested.

Family

In preparation for the OMSBP Bill as an example, the population of KwaNdebele has soared in recent years

Up to 60 people a day, many paying just over R30 a family for the privilege of being moved off land they own, are being dumped on to infertile KwaNdebele soil with only a tin toilet (which



COMMUTERS: Fast train service to the homelands.

were either contract or migrant workers.

Since 1979, 9 000 of those with Section 10 privileges have lost them due to resettlement. Homelands gaining independence have ensured the children of the rest will never gain these rights.

The incredible tightening of influx control under the supposed reregistered domestic work-seekers — while "illegal" workers pound the doors of suburban Johannesburg daily in their search for work.

The scenario Mrs Duncan paints appears far less exaggerated than it may at first seem.

Workers

Neither will illegal people find it easy to get accommodation — not that it's a piece of cake at present."

"Legal" blacks who accommodate "illegals" will face a fine not exceeding R500 or six months' jail.

All forms of squatting will be outlawed and "no court of law shall be competent to judgment, allowing certain people with the right legal loopholes to gain the right to live and work in white urban areas.

It's worth noting, however, that, virtually without exception, administration boards have ignored the precedents set by such judgments, saying they apply only to the individuals concerned.

And just when we thought curfews were slipping into the dark ages, the OMSBP Bill has another provision:

"No unauthorised person shall at any time during the hours 22h00 (10pm) on any day to 05h00 (5am) on the following day be present in an urban area "unless he is a commuter or on his way out of the urban area in public transport or licensed taxi."

In addition, the Black Sash and many trade unionists believe, according to Ciskeian experiences (which began before independence) and aspects of the new legislation, that a person who joins a trade union, in particular an unregistered trade union, and/or is involved in any work stoppage, will be repatriated to his homeland — the sort of thing that already happens after mine disturbances.



SASH: Duncan



MINISTER: Koornhof.



COMMUTERS: Fast train service to the homelands.

those used by a Progressive Federal Party team who toured the Ciskei shortly before that homeland gained independence last year.

Mrs Duncan, national president of the Black Sash and possibly the foremost expert on influx control and how it affects black people, is more perturbed than she has ever been in years of apartheid-watching by the proposed new "Orderly Movement and Settlement of Black Persons Bill" (OMSBP).

The Bill is the most crucial of the three presented to Parliament by Minister of Co-operation and Development Piet Koornhof at the end of the present parliamentary session.

The accompanying and interlinking Bills — which with the OMSBP Bill are due to become law next year — are the Black Local Authorities Bill and the Black Communities Development Bill.

The idea behind the Bills, superficially, is to create a black urban middle class.

But the picture revealed by a close examination is different.

In 1972, Connie Mulder assured white South Africans that "soon there will be no black South Africa". He mapped the Nationalist dream of moving blacks to homelands and have them commute daily to white South Africa in high-speed trains.

While Dr Mulder is now beating a path around the political wilderness on the Conservative Party platteland trail, his promise is evolving into reality.

The South African Railways have begun building a high-speed rail link from Ga-Rankuwa near Pretoria to Johannesburg.

The link, due for completion in 1984, but partly operational next year, will whisk black commuters to

and an expert on labour bureaux, believes the Government never introduces Bills it hasn't to some extent tested.

Family

In preparation for the OMSBP Bill as an example, the population of KwaNdebele has soared in recent years.

Up to 60 people a day, many paying just over R30 a family for the privilege of being moved off land they own, are being dumped on to infertile KwaNdebele soil with only a tin toilet (which Mrs Duncan calls the "Monument to Resettlement").

Many of those moved to KwaNdebele are from "black spots" — black-owned land, fringing white farms in "white" South Africa.

Others have been moved from places such as Winterveldt, Lady Selborne, Atteridgeville and Mamelodi, many losing their Section 10 rights in the process.

"Section 10 is the magical apartheid catch-all, which in terms of the Black Urban Areas Land Consolidation Act of 1945 entitles those lucky enough to have it to live and work legally in a white area."

In terms of the OMSBP Bill, Section 10 will essentially remain the same, but now be couched in terms of Sections 3 and 5.

At Bronkhortspruit, near Pretoria, a deconcentration area is being developed for 550 000 people, ostensibly, Marian Lacey (a former university lecturer and expert on Ciskei labour affairs) says, for the overflow from Soweto.

All these people will become the commuters Verwoerdian ideologists have dreamed of for two decades. They will also lose their Section 10 rights.

Lacey points out that, while 870 000 families had Section 10 rights in 1979, the rest of the black population were either contract or migrant workers.

Since 1979, 9 000 of those with Section 10 privileges have lost them due to resettlement. Homelands gaining independence have ensured the children of the rest will never gain these rights.

The incredible tightening of influx control under the supposed reformist government of P W Botha has already caused a massive ripple effect throughout the labour system, an effect the new Bills will turn into a whirlpool.

In Johannesburg, it is almost impossible to employ registered or legal (in terms of Section 10) domestic workers.

The Polly Street Labour Bureau, which deals with this, say they find immense difficulty in obtaining registered domestic work-seekers — while "illegal" workers pound the doors of suburban Johannesburg daily in their search for work.

The scenario Mrs Duncan paints appears far less exaggerated than it may at first seem.

Workers

If the new Bills become law, which seems highly likely, the dozens of workers we now see lining the streets near Administration Board offices, hoping for casual employment, will disappear.

"Whereas now many employers are prepared to risk the R500 fine for employing illegal workers, they certainly won't when it shoots up to the R5 000 fine (or 12 months' jail) called for in the OMSBP Bill.

Neither will illegal people find it easy to get accommodation — not that it's a piece of cake at present."

"Legal" blacks who accommodate "illegals" will face a fine not exceeding R500 or six months' jail.

All forms of squatting will be outlawed and "no court of law shall be competent to interdict, suspend, postpone, prevent or prohibit the execution of orders" to remove squatters and other illegals.

Sheena Duncan points out that this will also eliminate any form of passive resistance opponents of the law might contemplate.

It will neatly excise humanitarian lawyers from taking "test" cases to the courts and getting judgments such as the Komani

Soweton
26/7/82

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FM 30/1/82

COMMUNITY COUNCILS

Up in the air

339

The new Black Local Authorities Act (BLAA), due to be implemented over the next few months, may force more than 200 community councils to postpone scheduled elections for another year. At least 160 councils were set to go to the polls in September — among them, Soweto, largest of all.

Soweto council chief executive officer, Nico Malan, tells the *FM* that it would be costly for the council to go ahead with the September election — its costs would be about R30 000, and a major effect of the BLAA will be to disband the councils as presently constituted.

The Soweto council's term officially ended in September 1980, but it was decided to postpone the election to September last year, then to January this year and then again to next September. So there has been no real test for several years of how representative the current office-holders — elected on a 6% poll — actually are.

This situation has been found satisfactory by some. The Soweto Allied Civic Association (Saca) has called on government to freeze the salaries of councillors because it claims "they are no longer elected representatives" of the Soweto community. Siegfried Manthata, leader of the Makgotla party, has called for fresh elections and the dissolution of the Soweto council "in the interest of the people who make Soweto what it is."

Several organisations, including Inkatha and the Soweto Committee of Ten (CoT), led by Gatsha Buthelezi and Nthato Motlana respectively, have flatly refused to participate in community council elections. Will the BLAA change this stance?

The CoT has listed a number of conditions to be met before it considers participation in black local authority elections. They include: full citizenship rights for everybody; unfettered freehold rights; and the abolition of the pass laws. So: "While we are aware of the fact that the new Act carries some hope, we are still adamant that we, of the CoT, are not going to participate," says Motlana.

He says the Act "is silent about how Soweto is going to be financed. In any case, the new Act is actually the very same old Act, polished up here and there."

However, Inkatha has welcomed the postponement of the election, according to the organisation's chief urban representative, Gibson Thula. He feels the postponement will give Inkatha more time to study the BLAA thoroughly. Only then can the decision on participation be taken.

□ Other community councils known to have decided to postpone elections include: Wattville, Daveyton, Duduza, Ratanda, Katlehong, Tsakane; Vaal-Triangle, Mohlakeng, Mamelodi and Dobsonville.

Curfew sirens could shrill throughout SA next year

AT 10pm every night a curfew siren howls across sleepy Westonaria. Next year it will wail through every South African town if Dr Piet Koornhof's 'urban black' Bill becomes law.

Krugersdorp, Randfontein and Westonaria have, on the advice of the Department of Co-Operation and Development, all re-introduced 10pm to 6am curfew regulations recently.

The Orderly Movement and Settlement of Black Persons Bill has a section which says: "No unauthorised person shall at any time during the hours 10pm on any day 5am on the following day be present in an urban area" unless he is a commuter on his way out of a white urban area in public transport or in a licensed taxi."

The Bill, now before a select committee and due to come before Parliament next year, is designed, the Black Sash and political analysts said, to bring influx control to its logical conclusion: white areas 'unblemished' by



blacks.

A Sunday Express visit to Westonaria one night this week, showed most of the people supposedly affected by the curfew did not know it existed.

Blacks we met said they heard the 'pass-out' siren — but did not know why it was sounded.

"Yes, we hear it every night, but nobody has told us what it is all about," said an elderly man walking his female companion to her quarters.

The 9.30pm bus, the last to leave Westonaria for the Libanon mine compound 2km away, had six passengers.

The driver said the bus was empty because it was winter. "I have heard about this pass-out thing but it is cold and it gets dark early. Nobody wants to be on the streets late."

Krugersdorp's acting town clerk, Mr J Leroux du Plessis, said the council had re-introduced the curfew in the interests of white residents.

"There are blacks in backyards and walking the streets at night, making it unsafe for white residents. If you want to go for a stroll at night you have to watch out all the time. This sort of thing is like sin, it overwhelms you at the most unexpected moment."

Randfontein's town clerk, Mr C J Joubert, said: "Whites complained blacks were causing problems at night with housebreaking and theft, molesting legal domestics and crawling in to get a place to sleep late at night. When the other boyfriend comes there's a hell of a fight."

In Westonaria the town clerk, Mr Hannes van Niekerk, said the curfew was introduced after a "letter out of the blue from the local Commissioner for Co-operation and Development, Mr J C S Grober, saying the curfew laws were still applicable'.

New urban black Bill is 'far worse'

339 E. Post 4/8/82

By SHELAGH BLACKMAN

BLACKS living in urban areas would be subjected to far greater "control, surveillance, and interference" under the Orderly Movement and Settlement of Black Persons Bill, than they were under present legislation.

This was said by the head of the PFP Parliamentary Research Department, Professor Nic Olivier, when he addressed 100 people at a public meeting held in Port Elizabeth last night on the "Koornhof Bills".

Apart from "one or two" positive aspects, he concluded that the control measures proposed by the Bill were "10 times worse" than those under the existing Urban Areas Act.

While blacks could now spend 72 hours in urban areas, in terms of the Orderly Movement and Settlement of Black Persons Bill, they would be prevented from doing so unless:

● They had the required authorisation or were "deemed to have the required authorisation";

● They had approved accommodation in that urban area.

Staying in the area meant being there between 10pm and 5am.

This implied a black person could only be in an urban between 5am and 10pm, Prof Olivier said.

And the only way to police the qualifications would be to hold massive night raids between these hours.

"I fear the Bill will open the way for this kind of action," he said.

Though the concept of "permanent urban resident" signified an important departure from traditional National Party ideology, it was clear only a relatively small additional number of blacks would fall into the category.

In terms of the Bill, the following people would be classified as "permanent urban residents":

● Those who at the commencement of the Act had Section 10 rights. (People born in the area who have permission to live in the area permanently);

● Registered owners of fixed property in any urban area;

● Those who were South African citizens and who had been legally resident in an urban area for a continuous period of a least 10 years;

● A person born in an urban area and whose parents were persons referred to above.

Prof Olivier spelt out the implications of these requirements.

The fundamental approach in the Bill was that blacks did not have an inherent right to stay in urban areas, and that their stay was permitted by way of special authorisation.

With the implementation of the Act no citizen of an independent state could qualify for "permanent urban residence". He would need a permit.

Even a visitor wishing to stay overnight in an urban area would require special authorisation.

Permanent urban residents had to be assured of acommodation approved by a competent authority.

It would also be an offence for any person to assist any "unauthorised" black to be present in the urban area between 10pm and 5am. And it would be an offence for any person to provide accommodation to a black person between 10pm and 5am if such a black was not a "permanent urban resident".

Blacks who entered the urban area could only legally remain there for that one day (until 10pm) without permission. If they stayed after 10pm without a permit they would be committing an offence.

No urban employer would not be allowed to employ a black person unless the person had approved accommodation and had been granted authority by a designated officer to "stay" in that urban area.

Prof Olivier warned that the Government was trying to use employers to implement Government policy regarding the entry into and presence in urban areas by blacks.

The penalites for contravention would be increased to R5 000 or to imprisonment for a maximum of 12 months.

BLACK DAY FOR WOM

ARGUS THURSDAY 5/8/82 (339) 2-06

AUGUST 9 is National Women's Day — the 26th anniversary of the great anti-pass law demonstration by 20 000 South African women of all races in Pretoria. In Cape Town the day will be commemorated on Sunday by a mass meeting at which women will focus on the drastic new Orderly Movement and Settlement of Black Persons Bill.



THE new Bill will force thousands of blacks into a life of starvation in the homelands. Seen here in a Keiskammahoek resettlement camp are Mrs Sarah Mhauli (left), her grandchild Noxolo, and a neighbour Mrs Ethel Mkapa.

Photograph by Les Hammond

"This new Bill is shocking. It's even worse than the pass laws," says a spokeswoman for the Western Cape Region of the Federation of South African Women. "We would like the bill to be scrapped just as we would like the pass laws to be scrapped. What we need is equal rights for all in this country, not more restrictions."

It was the federation which organised the 1956 demonstration and is organising Sunday's meeting. The aim is to inform women of all races about the bill and its effects.

If the bill becomes law it will dramatically increase the penalties for blacks working and living illegally in the cities and make it more difficult for people to qualify as permanent urban residents.

Experts who have studied it believe it will force blacks back to the homelands to a life of starvation.

A spokesman for the Nyanga dune squatters said: "This new law will be very bad for the black people. We have nowhere else to go. If we go to the Transkei or Ciskei we will starve."

The new Bill:

- Makes it illegal for any black to be in an urban area between 10 pm and 5 am without permission.
- Increases the fine for employing blacks illegally from R500 to R5 000 or 12 months' imprisonment. This means that people employing domestic workers without passes will now have to pay fines up to R5 000 or spend a year in jail.
- Increases the fine for being in an urban area without permission from the present maximum of R100 or three months' imprisonment to R500 or six months' imprisonment. It also provides for an additional fine of R20 for each day during which the offence continues.
- Increases the fine for taking up employment in an urban area without permission to R500 or six months' imprisonment.
- Makes the fine for accommodating a black person illegally R500 or six months. This applies to white and black householders.
- Visitors will be given permits for a maximum of 14 days, provided they have approved accommodation. At present visitors are given permits for three months which can be renewed.

There is also a special section on squatters.

It allows the Minister of Co-operation and Development to remove people who settle on any area of land without warrant if in his opinion they have settled there to canvass support for a change in the law or if in his opinion their conduct threatens their own health and welfare or endangers the maintenance of law and order.

No court can rule on the validity of the Minister's action and he can have the squatters and their dependents removed to any area he wishes.

Dr Margaret Nash, a researcher at the South African Labour and Development Research Unit at the University of Cape Town, was present when the Bill was explained to a meeting of Crossroads residents. She said: "Watching the people you saw the whole gamut of emotions running across their faces — fear, anger, despair.

They didn't want to believe this Bill. They said Koornhof promised we could stay.

"Once this legislation goes through any last loophole will be closed. In fact the hard-line Marxists must be smiling. They believe the situation must deteriorate to the point where things will explode. The Government is playing into the hands of that viewpoint.

"There is nothing more dangerous than people who have nothing to lose. Sebe himself said 2 000 people had left Port Elizabeth and the Ciskei this year to join guerrilla armies. If this new Bi becomes law the situatio will become worse."

The most drastic effec of the new Bill will be t make illegal employmen of black workers, inclu ing domestics, almost im possible, according to Va West, organiser of th Athlone Advice Office.

Mrs West says: "Th restriction of visitin rights will impose terribl hardship on the me working in town. It i their wive

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ARGUS 5/8/82 (339)

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"It will force illegal workers back to the homelands and is going to increase the number of children who die before they reach the age of five.

"I can't really see any employers being able to face up to a penalty of R5 000 or a year's imprisonment."

She said when the fine was increased to R500 there was panic on the part of employers and large numbers of illegal workers were fired. But at least people had been able to remain in the urban areas and seek employment in the informal sector.

"The effect of this new bill will be to make them lose their shelter. The punishment for giving accommodation to those illegally in the urban areas is so great that most black families will probably have to turn away friends and relatives. Most black householders can't afford to cough up R500 and if they go to prison for six months they will probably be unable to pay the rent and so they will lose their house anyway.

"The penalties are so great that it will turn us all into policemen.

"Urban blacks who are qualified will not notice a great difference in their rights but it will put a total stop to future urbanisation and create rural ghettoes."

She said it was a myth that blacks were able to subsist in the homelands. "If you take the Ciskei half the people are farming and half are not. Because the farming land is so overpopulated a large number of those who are farming cannot grow enough food for their own families. So at the very least you have three-quarters of the homeland population who either have no land at all or who have land that is not sufficient for their own needs. They have to work or they will starve." (See Starvation Diet, Page 13).

She said there were many similarities between blacks being forced to move to poverty-stricken homelands and Jews being deported and forced into ghettos in nazi Germany.

"I don't think this is being deliberately carried out — I can't believe people can be so evil. But I think the Government has had enough information put in front of it to know and understand the effects of their policy and the fact that they are prepared to go on pursuing it and making it ever more rigid means they are culpable. But I also think that as in Germany and occupied Europe everyone has a share of the blame if they don't do everything in their power to stop this. We must really build up some kind of loud voice that says: 'No'."

● A parliamentary select committee is sitting on the new Bill and representations can be made to it by any interested organisation or individual before August 31. You must make 20 copies of your representation and send it to The Secretary to Parliament, PO Box 15, Cape Town. Make it clear that you are writing about the Orderly Movement and Settlement of Black Persons Bill as the committee is sitting on two Bills.

Mrs Duncan said people should ask that their church synods and assemblies make representations on the Bill as a matter of urgency. Whites could express their dissent to their MPs, write letters to the newspapers and ask organisations like the National Council of Women and the Union of Jewish Women to lobby on their behalf.

● The Federation of South African Women's meeting will be held on August 8 at 12.30 pm in St Francis House, Ramania Road, Crawford, off Lawrence Road opposite the Crawford bus terminus.

All are welcome.

LINDA VERGNANI

and children are visiting that they can have any sort of family life.

"Another thing — that will be an absolute disaster for the children growing up now is that in terms of the bill they will have to prove both parents are permanent urban residents in order to qualify to live in the towns. At present, if one parent is qualified and the child has been born and brought up in Cape Town then he or she qualifies to live here permanently. With the new bill only children who have two qualified parents will get permanent urban rights.

"Sixty percent of children in the black areas are growing up in single parent families. Either they will have lost contact with the other parent or they will only have one qualified parent. So the bill will cause much greater disruption of family life."

Mrs Sapho Matolengwe, a community worker for the South African Domestic Workers' Association and the Domestic Workers' and Employers' Project, says: "This bill takes blacks back to the time of slavery with no freedom of movement.

"If this R5 000 fine comes in employers will fire their workers. People like domestic workers are in the urban areas because there is no work in the homelands. Many domestic workers feel this bill to be very inhuman."

She said there would also be a tremendous waste of manpower enforcing the law. "The crime rate in Cape Town is very high and there is a shortage of police to keep law and order. To have police checking permits will be a waste of their time."

Sheena Duncan, national vice-president of the Black Sash, questioned whether the exclusion of blacks from the urban areas did not amount to genocide. She said she believed people would have to think very deeply about whether to resist the law.

"There is an estimate that 42 percent of the black population in Cape Town is there illegally. The reason they are there is that they must work or they will starve in the homelands. This bill will close the door to that whole group of people.

Bill on blacks — petition planned

ARGUS 9/8/82

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A PETITION protesting against the drastic measures of the Orderly Movement and Settlement of Black Persons Bill is to be drawn up following a meeting yesterday organised by the Federation of South African Women to commemorate National Women's Day.

A motion rejecting the Bill out of hand was passed at the meeting, attended by more than 200 people.

The motion was supported by the Black Sash and the Women's Movement for Peace. A meeting to organise the petition will be held at the Nyanga Art Centre tomorrow at 7 pm. All interested organisations were invited to attend to draft the petition and get it underway.

Mrs Annie Silinga, one of 20 000 women who marched on Pretoria on August 9, 1956, protesting against the pass laws, urged women to unite and fight the new Bill.

SERIOUS

"This new Bill is fire and not child's play. All black women must think about it very seriously," she said.

She warned women not to sit around drinking tea and coffee when the new Bill meant they wouldn't know where their children would be sent in future.

Speaking from the floor, a community worker drew atention to the plight of the Nyanga bush people who were facing a September 20 deadline for a decision on their fate.

She pointed out that the deadline could be extended.

"It seems clear now that once this law is passed, Dr Koornhof will simply use the provision of this Bill to push these people out. We must be prepared for this," she said

● See page 11

Govt bid to overcome black leasehold snag

CAPE TIMES 13/8/82 (25) 339

PRETORIA. — The cabinet had approved new measures to overcome a major snag blocking implementation of the 99-year leasehold scheme for blacks, the Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday.

Speaking in Pretoria at the Unisa School of Business Leadership, Dr Koornhof said residential areas where the scheme applied had not been cadastrally surveyed.

"The ad hoc approach of doing the work piecemeal and often having to leave the individual to make his own arrangements to have a stand surveyed — sometimes at high and even inhibitory cost — has not been satisfactory."

The lack of surveyed sites and high costs had blocked speedy implementation. Even though plans to meet the problem had been devised, "the pace was still slow and too costly", he said.

The Steyn Committee had made recommendations which would help speed up implementation. These had been approved by the cabinet.

Dr Koornhof estimated that countrywide there were about 370 000 residential stands (excluding Soweto) which still had to be surveyed.

The Steyn Committee had concluded that the surveying work would have to be undertaken on a programme basis.

The surveying profession had responded positively to the idea, he said.

The view of the Steyn Committee that the cost of surveying should be part of the purchase price of leasehold rights — and should be borne by the purchaser — had been accepted.

As survey had to take place before sale, the National Housing Fund (NHF) would provide the necessary bridging finance for survey costs.

It was intended to seek the co-operation of black local authorities — "so that they partake in the scheme voluntarily as it has such great benefits".

But Dr Koornhof said he "reserved the right to have a survey made mandatory if there is reason to believe the co-operation is unreasonably being withheld and that it is to the disadvantage of the community not to survey.

"After all, we are trying to implement a free-market system and create a property market."

He said the government had agreed to provide R28-million for bridging finance on an annual basis. — Sapa

an angry President dan. — Sapa-Reuter-AP

Finance warning to black local councils

By BRIAN POTTINGER
Political Correspondent

THE Deputy Minister of Co-operation and Development, Dr George de Villiers Morrison, warned today that black local authorities will have to meet tough financial criteria before they can become fully autonomous councils under new legislation.

Dr Morrison said it was essential that an independent council created under the Black Local Authorities Act be able to pay for a competent administration and meet all financial obligations.

The Deputy Minister was opening the Zenzele self-help scheme and the new community council's offices in Grahamstown.

"In promoting and developing black local authorities, the greatest care will have to be taken not to create organisation and establishments for them that are not in accordance with their financial abilities," he said.

It was not the Act's intention to convert a community council into the same thing with a different name, but rather to create fully viable and autonomous local authorities.

Dr Morrison identified three main problem areas in the establishment of autonomous councils under the Act:

- No local authority can function autonomously if it does not have at its disposal a competent and efficient administration.
- The local authority must have the finances to attract competent staff despite the skills shortage in the country.
- A community that wants to administer itself must be able to pay all expenses and loans necessary.

"Thus it boils down to the fact that a local authority cannot talk about full autonomy if it is not in the first place in a position to stand on its own feet, financially speaking," said Dr Morrison.

Opening the Zenzele self-build scheme, Dr Morrison paid tribute to the Abalizi self-help housing research group and again emphasised Government approval of non-conventional building schemes in black townships.

Dr Morrison described the pilot projects being undertaken by the East Cape Administration Board as a great success and said the Ciskei Government was working on a scheme similiar to Zenzele.

Polling stations announced

Municipal Reporter

THE polling stations in the four wards in Port Elizabeth which will be contested in the City Council elections in September have been officially announced by the Town Clerk, Mr P K Bótha.

The booths, which will open on September 1 at 8am and close at 7pm, are.

- Ward 2: The University of Port Elizabeth Building (behind the UPE Auditorium), Bird Street, Central.
- Ward 7: Newton Park Methodist Church Hall, Third Avenue, Newton Park; NG Kerk Hall, Broadway Avenue, Sunridge Park.
- Ward 8: Sacred Heart Church Hall, 512 Cape Road, Kabega Park.
- Ward 12: Walmer Town Hall, Main Road, Walmer.

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Course for bikers

Post Reporter

THE Port Elizabeth branch of the National Road Safety Council is to launch a series of training clinics for motorcyclists.

The first clinic, limited to the first 15 applicants, started today and continues tomorrow.

The instructor is the chief officer of the Port Elizabeth branch of the association, Mr Johan de Nysschen.

Although Mr De Nysschen has lectured at high schools in Port Elizabeth, today's clinic is the first of its kind in the country.

He said the clinics would become a regular service, to be run at least once a month.

He said lectures would include the use and abuse of alcohol, safety inspection of motorcycles, maintenance, the importance of protective gear and accident foresight.

Films will also be shown.

Police arrest youths

Crime Reporter

DETECTIVES from Mossel Bay and George have arrested three youths on 14 charges of housebreaking from January, 1980, to July, 1982.

A police spokesman said the goods stolen during this period were mostly food, alcohol, cash and jewellery.

Police have recovered jewellery valued at R12 000 which was stolen in a burglary at the home of Mrs B F Naude in Mossel Bay.

Most of the stolen jewellery has been recovered, including a diamond ring worth R4 000.

The youths may also be linked to other burglaries in the town.

One of the youths is 19 and the others are both 16.

The arrests followed intensive investigations by Detective Warrant Officers G A Cooper and A J Saayman, of Mossel Bay, and H Swart, of George.

Plan to speed up leasehold in townships

PRETORIA — The Cabinet had approved new measures to overcome one of the major hurdles blocking implementation the 99-year leasehold scheme for blacks, the Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday.

He was speaking at a seminar in Pretoria at the Unisa School of Business Leadership.

The Minister said that in many towns where the leasehold scheme applied large portions had not been adequately surveyed.

"The lack of a reservoir of surveyed sites has stood in the way of implementing the leasehold system speedily," Dr Koornhof said.

"Even though the so-called A, B and C system of plans to meet the problem was devised and produced some results the pace was still slow and too costly."

The Steyn Committee, Dr Koornhof said, had made recommendations which, if applied, would help greatly in speeding up implementation of the leasehold system.

These recommendations had been approved by the Cabinet and were effective immediately.

It was estimated, he said, that countrywide there were about 370 000 residential stands (excluding Soweto) where the leasehold system was applicable and which had to be surveyed eventually.

"The Steyn Committee concluded that the only way to dispose of the necessary surveys as soon as possible is to undertake the work on a programme basis, supported by the necessary finance," Dr Koornhof said.

The committee had negotiated with the surveying profession, which had responded positively, he said.

We

FORECAST for
Plettenberg Bay
the period ending

CONDITIONS:

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Chicago	8
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Colour barriers inhibit growth'

Cape Times 18/8/82

Staff Reporter

MORE members of the labour force would have been able to contribute to the growth of the economy if discriminatory measures had been absent in South Africa, Professor J L Sadie of the University of Stellenbosch, said yesterday.

Professor Sadie, a professor of economics, was giving evidence before the President's Council's Committee for Economic Affairs.

He said among the most inhibiting were measures protecting white workers. This made it difficult for other groups to progress and hampered them from moving up to management and executive positions.

Although many discriminatory measures had been abolished, they were still practised, particularly in the central business district, Professor Sadie said.

'Will benefit all'

"It is difficult for other groups to participate in the central business district. If they could participate and use it as a learning experience, it would be beneficial to all."

In answer to a question, he said the black population appeared to be supporters of the capitalist system and were still prepared to accept the benefits of the system.

But the "new black entrepreneur" needed the liberating influence of the urban community. One would therefore have to look to Guguletu and Soweto to find him, as this could not come about in the rural areas.

Tomlinson brought back after 26 years in the wilderness

As I wa saying...

ARGUS 19/8/82

What is behind the Government's sudden recall of a man who knows more about homeland development than almost anyone else — but who has been ignored for 26 years? ANTHONY DUIGAN reports on the strange emergence of Dr Frederik Tomlinson, architect of the 28-year-old report that laid the pattern for homeland development.

THE GOVERNMENT hopefully had the grace to blush when it suddenly called Frederik Tomlinson out of retirement to advise it on black affairs — 26 years after it told him his advice was not needed.

It started in 1954. Dr Tomlinson, Pretoria University Professor of Agriculture, submitted to Dr H F Verwoerd (then Minister of Native Affairs) the four years' work of his nine-man commission of inquiry into the socio-economic development of the homelands. — 3 755 pages 598 tables and 66 large maps. The most detailed study of the homelands ever tackled.

But the Cabinet decided against publishing a report of that magnitude and told Dr Tomlinson to produce a much abridged version. This he did in March 1956.

At this stage Dr Verwoerd did two things:

- He rejected outright all the key development aspects of the Tomlinson report.
- He forbade Dr Tomlinson to comment in any way on the report and its implementation.

The vital recommendations which Dr Verwoerd rejected in 1954 were:

- The homelands should be consolidated into viable and unified units.
- Carry through the massive development needed in the homelands.
- White capital and know-how would have to be poured into the homelands to stimulate development.

Only history will be able to assess properly the blunders of Dr Verwoerd and his political lieutenants in their handling of the Tomlinson report.

Dr Tomlinson for his part, submitted to the unfair discipline. He watched in silent frustration as year followed year and vital opportunities were missed — for 18 years.

Objective

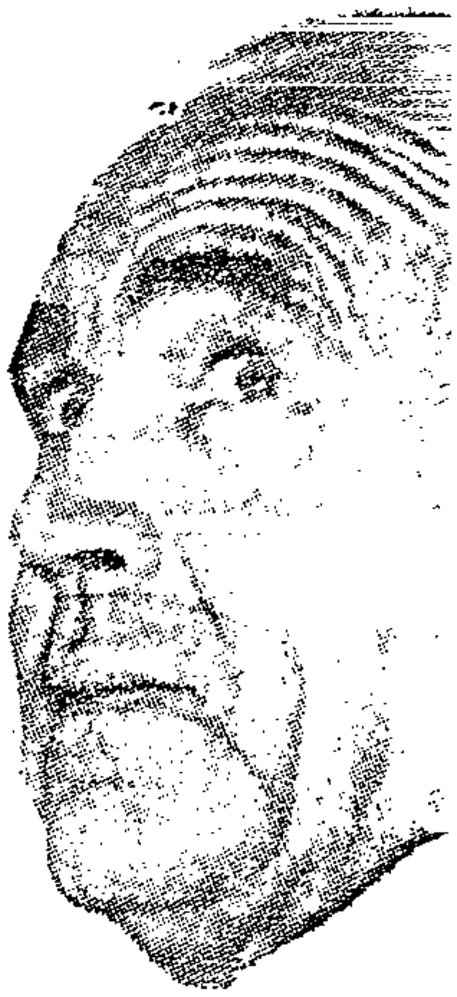
Then he broke his silence, but only in the measured tones of objective assessment rather than in the outburst of emotional hurt many other men might have permitted themselves.

The occasion was the annual congress of the South African Agricultural Union in October 1974. Professor Tomlinson who had been one of South Africa's foremost agricultural economists for many years, delivered the opening speech.

"I spent five months working on this speech and carefully considered every word I said about the report," he told me at the time.

Some of the points he made in this speech:

- Diversified development within the homeland was essential but this required white capital and entrepreneurship. The Government rejected this in 1954 and only the sheer pressure of reality forced it through in 1970. As a result of this South Africa lost 15 years in development of the homelands.
- The Tomlinson Commission's emphasis on consolidation of the homelands was rejected by the Government in 1954 as "theoretical and of no practical value" — but the whole concept of multinational development hangs on it.
- The enormous scope of the development needed and the necessity for gaining knowledge about how to go about development decided the commission that a development board for the homelands was essential.



Dr Frederik T

Delayed

"This was to be a research and planning body which could advise the Minister at the highest level. I am not in the slightest doubt that the non-acceptance of this crucial proposal unquestionably delayed progress

"All the speeches and articles he had read added little over 20 years to what the Tomlinson report unravelled and foresaw.

"Large-scale development of the homelands remains the basic way out of the dilemma in which South Africa finds itself."

In a later interview with the Star, Johannesburg, Professor Tomlinson elaborated a little on his views:

Argus 19/8/82

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"Total segregation is impossible at this stage, totally out of the question — you can't wipe out these cities with their millions of black people," he said.

"Yet had the development programme (proposed in the report) been started earlier we could have shifted the pressure and a much larger proportion of the black people would have been able to exist economically from activities within the homelands."

Sources

The belated Government call to 73-year-old Dr Tomlinson to come in from the cold and advise on "black affairs" gives no further details but could originate from two sources — Mr Hennie van der Walt, Deputy Minister in charge of Black Land Affairs who better than most realises what was missed by rejecting the Tomlinson Commission views on consolidation and Dr Flip Smit, the geographer and expert on urbanisation who has also been pulled into help advise the Government on the housing and development of urban and rural blacks.

History will show how unfortunate it was that the commission's ideas on development and consolidation were not accepted in 1954, Dr Tomlinson said in 1979.

"But it is no use crying over spilt milk — we have got to go forward and face the problems at this late stage," he said. That is just what the Government has asked him to do now.

(539)

Black new deal a poverty package?

Star 25/8/82

By Moira Levy

The Orderly Movement and Settlement of Black Persons Bill, published in the closing days of the 1982 parliamentary session as one of three Bills in Dr Koornhof's "New Deal" package, has been strongly criticised by Mrs Sheena Duncan, president of the Black Sash.

In a recent paper on the Bill Mrs Duncan warns: "The Bill greatly increases the efficiency and rigidity of influx control. Far from leading to any kind of controlled urbanisation process, it slams the door in the face of landless, rural people, who have come to town to seek survival," said Mrs Duncan.

The status of Permanent Urban Residents, or PURs — those with legal rights to stay and work in town — is slightly improved by the new Bill, Mrs Duncan says.

"But all this change really means is a return to the old "General Smuts" exemption pass," said Mrs Duncan.

PURs could lose their rights to be in town if they do not have approved accommodation, or if the Minister of Co-operation and Development excludes them from the provisions of the law, she added.

"It must also be remembered those black persons who have become foreigners through the independence status of certain homelands are aliens and can be deported notwithstanding any rights they may have had to reside in town."

If the Bill becomes law, says Mrs Duncan, there will be three categories of black people in the urban areas:

- Permanent Urban Residents and their dependants.
- People with permits which allow them to live, work or seek work in the urban areas.
- Unauthorised people, who will be liable to a sentence of R500 or six months' jail if they are found in the urban areas between 10 pm and 5 am.

An official of the West Rand Administration Board said the law had never permitted any form of "trial" of migrant workers. "They must stay in the homelands until we have finished our investigations and decided whether or not to grant permission" he said.

Bills erode family life for blacks'

THE UNITED Women's Organisation (UWO), a non-racial organisation consisting of 21 branches in the Western Cape, yesterday condemned two proposed Bills.

A letter outlining their grievances and objections over the Black Communities Development Bill and the Orderly Movement and Settlement of Black Persons Bill has been sent to the Parliamentary Select Committee.

UWO secretary Miss Zou Kota said the organisation rejected the proposed Bills because black people, who were most affected by the Bills, had not been consulted about them.

"Many black people will be stripped of their South African citizenship and their right to reside in the country of their birth. It further erodes the basic human right of a family to reside together," she said.

CALLOUS

"The proposals contained in the Orderly Movement and Settlement of Black Persons Bill concerning visitors to urban areas render it impossible for a wife to visit her husband or a mother to see a child for more than 14 days in one year.

"We condemn this destruction of family life and this callous abuse of children."

She said UWO condemned the victimisation under this Bill of children whose parents had never married.

REMOVALS

"This Bill also strips a child of its citizenship for the reason that one parent has already been stripped of his or her citizenship.

"We condemn particularly the legislation of forced removals of men, women and children and the dumping of black people in the homelands."

The meeting also condemned the 20 percent rise in general sales tax, at a time of financial recession, as a burden on the poor who already spent most of their income on basics.

'Police-state measures' in new bill

Staff Reporter

LOCAL trade unions and community organizations have warned of "widespread unrest and confrontation" in the urban areas and deepening poverty in the homelands if the controversial Orderly Movement and Settlement of Black Persons Bill becomes law.

These warnings are contained in submissions by these organizations to the parliamentary select committee which is reviewing the bill. Today is the closing date for submissions.

In a lengthy memorandum, the African Food and Canning Workers' Union and the Food and Canning Workers' Union — a number of whose members will be hit by the tough provisions of the bill — say its measures are "appropriate to a police state".

Brutal measures

"Should this bill become law, it will prove to us that apartheid, far from being dead or even in the process of being eliminated, is being reinforced by the most brutal measures.

"No person or organization seeking industrial and social peace in South Africa will be in any position to support this bill, which if approved will necessarily result in increased polarization and hostilities."

The Cape Town Municipal Workers' Association and the General Workers' Union have both called for the repeal not only of the bill, but of all existing influx control laws.

Constitution

The United Women's Organization (UWO) also rejects the bill "in its entirety," saying "every aspect of the proposed legislation is in violation of the constitution of the UWO".

The Federation of Cape Civic Associations says "the effects of the bill will be to further limit and confine the movement of a large section of the South African population."

Chief objections to the bill include the belief that it will confer vast powers on the Minister of Co-operation and Development, will in a number of instances remove recourse to courts of law and will require massive policing.

● Leading article, page 12

Domestics' union writes to Koornhof

Labour Reporter

THE National Domestic Workers' Union, which claims to represent about 800 domestics, has written to the Minister of Co-operation and Development, Dr Piet Koornhof, expressing its disapproval of the proposed Orderly Movement and Settlement of Black Persons Bill.

Mr Magwaza Maphalala, the national organiser of the National Federation of Workers — to which the union is affiliated — said domestic workers at a meeting this weekend were 'strongly opposed' to the proposed Bill and had resolved to write to Dr Koornhof.

Mr Maphalala said the domestic workers feared that if they were evicted from their living-in accommodation, they would never be able to find any in the nearby townships where there was a dire shortage of housing.

They would then be forced return to the homelands which, for most of them, would remove their families' source of income.

Bill permits minister 'to do what he likes'

5/9/82 (339) R606

Mercury

African Affairs Correspondent

THE Minister of Co-Operation and Development, Dr Piet Koornhof, has the power to 'remove' the squatter area of Inanda near Durban, according to the present provisions of the Orderly Movement and Settlement of Black Persons Bill.

This is the view of Mrs Jillian Nicholson, who heads the Black Sash inquiry office in Durban.

Mrs Nicholson has made an extensive study of the Bill which has been referred to a Select Committee. Yesterday was the final date for the submission of memoranda in connection with the proposed legislation.

Circumstances

She said the Bill made it clear that the minister could summarily remove the people to any place in the area where they were born indicated by the director-general of the department.

There were certain circumstances under which the minister could act, she noted.

These included their settling in such numbers and conditions that it appeared that their conduct was calculated to canvass support for the repeal or amendment of any law.

The Bill also referred to the endangering of law and order and threats to the health and social welfare of the people concerned.

Mrs Nicholson said that, at present, many people in Inanda were qualified to live in the Durban area.

Their names were on waiting lists and they were born in the area.

The current position was that, if they were evicted from Inanda, they could be accommodated in the Durban area.

But the new Bill permitted the minister to do what he liked with them, she pointed out.

Philosophy

Mrs Nicholson said the new Bill enforced influx control and would lead to 'unimaginable suffering'.

She said the philosophy behind the legislation was that of 'blacks back to the homelands' and 'out of sight, out of mind'.

She pointed out that the Durban Courts dealt with an average of 3 000 people termed 'idle and undesirable' each year.

She estimated that this number would increase enormously if the Bill became law.

Mrs Nicholson said the Black Sash monitored such cases in the Stanger Street court and had come across the instance of a black woman sentenced for the ninth time for re-entering the city illegally.

'These people have no way of survival but to come back,' she said.

'In terms of the new Bill, there are bound to be night raids and a massive upsurge in arrests and jailings.'

She said 42 percent of the black people in the Western Cape were living there illegally while open unemployment in the Ciskei was now running at 25 per cent.

Plea made to scrap black Bill

Staff Reporter

THE MOWBRAY Inter-Race Group (Mirge) and the Civil Rights League have joined a long list of local organizations in calling for the scrapping of the Orderly Movement and Settlement of Black Persons Bill.

Yesterday was the closing date for submissions to the parliamentary select committee which is reviewing the bill.

In its submission, Mirge warned that the following would result from the enactment of the Bill:

● The deterioration of race relations, the alienation of moderates, increased unemployment, the destruction of job opportunities, harsh penalties and policing, and excessive powers to the Minister of Co-operation and Development, Dr Piet Koornhof.

"The relations between whites and blacks are strained already and while Dr Koornhof has spoken about a new deal for blacks, the effects of this bill will have disastrous consequences for what hopes remain for peaceful coexistence in our country," the memorandum said.

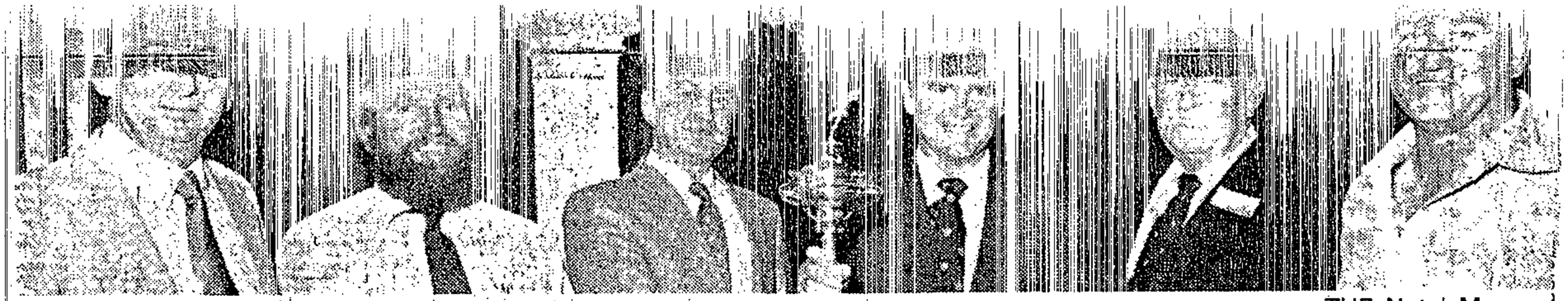
"We believe that this Bill, in its massive effort in what amounts to trying to stop human beings endeavouring to earn their daily bread, is still continuing to apply methods that have already proved a failure.

The Civil Rights League said in its submission that "when one first reads the bill one cannot help feel that the government has gone mad and declared war on the black people".

All involved in the bill "should consider that they will very likely be judged in the future to have participated in a crime against humanity. It is worse than anything dreamed of by Messrs Strydom, Verwoerd or Vorster during the apartheid era which is now admitted to have been disastrous".

"In the short term this bill will bring suffering to millions of South Africans. In the long term, it may bring civil war to our country.

"We would like to ask: What have the black people ever done to you that you should do these evil things to them?"



Interjections greet minister

Control boards 'vital to farmers'

Mercury Reporter

CONTROL boards were defended at the Natal Agricultural Union's congress in Durban yesterday as 'fundamental pillars' on which farmers depended.

Their role was vital in the handling of products and in order to maintain price stability, said Sentrachem group vice-chairman Francis la Riche. He challenged anyone 'to come up with a better idea'.

It was easy for consumers to criticise the functions of control boards, but doing away with them would be disastrous.

'Who would risk producing beef or mutton, or planting wheat or maize, if he could not bank on getting a minimum return?'

NAU president Donald Sinclair said he was a strong supporter of control boards, but nevertheless felt some criticisms of the system were justified.

Too much emphasis was placed on control and not enough on marketing, he

Mercury Reporter

A RESOLUTION that administration boards should be abolished in rural areas of the province drew round applause — and a lone dissenter — in being adopted at the Natal Agricultural Union's congress in Durban yesterday.

Howls of derision greeted a claim by the Deputy Minister of Co-operation, Dr G de V Morrison, in his reply, that '99,9 percent' of farm labourers were registered pass-book holders.

A barrage of interjections arose when the minister said the boards did 'magnificent work' and were an important link in the chain of labour control.

'Saying the boards serve no purpose in rural areas displays an ignorance of the facts . . . asking that they be done away with is like trying to shoot the pianist who's doing his best to play the tune,' Dr Morrison said.

Laughter greeted Dr Morrison's announcement that from next year the boards would become known as 'development boards'.

'The boards were worthy of, and needed, the full support of the agricultural sector, he said.

'Sure, we have our black sheep as everyone does — and not the type you are thinking of that go grazing in pastures.'

Earlier the meeting heard from several delegates among the 500 present that the boards served no purpose, hampered farmers in some instances, and were inadequately and incompetently staffed.

Mr Alan Goss, of Vryheid, could see no reason for their retention.

Administration board officials, he said, were 'a bunch of Mafia who waste our money on their own salaries and aren't any good to anyone'.

The board's staff were totally uninterested in their jobs and labour control was non-existent, said Mr J Mason, of Umvoti.

'We fill in screeds of forms for nothing, it seems,' he said.

A Mr Rennie, of Mount Currie, said black farmhands were required to be registered, but it was 'virtually impossible' for them to get documentation.

The labour bureaux the boards purported to manage did not — and could not — work in rural districts. Farmers would be erring if they sought reasons why administration boards should be retained, he said.

Eston farmer Arthur Stainbank said he agreed with all that had been said, but had been told by various deputy ministers that farmers did not co-operate with administration boards and were unappreciative of the work they did.

THE Natal Mercury Soil Conservation Trophy was won this year by the Hlabisa committee of the Natal Agricultural Union, to whom it was presented yesterday. The award goes to whichever district makes the most worthy contribution to protecting the province's natural resources. With the Hlabisa committee members are Mr D M Rix, district extension officer of the Department of Agriculture, Mr W M MacNab, Dr P Hildyard, the department's regional director who presented the trophy, Hlabisa committee chairman Mr P D Kennedy, Mr D C Sinclair and Mr G G Gauche.

Natal farmers face 'crippling interest rate debts'

Mercury Reporter

THE 1982 season was 'a disastrous year' for most Natal farmers who also faced crippling debts due to high interest rates, the President of the Natal Agricultural Union, Mr D C Sinclair said yesterday.

the danger signals should have been forecast long ago, but several critical factors had suddenly befallen the industry and precipitated the situation in which it now found itself, he said. There were surpluses of some pro-

others, necessitating importation. This had had a disruptive effect on the economy.

'We are facing a scenario that is cause for the gravest concern', Mr Sinclair said.

'The immediate future

and fortunate indeed is the man farming on bond-free land. The optimism which alone keeps us going must continue until things improve. The resilience of the farming community is a matter of continual wonder,' he

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New ruling on contract workers

JOHANNESBURG. — The Department of Co-Operation and Development has instructed the West Rand Administration Board to refuse black contract workers permission to change their jobs.

This means that among the growing number of contract workers being retrenched, more will have to return to the "homelands" — in spite of the fact that they have found new jobs.

Yesterday, the Black Sash president Mrs Sheena Duncan warned that the instruction could condemn thousands of workers, some of whom may had worked in the area for years, to "starvation and a fruitless search for jobs at the homeland labour bureaux".

In terms of the Black Urban Areas Act, contract workers can work in the cities only with permission from a government labour officer. If they change jobs, the officer must decide whether to register them in the new job.

Contract workers are those city black workers who do not have permanent rights to live and work in the cities in terms of the Act and many of them have worked in the cities on annual contracts for years.

According to Mrs Duncan, the East Rand Administration Board has not allowed contract workers to change jobs, while the Wrab has.

It did so, she said, if they had written permission from their previous employer to take up the new job and if the work was in the same job category as that prescribed by their contract.

Wrab's director of labour, Mr Arman Steenhuizen, said the instruction was now the "general rule".

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Macwusa snubs US labour delegation

Sowetan 14/9/82

IN A surprising move, the Motor Assemblies Component Workers' Union of South Africa has rejected an invitation to meet a high-ranking American labour delegation, AFL-CIO, presently touring the country.

A union spokesman said that a meeting with the group would be a contradiction of the workers' demands and that such a move would create confusion among them.

The visiting delegation is currently on a fact-finding mission in South Africa and has already met with leaders of labour movements and organisations.

The union, which was also expected to meet the General Workers' Union, has cancelled the meeting.

The union has also granted the KwaZulu Chief Minister, Chief Gatsha Buthelezi, an award.

In a statement that was released recently, Macwusa said that they had rejected the invitation, which had come to them through the US labour officer, Mr Charles Daris.

"The South African situation is unique and cannot be approached from the philosophy of constructive engagement while people are daily experiencing dehumanisation and others are even dying daily in the process.

DANGEROUS

"Such an attitude is very dangerous and should be rejected," the statement said.

The union said it was refusing to accept the move by the group because they seemed to be collaborating with the Government and that they wanted to be seen to be working with those who operated outside the Government's created institutions.

Further, the union said, to present Gatsha Buthelezi with an award at the same time as Dr Neil Aggett, a unionist who had died in detention, was to imply that "Gatsha is in the same class as Aggett."

"The granting of the award to Chief Buthelezi is a total degradation of the workers' attitude towards the struggle, as it is an insult to the efforts and contribution and even the character of Dr Aggett," the statement says.

4. AFFILIATIONS TO INDUSTRIAL FEDERATIONS CONTINUED:

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	Pulp and Paper Industry's Joint Com
	Rand Water Board Unions Joint Commi
	South African Council of Mining Uni
	South African Federation of Leather
	South African Council of Transport W
	South African Federation of Chemical Union

5. In the light of the 1979 amendments to the Act, could you please indicate if your union's application for extensions in scope. If so,

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   b) to whom .....

   c) for what additional area.....

   d) has this been granted.....

   e) if so, when.....

McCANN TO GOVT: ANTI-GOD LAWS NOT BINDING

ARGUS 14/9/82

Religion Reporter

LAWS made by the State in conflict with the will of God "cannot be binding on the consciences of the citizens," Owen Cardinal McCann, Roman Catholic Archbishop of Cape Town, has told the Government.

Cardinal McCann presented a 2 500-word memorandum to a parliamentary select committee, condemning in theological terms some clauses of the Orderly Movement and Settlement of Black Persons Bill.

He strongly rejected the whole migratory labour system and the Government's claim to authority to deprive black people of family life.

"It would be impossible to apply these restrictions to white or coloured people. They would not accept it. Black people, too, must be treated as people," he said.

The Cardinal told the committee his memorandum was submitted "as one concerned with upholding the rights of the individual and the family according to Christian teaching."

Influx control was not a purely economic, social or political question, but raised moral issues. The ordinary person, as a member of the human race, had the right to emigrate anywhere in the world where he hoped to earn a living.

In South Africa this right to move in search of work was recognised in respect of white and coloured people. The black person had the same right, and it was the duty of the State to uphold that right.

"It is also the right of the person to make provision for his wife and family to be with him in his movement to seek work and a living.

"Legislation which prohibits husband and wife and family from living

(Turn to Page 3)



Owen Cardinal McCann ... "blacks should be treated as people."

Churches condemn new Bill

Star 20/9/82

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Own Correspondent

CAPE TOWN — A major Church-State confrontation has developed over the proposed Labour Bill with Churches warning the Government that Christians may be "called by God" to disobey its provisions if it becomes law.

The Orderly Movement and Settlement of Black Persons Bill would enable the Governemnt to designate areas in which blacks could not seek employment and which would be disruptive of black family life.

The Bill as it now stands provides for a fine of R5 000 for those who break the law by seeking or giving employment to blacks in conflict with its provisions.

The Anglican Church said at the weekend the Bill's provisions were in conflict with Christian conscience and "in no way binding on Christians."

The most Rev Philip Russell, Anglican Archbishop of Cape Town, said all Churches should adopt the same stand.

This Bill has brought the Government under the strongest theological fire since Dr H F Verwoerd was told that Christians would disobey the Native Urban Areas Act if he enforced provisions enabling him to restrict open multiracial worship.

The Catholic Archbishop of Cape Town, the Most Rev Owen Cardinal McCann, last week released his memorandum to the parliamentary select committee on the Bill, saying that State laws in conflict with the will of God "cannot be binding on the consciences of the citizens."

In Cape Town last night Archbishop Russell said he had sent a similar memorandum.

And at Crossroads yesterday the Rev Peter Storey, president of the South African Council of Churches, said: "We cannot obey this law."

At the Cape Town Diocesan Conference of the Anglican Church at the weekend, only two voices were heard opposing a motion put to the 350 clergymen and lay delegated by Archbishop Russell.

"This diocesan conference records its strongest objection to the Bill termed 'The Orderly Movement and Settlement of Black Persons Bill'.

"The treatment of people envisaged in this legislation will add to the violence being done to their dignity and basic rights.

"The Bill will bring suffering to millions of South Africans and increase the likelihood of civil war.

"We also object to

To Page 3, Col 6

new suppressed."

Church to condemn new Bill

Star 20/9/82

339

EXTRACT

the massive penalties designed to force people to comply with measures which among other things will hinder vast numbers of ordinary people from earning a living.

"We regard this Bill as immoral to the extent that obedience to its provisions can in no way be regarded as binding on Christians. On the contrary, the provisions are in direct conflict with Christian conscience.

"This conference therefore gives its support to those who might find themselves called by God to disobey any provisions of this Bill should it become law and so give witness to the law of Christ."

In his memorandum, Cardinal McCann said: "It would be impossible to apply these restrictions to white or coloured persons, they would find it difficult if Black people too must be treated as people."

SA dilemma 'spiritual, not political'

ARGUS 20/9/82



The Rev Peter Storey.

THE problem of South Africa was not political but spiritual, the president of the South African Council of Churches, the Rev Peter Storey, said at Crossroads yesterday.

Addressing about 300 people on the windswept dunes, he said people had to learn to love and to have hearts of justice.

In an impassioned plea to the Government he said: "Why do you persist in moving ahead with apartheid? You can stop today. Where are your eyes and your ears that you cannot see and hear people suffering."

A REMINDER

Apartheid and the Orderly Movement and Settlement of Black Persons Bill should be scrapped and "illegals" in the Western Cape granted legal status, Mr Storey said.

One day there would be a museum in South Africa to remind people of apartheid and one day apartheid would be dead and "God's law will again be law in this land".

In an interview after his address Mr Storey said that if the Government did not grant about 900 Nyanga squatters and about 4 000 Crossroads residents legal status in the Western Cape today it would be a monstrous breach of the trust which a small group of people had, with restraint and respect, shown in making a most fundamental plea to live with their wives and children.

HUMILITY CLAIM

In the final analysis, every law was tested according to the way in which it treated the ordinary human being. Any claims by the Government to humility would be killed today if it decided to resettle or repatriate the people of Crossroads and Nyanga.



PART of the crowd of 300 people who attended a meeting on a sand-dune in Crossroads yesterday to pray that 900 Nyanga squatters and 4 000 Crossroads residents be granted legal status in the Western Cape. The Government has promised to make the future of the Nyanga people known today — the day Crossroads residents' temporary permits to stay in the Western Cape expire.

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Any dishonesty wil iable to disqualification and to possible exclusion from the University

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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.

'Anti-God' Bill sparks Church-State conflict

ARGUS 20/9/82



The Most Rev Philip Russell

By Brian Stuart
Religion Reporter

A MAJOR Church-State confrontation has developed over the proposed new labour Bill, with churches warning the Government that Christians may be "called by God" to disobey its provisions if it becomes law.

The Anglican Church said at the weekend the Bill's provisions were in conflict with the Christian conscience and "in no way binding on Christians".

The Anglican Archbishop of Cape Town, the Most Rev Philip Russell, said all churches should adopt the same stand on the Orderly Movement and Settlement of Black Persons Bill.

CONSCIENCES

This measure has brought the Government under the strongest theological fire since Dr H F Verwoerd was told that Christians would disobey the Native Urban Areas Act if he enforced provisions enabling him to restrict open, multiracial worship.

The Catholic Archbishop of Cape Town, Owen Cardinal McCann, released a memorandum to the parliamentary select committee on the Bill last week saying that State laws in conflict with the will of God "cannot be binding on the consciences of the citizens".

In an interview last night, Archbishop Russell, who is head of the Anglican Church in Southern Africa, said he had sent a similar memorandum to the select committee.

And at Crossroads yesterday the president of the South African Council of Churches, the Rev Peter Storey, said: "We cannot obey this law."

Archbishop Russell said: "I think it significant that there has been this stand by the churches. I wish all churches would take this stand."

EMPLOYMENT

The churches have objected to provisions of the Bill which would enable the Government to designate areas in which blacks could not seek employment and which would disrupt black family life.

The Bill as it now stands provides for a fine of R5 000 for those who break the law by seeking or giving employment to blacks in conflict with its provisions.

At the Cape Town diocesan conference of the Anglican Church, held in Athlone at the weekend, only two voices were heard opposing a motion put to the 350 clergymen and lay delegates by Archbishop Russell.

It said: "This diocesan conference records its strongest objection to the Bill termed 'the Orderly Movement and Settlement of Black Persons Bill'.

VIOLENCE

"The treatment of people envisaged in this legislation will add to the violence being done to their dignity and basic rights.

"The Bill will bring suffering to millions of South Africans and increase the likelihood of civil war.

"We also object to the massive penalties designed to force people to comply with measures which among other things will hinder vast numbers of ordinary people from earning a living.

"We regard this Bill as immoral to the extent that obedience to its provisions can in no way be regarded as binding on Christians. On the contrary, the provisions are in direct conflict with Christian conscience.

SUPPORT

"This conference, therefore, gives its support to those who might find themselves called by God to disobey any provisions of this Bill should it become law, and so give witness to the law of Christ."

The conference will ask the Anglican provincial synod, the top policy-making body of the Anglican Church in Southern Africa, also to adopt this motion. The provincial synod meets

(Turn to Page 3)

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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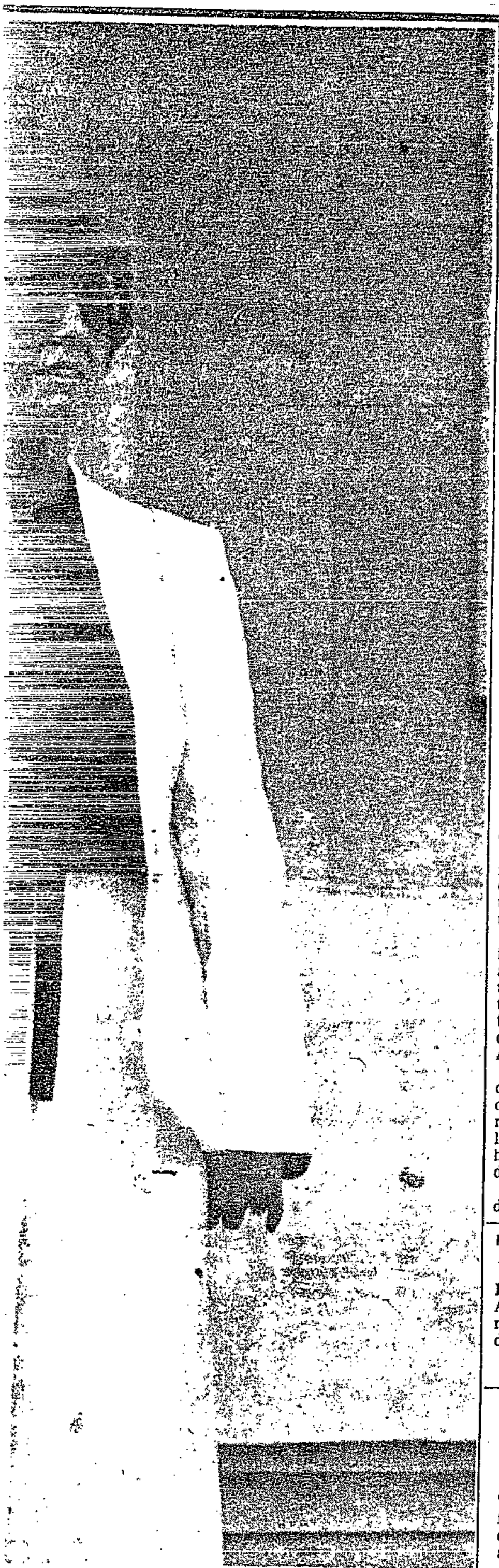
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Section B

Leverages in Sud-Afrika

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Bill will 'strip babies of birthright'

By PATRICK LAURENCE
Political Editor

THOUSANDS of black babies born in prescribed urban areas will be deprived of their birthright to permanent residence under the Orderly Movement and Settlement of Black Persons Bill according to the Institute of Race Relations.

Black children born in urban areas will only qualify for permanent rights if both parents are classified as permanent urban residents, the institute says in a memorandum to the Parliamentary Commission on the Bill

Excluded from qualification will be urban-born infants whose father is a contract labourer or whose father's legal status is unknown.

The number of children who will not qualify for permanent residence is not known, but about 60% of births in Soweto are estimated to be illegimate.

Added to these disqualified infants will be children born of marriages where one of the parents is not a qualified urban resident.

At present any black who is born and bred in an urban area and who has proof to that effect qualifies to live there permanently, irrespective of whether his parents qualify under the Urban Areas Act or not.

The Bill will further reduce the number of blacks qualifying for permanent residence by making it absolutely dependent on their having approved accommodation.

"The tieing of urban residence to approved accommodation must be condemned on the strongest grounds" the institute says

The acute shortage of housing will make it impossible for thousands of blacks to remain in urban areas, even though they qualify for permanent rights in all other respects

The Bill will introduce another impediment to qualification for permanent rights

At present blacks from "independent homelands" can qualify under section 10 (1)b of the Urban Areas Act, provided they have lived in an urban area for 10 continuous years or worked for the same employer for 10 consecutive years or have 15 years unbroken service in the area

In practice it has been difficult for contract workers from "independent homelands" to qualify because they are required to return to their homes for a month once a year. Until last year the return home was regarded as evidence of broken employment or broken residence.

But in September last year the Supreme Court found that a contract worker, Mr M T Rikhoto, qualified for permanent rights, even though he had returned to his home for a month each year.

The judgement — which has been taken on appeal to the Appeal Court — held out the hope of qualification to thousands of contract workers.

But the new Bill will end that hope by abolishing Section 10 (1)b and by limiting the right to qualify to South African citizens who lived lawfully in an urban area for continuous 10 years.

The value of paramedics

IT COSTS more than R10 000 to train one Medical Emergency Assistant of the Johannesburg Ambulance Service. At present more than 50% of ambulance attendants following a paramedical course are black.

● Report — Page 7

MIDWEEK HomeFinder

Tomorrow is Wednesday and that means it is time again for the Rand Daily Mail Homefinder. For all those who dream of their place in the sun it is the is the most efficient and easy way to find an ideal house.

Convenient Midweek Homefinder is the country's biggest midweek photographic marketplace for a house. It is in the Mail tommorrow and every Wednesday.

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t told

Bill 'endorses pass system'

(339) Star 22/4/82

By Langa Skosana

The Orderly Movement and Settlement of Black Persons Bill violates the rights of the individual to freedom of movement — to choose his job and to decide where he lives — says the Institute of Race Relations.

In its submission to the parliamentary commission on the Bill, the institute objects strongly to the measure on the grounds that it will create and aggravate tensions between race groups and within race groups through unnecessary and humiliating practices

The institute says the Bill entrenches influx control, to which it is totally opposed

"The tying of urban residents to approved accommodation must be condemned on the strongest grounds. This requirement not only abrogates the rights mentioned above but, because of the acute shortage of housing for Africans, will make it impossible for thousands of people who would otherwise qualify to be in the area, to remain there," it is argued.

The Institute says the Bill would restrict further the category of people who could gain permanent residential rights in urban areas.

"Descendents of permanent urban residents may gain such rights only if both parents are permanent urban residents" the institute adds.

It charges that the Bill would turn members of the black and white communities into law enforcement officers if they were obliged to refuse to offer accommodation to unauthorised people.

"Eployers also become policemen," the submission says. "For the first time they will have to satisfy themselves that the people they employ have approved accommodation as well as authorisation to be in the area before they may give them jobs."

Failure to do so would render an employer liable to a fine not exceeding R5 000 or up to 12 months' in jail or both.

The institute says the Bill, far from abolishing the hated pass raid system, endorses it fully.

It adds its belief that the Bill can only engender bitterness and outrage among blacks and fuel an already explosive situation.

First sitting of influx inquiry

Political Correspondent

THE commission investigating draft legislation to tighten controls on the influx of black people to urban areas holds its first meeting in Pretoria tomorrow.

The commission on the constitution, under the chairmanship of the Minister of Constitutional Development, Mr Chris Heunis, sat as the parliamentary select committee on the constitution during the last parliamentary session.

It is considering the last two of the three measures introduced by the Minister of Co-operation and Development, Dr Piet Koornhof, as a "new deal" for black people. The first, the Black Local Authorities Bill, was passed by Parliament after numerous amendments were made by the committee.

The other two are the Orderly Movement and Settlement of Black Persons Bill, which has aroused major protest, and the Black Community Development Bill, which opposition members believe negates some of the positive aspects of new leglislation on local authorities

The Orderly Movement and Settlement Bill would make it even more difficult for black people to enter and remain in urban areas, and proposes fines of up to R5 000 for employing "illegal" black labour.

Numerous organizations have already submitted memoranda registering vigorous objections to its proposals The commission, which will make recommendations to Parliament on the draft bills, has yet to consider whether or not to hear oral evidence as well.

Two Progressive Federal Party members of the commission, Mr Colin Eglin and Mrs Helen Suzman, meet in Johannesburg today to discuss their approach when the commission meets. The third PFP member, Mr Nic Olivier, is overseas.

UNIVERSITY OF CAPE TOWN

EVERY CANDIDATE MUST enter in column (1) the number of each question answered (in the order in which it has ; leave columns (2) and

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The Star Thursday September 23 1982 31

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Govt may shelve urban black Bills

Chief Reporter

The Government might scrap two Bills which propose a further infusion of Verwoerdian ideology into statutes governing urban blacks, some observers believe.

The commission of inquiry investigating the Bills holds its first meeting in Pretoria today to consider a mountain of evidence opposing the proposed legislation.

The Bills are the Black Communities Development Bill and the Orderly Movement and Settlement of Black Persons Bill which were drafted by right-wing legal experts in the Department of Co-operation and Development.

Thhe Minister of Co-operation and Development, Dr Piet Koornhof, is believed to be severely embarrassed at the nature of the draft laws emanating from his department from hardline officials.

He could choose to shelve the Bills through a web of precedural complexities, or else the commission could recommend a drastic overhaul of the Bills, observers say.

The drafts are in direct conflict with the spirit of the recommendations of the Riekert Commission and the Grosskopf Committee which recommended easing the effects of influx control.

Instead, the Orderly Movement and Settlement of Black Persons Bill set out to harden influx control.

Its provisions include placing an onus on black people born in urban areas after the law is passed, to prove that both parents were classified as permanent urban residents.

Without this proof, black children will not qualify as permanent urban residents.

The Bill also proposes a maximum R5 000 fine for people employing unauthorised blacks and introduces a curfew between 10 pm and 5 am for blacks not entitled to be in the urban areas. At present they can be in an urban area for 72 hours.

The objections to the Black Communities Development Bill are that it negates the positive effects of the Black Local Authorities Bill which was passed by the last session of Parliament.

This law enhanced the powers of black local authorities, but the Black Communities Development Bill sets out to give greater prerogatives to the Minister of Co-operation and Development and to development boards which will replace the present administration boards.

1. Enter at the top of the block on this cover ... 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.

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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.
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INFLUX CONTROL

The worst law yet

FM 24/9/82

339

Now is the time for businessmen to exert maximum leverage on Pretoria to scrap the Orderly Movement and Settlement of Black Persons Bill (OMSBPB). If it goes into law at the next parliamentary session, it will mean such draconian controls on the process of black urbanisation that rational economic planning could become an impossibility.

There is also the prospect that it might trigger off a period of intensified labour turmoil — with no end in sight. Unionists, community groups and major churches are preparing to resist the Bill in every possible way. In such a confrontation, industrial peace could be among the first casualties.

A sign of things to come could lie in the latest moves by the West Rand Administration Board strictly to apply regulations refusing black contract workers permission to change jobs without first going back to their homelands and reapplying through labour bureaux. Almost no recruitment, in fact, is taking place in the homelands.

Trade unionists from across the spectrum have condemned the move. The Boilermakers' Union, a skilled and, until recently, predominantly white union, scheduled a motion for this week's Tucsa agm, requesting the council to explore ways and means of allowing migrants to transfer their contracts.

In the Cape, some unregistered union members with permanent urban residence rights have opted to accept redundancy in the place of fellow workers who face being endorsed out.

The OMSBPB will tighten the screw. Rushed into Parliament during the final days of the last session, the Bill is the most far-reaching influx control measure ever seriously put before MPs in the history of SA. It is now subject to the scrutiny of a parliamentary commission under Constitutional Affairs Minister Chris Heunis.

Superficially that should be good news — given government's past willingness to listen to criticism of influx measures designed to overrule the Blacks (Urban Areas) Consolidation Act, 1945. The rights conferred under Section 10 of that Act, as repeatedly pointed out since the publication of the Riekert Report in 1979, fall far short of those permitted citizens in any

Free World nation. But they *are* rights and much sought after by blacks.

Essentially, critics of Co-operation and Development (CAD) Minister Piet Koornhof's "new deal" 1981 legislation for blacks, want those rights retained or extended. When the initial triad of Bills on black administration and development was referred to the Grosskopf committee for reconsideration. the move was hailed as a positive response by government to a barrage of protest by the opposition and private sector bodies.

But now, faced with the OMSBPB, such bodies — including Assocom, the Black Sash, the Institute of Race Relations, the PFP and the Urban Foundation — are having to repeat the exercise. The "victory" for moderation in 1981 turns out to have been a mere stay of the axe. Koornhof's initial "Black Bills" were so badly formulated legally speaking, that they would have led to a deluge of test cases. Current opinion is that the new control law — with ministerial power effectively bypassing the courts — is legally "tight."

In a memorandum to the Prime Minister in 1980, Assocom warned that the Riekert recommendations, if fully implemented, "will drive a wedge between urban blacks and those resident in the rural states and are likely to result in a substantial increase of unemployment in the latter areas."

How little has changed. The bureaucrats of CAD appear to have spent over a year closing legal loopholes in the earlier legislation, rather than attending to social and economic arguments against the intensification of influx control. So what hope remains this time round? The vision of Riekert has its most heartless delineation to date in the OMSBPB. Permanent urban rights are envisaged for only a tiny minority of privileged urban blacks, while the masses face being crammed into the impoverished homelands without access to the economic common area.

Furthermore, the penalties for contravention have been made astonishingly punitive. In place of the Urban Areas Act, reinforced by several Supreme Court judgments which allow dependants to move into the cities (Komani) and might allow permanent tenure for certain categories of contract migrant workers (Rikhoto), the OMSBPB confers the right to stay in urban areas on only two categories of blacks:

☐ Permanent urban residents (PURs) and their dependants, provided they have "approved" accommodation; and

☐ Permit-holders in approved accommodation (*bona fide* students, people in hotels and hospitals, visitors for 14 days, etc).

All other blacks will be "unauthorised persons" and subject to a daily 10 pm to 5 am curfew. (At present the 72-hour latitude for "illegals" contained in Section 10 remains in force.) What the OMSBPB calls "designated officers" — pass-law officials and policemen — can raid any premises, day or night, without a warrant, in search of those without the necessary documentation.



FM 24/9/82

Johannesburg's Albert St ... the illegals rushing for casual work

Illegals will then face R500 fines or six months' imprisonment. Those who house them illegally face the same penalties — an ominous prospect for many Soweto householders, for example. Those who employ them face R5 000 fines or a year in jail.

The Black Sash has commented that when, in 1979, Koornhof raised the fine for employing illegals from R100 to R500, many blacks were laid off. Few employers will risk the higher fines; yet, since we are in a period of economic contraction, it is scarcely credible that anyone would be employing redundant workers at present.

The OMSBPB, furthermore, empowers the Minister to order the summary removal of squatters if, in his opinion, their conduct is calculated to canvass support for the repeal or amendment of any law. This measure, surely, is designed to prevent any further Crossroads or Nyanga-type settlements. Its effect will probably be to push such people into the homelands, where the potential exists for the rise of squatter settlements around labour bureaux — the sole agencies through which recruitment into the common area will be permitted.

As for "approved" accommodation — housing of any kind for blacks is very scarce. That is why squatting has become endemic.

The Minister, furthermore, may declare any area or industry to be in a "state of unemployment," cutting off recruitment. It would be immensely difficult to challenge such an "opinion" in court, since this would entail proving ministerial *male fides* — effectively impossible to do.

The clamp on black urbanisation forms the very fabric of the OMSBPB. Blacks qualify to become PURs, for example, only if they meet the following requirements:

☐ They have Section 10(1)(a) or (b) rights at present, that is, have been born in the cities, or gained permission to stay through 10 years' continuous service with one employer, or 15 years with several;

☐ They hold 99-year leasehold rights; or

☐ Both their parents are PURs.

There is a cycle of exclusion here. Current Section 10 holders stay on. The future of their children is less sure. Application can be made for PUR status if a person has been living legally in an urban area for 10 years — *provided he is not a citizen of an independent homeland.*

Once the OMSBPB is law, therefore, citizens of Transkei, Ciskei, Bophuthatswana and Venda cannot become PURs. That, therefore, excludes the 8m blacks who had their SA citizenship removed between October 1976 and December 1981. If, as expected, KwaNdebele goes for "independence" within five years, and KaNgwane is handed over to Swaziland, further millions will be locked out.

As for furnishing proof that one's parents are both PURs, one statistic alone should illustrate the difficulties facing future generations of urban black children: 60% of the births in Soweto are illegitimate. Another problem is that, sometimes, one parent has Section 10 rights, while the other is a migrant; only the former will be a PUR, as defined.

At present, 54% of SA's black population lives in the homelands — that is 10,75m, of whom 2m were resettled between 1960 and 1980. Overall homelands population rose 66% between 1970 and 1980. For recent years, the Unit for Futures Research at Stellenbosch University has put outright unemployment in Transkei at 16%; Bophuthatswana, 12,5%; Ciskei, 25%. (Underemployment adds substantially to these figures.) There is enormous pressure on land, particularly in Venda and KwaZulu.

Of course, desperation forces people to flock to the cities — whatever the penalties. In the Cape Peninsula, a coloured Labour Preference Area, it is estimated that 42% of the black population is illegal. Fining and jail have proved no remedy.

The OMSBPB is hardly likely to change matters, except that "unauthorised persons," desperate for work and up against a detested system, are only too likely to become ever more radicalised by the degrading processes of the law.

'Monolith' on the skids?

By IVOR WILKINS
Political Correspondent

GOVERNMENT impatience at the inability of the Department of Co-operation and Development to "produce the goods" has escalated to the point where the enormous empire could be radically restructured.

Informed sources in Pretoria confirmed this week that there was a strong likelihood the department would be stripped of a number of executive functions.

Mr Chris Heunis's Department of Constitutional Development, which is fast becoming the kingpin branch of government, is tipped to take over major functions of the department.

Mr Heunis has already stepped in to rescue the three-Bill package to revise circumstances for urban blacks and now heads a commission of inquiry on the legislation.

There has been growing impatience at the way the Department of Co-operation and Development has failed to fulfil its brief to improve the circumstances of urban blacks.

Successive drafts of the proposed legislation by the department came up with Bills that materially worsened the situation.

During the last session of Parliament Nationalist MPs were privately expressing deep concern at the department's failure to perform.

SUNDAY EXPRESS September 26, 1982

'Piet Promises' on the skids as department fails to reform

DR PIET Koornhof, controversial Minister of Co-Operation and Development, may be on his way out after a series of failures in his efforts to bring about verligte reforms.

Now the Government has decided to dismantle the once-powerful department and to distribute many of its functions to other ministries.

Dr Koornhof meanwhile is tainted with his failure to effect any material change in his department's outlook or structure. He has been repeatedly defeated and obstructed by the officials of his notorious "state within a state".

Senior Government sources said this week that his Cabinet colleagues have have been seriously embarrased by the department's refusal to adapt and their impatience has now led them to demand that they be allowed to do the job themselves.

VERWOERD'S LEGACY IS LINGERING

By MARTIN WELZ and JEAN LE MAY

In the dismantling, the functions of Mr Koornhof's department could be reassigned largely to the deparments of more successful verligtes like Mr Chris Heunis (Constitutional Development), Mr Fanie Botha (Manpower Utilisation), Mr Pik Botha (Foreign Affairs and Information) and Mr F W de Klerk (Minister of Internal Affairs).

One result of the reorganisation will be to eliminate, at least in theory, much of the stigma of 'separate' status for blacks.

The status and rights of 'foreign' blacks, for example, will be controlled by the Department of Internal Affairs under standard regulations controlling aliens.

Employment and labour relations will be controlled by the Department of Manpower Utilisation. Political developments will be planned and controlled by Mr Heunis's new department in terms of the Government's plans for regional development and its constellation of states.

The financing and economic development of black areas will fall in the domain of the new Development Bank, while relations with independent homelands will be dealt with by the Department of Foreign Affairs.

The dismantling of the Mr Koornhof's department also ties in with the Government's programme of rationalisation that has been undertaken by the Commission for Administration under the close supervision of the Prime Minister.

This drastic [illegible] mis-

well came in December 1980 when Dr Koornhof summoned a show-piece Press conference to unveil the long-heralded black reform laws drawn up by his department.

While Dr Koornhof had told the world that "apartheid was dead", the new laws reflected nothing of the sort. As Dr Koornhof enthusiastically expounded his new philosophy of equality, he was frequently contradicted by the phalanx of senior officials.

"I declare war on the dompas," Dr Koornhof exclaimed. "There will be no more arbitrary arrests of blacks (for not carrying a pass)."

"Mr Minister," interjected the Director General of the department, Mr J H T Mills, "you have got to carry proof. You have got to have a document. And if you haven't, you run the risk of arrest."

Shortly thereafter, Mr Mills was "transferred" as Commissioner General for kwaNdebele and the chief legal draftsman of the department, Mr Jan Lamprechts was axed from his job.



● Dr Piet Koornhof
... hasn't met the demands

Months earlier the department had lost its role as manager of homeland consolidation to the Commission for Co-operation and Development. Mr Hennie van der Walt, National Party MP for Schweizer-Reneke became chairman of a special commission for consolidation.

The role of the commission, which previously dealt largely with issues affecting homeland blacks, was expanded earlier this year to include urban black policy.

More recently Dr Koornhof's personal standing suffered a further setback because of his department's role in the Ingwavuma and kaNgwane land transfer controversy.

On several occasions in the past parliamentary session Dr Koornhof found himself exposed when he gave replies to Parliament that subsequently proved he had been misinformed or poorly briefed by his officials.

The parliamentary session started with his three major Bills being referred to a parliamentary select committee. It ended, appropriately, when on the last day Dr Koornhof meekly accepted drastic changes to more than 30 clauses of the 50-clause Bill on black local authorities proposed by the select committee chaired by Mr Heunis.

The minutes of the select committee show that at one stage it considered ditching the Bill entirely because it did not meet the demands of reform[illegible]

Plenty of drill makes lovely Liz a world champ



● St Dominic's Convent's

Plenty of drill makes lovely Liz a world champ



● St Dominic's Convent's lovely squad leader Liz Rocco, 17, showing off her world championship class at yesterday's marching display at De La Salle College, Johannesburg. St Dominic's drum majorette squad has won the South African championships four times consecutively and the International Drill Team Pageant twice running. The squad was at the centre of a controversy after its win at this year's national event recently. There were accusations that the results were 'rigged'.

● See Page 22

aliens.

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The dismantling of the Mr Koornhof's department also ties in with the Government's programme of rationalisation that has been undertaken by the Commission for Administration under the close supervision of the Prime Minister.

This drastic reorganisation stems from the difficulty of dealing with officials reared in the department. They have developed a maze of laws and regulations so complex that they remain beyond the comprehension of ordinary citizens.

Because of their specialised knowledge of these laws, they have remained virtually untouchable. While they are willing to accept superficial changes aimed at improving their image, they resist any real change in their role as curators of the Verwoerd legacy.

First sign that all was not

Stalemate in Beirut

BEIRUT — A dispute over how far the Israeli Army should withdraw from Beirut has held up plans to station a multinational force in the city to protect civilians after last week's massacre in Palestinian refugee camps.

Western diplomats said the Israelis, who invaded west Beirut 10 days ago, wanted to withdraw only from the immediate city, maintain control of its surrounds and continue to send patrols into the city. Sapa Reuter.

Phatudi's race talks secret is out

(11) 304A S. Express 26/9/82

LEBOWA leader Dr Cedrick Phatudi discussed race policies with Dr Andries Treurnicht, at that time leader of the National Party in the Transval.

At a weekend conference of the progressive Afrikaans student organistion, Polstu, Dr Phatudi said he arranged the secret meeting last year after several months of negotiations.

"Dr Treurnicht and I were both leaders in the Transvaal and I thought we should meet," Dr Phatudi told about 100 delegates on the University of Pretoria campus.

According to Dr Phatudi, Dr Treurnicht said South Africa needed integration and separation but the problem

By ARLENE GETZ

was where to draw the line.

The two men agreed to meet again this year. "But, to my surprise and dismay, Dr Treurnicht turned conservative," said Dr Phatudi.

Dr Phatudi and two other members of a panel at Tuks this weekend — PFP MP Mr Horace van Rensburg and Mr Moty Maubane, chief executive of the Africa Bank — agreed that a multiracial national convention would be the first step to a constitutional solution for South Africa.

Said Mr Mobane: "A national convention is one way to open the door to dialogue.

"Whether you like it or not, blacks will eventually rule South Africa. The question is whether or not they will be doing it with whites," he said.

Professor Gerrit Olivier of Unisa, was the fourth member of the panel which was chaired by constitutional law professor Marius Wiechers.

The conference was also addressed by Mr Enos Mabuza, former leader of the KaNgwane Legislative Assembly; former editor Mr Percy Qoboza, and a representative of the kwaZulu Government.

Harsh Bills, land gaffe stir it up for Dr Piet

By David Breier
Chief Reporter

The Department of Co-operation and Development, which has obstructed reform and embarrassed the Government, faces a major restructuring as the P W Botha Administration tries to push through changes for urban blacks.

The Minister, Dr Piet Koornhof, has ascribed impending changes in his department to the general rationalisation of the public service which began two years ago.

However, the current row over Dr Koornhof's department coincides with a low ebb in its relations with the Government. These involve:

● The department's drafting of hardline Bills affecting urban blacks, notably the harsh Orderly Movement and Resettlement of Black Persons Bill, in defiance of the Government's directives.

● The handling of the Ingwavuma and kaNgwane land issue in which it has been reported that an in depth investigation ordered from the department was not conducted.

The investigation was calculated to spare the government the severe embarrassment which has resulted from the issue.

The commission of inquiry considering the two controversial Bills will meet again in January shortly before the next session of Parliament.

Reformists hope the department will have undergone a clean-up by then to remove obstruction to reformist moves in line with the recommendations of the Grosskopf Commission.

A weekend report stated that the Prime Minister, Mr P W Botha, had chastised Dr Koornhof for the attitude of his department.

The report included among obstructive officials in the department, Mr Jan Serfontein, director of constitutional development, and Mr Jan Lambrechts, chief director of administration.

Mrs Helen Suzman, Opposition spokesman on co-operation and development, said today it was well-known that there had been obstructionism in the department.

She said the publication of the Bills, and more notably the Orderly Movement Bill, was inexplicable as it was in direct conflict with the recommendations of the Grosskopf Commission appointed by the Government.

She said the Bills also ran counter to Dr Koornhof's own announcement several years ago that the dompas (reference book) would be abolished.

Both Mr Botha and Dr Koornhof have rejected the weekend report that the Minister's knuckles were rapped.

Dr Koornhof, who has been in the forefront of verligte moves by the Government is believed to have been severly embarrassed by the attitude of some of his senior officials.

Dr K's red-faced record

FOLLOWING his reformist coup in the rescue of Crossroads in 1979 there were signs that all was not well in Dr Piet Koornhof's Department of Co-operation and Development:

● Early in 1980 Dr Koornhof's efforts to phase out the 72-hour curfew regulations for blacks on an expiremental basis ran into major trouble with obstructionist officials and Rightwing Nationalists and had to be abandoned. This lost Dr Koornhof much support within his own party and caused him considerable humiliation and embarrassment.

● In October 1980 his much-publicised "new deal" for urban blacks was exposed as a retrogressive step which fell far short even of the tame Riekert proposals accepted by the Government in a White Paper in 1978.

There were strong indications that reactionary elements in the department involved in the legal drafting of the Bills deliberately sabotaged Dr Koornhof's intentions.

● As early as 1980 it became clear that obstructionist bureaucrats in the department were sabotaging the implementation of the 99-year-leasehold scheme for blacks by thwarting surveys and the registration of leases.

● In 1981 the ill-fated administration boards were sharply criticised by the Parliamentary Select Committee on Public Accounts for maladministration and ineffiency which could have serious political consequences.

● The failure of the West Rand Administration Board to implement an Appeal Court ruling that the wives of urban blacks did not require permits to lodge with their husbands, led to a reprimand from a Supreme Court judge and, indirectly, further humiliation for the Minister.

● His silence on the harsh and inhuman treatment meted out to desperate black squatters in the Western Cape in the cold and wet winter of 1981 lost him much credibility with sympathetic blacks, opposition politicians, and church and community workers.

● His inability to confront Nationalist resistance to the discredited policy of retaining the Western Cape as a coloured labour preferential area further alienated sympathisers in the private sector.

● The drastic revision of the Black Local Government Bill by the Parliamentary Select Committee on the Constitution under the chairmanship of Mr Chris Heunis, was a major humiliation for him.

● His disastrous handling of the abortive land deals with Swaziland has led to sharp criticism from fellow Nationalists. The Minister has been held largely responsible for the lack of consultation with parties in KaNgwane and Ingwavuma and the resultant humiliation and embarrassment for the Government. Again it is believed that obstructionist officials, who were opposed to the deal for ideological reasons, played a role.

Synod rejects 'immoral' Bill as 'not binding'

THE Ned Geref Sendingkerk has joined other churches in declaring the Government's proposed new labour Bill to be immoral and "not binding on Christians".

"A man has a right to say: I refuse to allow my children to be taken away from me," Dr Allan Boesak, Sendingkerk assessor, told the church's synod in Belhar yesterday.

The Orderly Movement and Settlement of Black Persons Bill has already been rejected by leaders and synods of the Roman Catholic, Anglican and Methodist churches.

The Sendingkerk synod adopted a motion by the Rev A van Wyk, of Bishop Lavis.

Commission

The synod referred an additional motion of support for people who disobeyed the law to a synodical commission dealling with the subject of civil disobedience.

The motion is substantially the same as that adopted 10 days ago by the Cape Town diocesan conference of the Anglican Church.

The Sendingkerk synod recorded its strongest objection to the Bill.

"The treatment of people proposed in this legislation will make further inroads on their dignity and basic rights," it said.

"The Bill will bring suffering to millions of South Africans.

"Synod also objects to the large fines designed to force people to comply with this law.

"We regard this Bill as immoral to the extent that obedience to its provisions cannot be regarded as binding on Christians.

"On the contrary, the provisions are in direct conflict with Christian conscience."

Calvin

The Rev G J Retief, of Swellendam, said: "Calvin told us we cannot obey a law which is in conflict with the Word of God."

Dr Boesak, who is president of the World Alliance of Reformed Churches, said the name of the Bill was "cynical and misleading".

"This measure seeks to entrench by an even more severe measure the fact that the majority of people are not seen as citizens of our country."

It would make it more difficult for people to seek work, or to live with their familes.

"So it attacks, in its very nature, our Christian faith."

Third hospital chaplain to be appointed

Religion Reporter

MORE than a third of the coloured in-patients at the Peninsula's eight major hospitals are Sendingkerk members.

The Ned Geref Sendingkerk synod, meeting at Belhar, heard yesterday that the needs of the sick alone required the appointment of a third full-time pastoral officer.

The synod was given the following figures of the total coloured admission at Peninsula hospitals last year and the percentages of these people who were Sendingkerk members:

Tygerberg, 41 280 admissions, of whom 75 percent were Sendingkerk members; Karl Bremer, 5 119, 50 percent; G F Jooste, 5 040, 45 percent; Groote Schuur, 32 180, 40 percent; Conradie, 14 651, 40 percent; Woodstock, 4 500, 40 percent; Red Cross, 10 320, 30 percent, and Somerset, 8 216, 20 percent.

The Sendingkerk's first hospital chaplain was the Rev D J A Jordaan, who retired in May after a ministry of 47 years.

UNIVERSITY

Since January 1981 the Rev B V Appollis has been full-time hospital chaplain at Tygerberg Hospital. At the end of last year he completed a course in medical pastoralia at Stellenbosch University, becoming the Sendingkerk's first qualified medico-theologian.

A second hospital chaplain, the Rev H F Dwyer of Claremont, is now chaplain to hospitals in the southern suburbs.

The church has now decided to appoint a third full-time chaplain, specifically for the country area.

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The boys were part of a ... first big catch of 9 000 was brought in. The biggest ... At least 200 fishing boats, from all over the ... the west coast were at the snoek harbour bargaining with and l...

Synod slams black bill

By TONY WEAVER

DIRECT Church-State confrontation over the proposed Orderly Movement and Settlement of Black Persons Bill loomed one step closer yesterday when the Ned Geref Sendingkerk synod declared the bill "immoral and not binding on our Christian conscience".

And later in the two-week synod, the church will debate whether or not to support a civil disobedience campaign against the bill if it becomes law.

The synod became the fourth major church or church grouping to take this stand, with the Anglican and Roman Catholic Churches and the South African Council of Churches.

In another resolution adopted at yesterday's session of the synod in Belhar, delegates expressed "in the strongest terms" their opposition to the so-called coloured labour preference policy in the Western Cape.

The motion also called on the government to grant immediately residential and working rights to black people in the Cape, and condemned Western Cape Administration Board "round-ups" of squatters in Nyanga and Crossroads.

In the resolution against the Orderly Movement and Settlement of Black Persons Bill, the synod expressed "opposition in the strongest terms" to the bill.

"The synod is convinced that this legislation further affects the human dignity and basic rights of black people.

"This legislation will mean suffering for millions of people in South Africa and could lead to confrontation."

● Delay in bill gives workers new hope, page 2



BUSINESS BRIEF

Gold (close)	$412,000
FT index (close)	587,60
RDM 100	672,60

Skydiver goes

Own Correspondent

BRISBANE. — A 29-year-old parachutist Rick Collins leapt from an aircraft and promptly shot up 2 000 metres while practising for today's Commonwealth Games opening ceremony.

He was meant to drop down and land in the middle of Brisbane's athletics stadium where Prince Philip will be on hand at 3pm today to declare the games open.

But Rick, one of a nine-member skydiving team, wa... into a violent thunder c... after his main parachut... during Sunday's practi...

Department of Civil ... officials described hi... ence as a "one-in-a-... chance.

As he was dragged ... by the thunder clou... turbulence he was b... by hailstones as big as ... and lightning flash... past him.

"I knew these clo...

INSIDE

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The emblem on the left marks the centenary year of the Newspaper Press Union

THE YEAR OF THE PRESS DIT JAAR VAN DIE PERS

Mr Danie Hough



...The Prime Minister has emphasized that it was in South Africa's interests and m the interests of SWA/Namibia to institute structural changes to the government that will promote stability as soon as possible," Mr Hough said.

"Political and economic stability, as well as effective administration in SWA/Namibia, are essential for the permanent long-term solutions for the territory that the South African Government ... last week when Dr Ches... return date for amending the SWA/Namibian interim government system, "the Prime Minister insists on the expedient conclusion of this issue".

"He has made it clear that he and his government expect the reformation process to be approached with the greatest urgency."

● Our correspondent in New York reports that the five Western nations engaged in negotiations over a SWA/Namibia settlement should have a clearer idea when they meet on Friday of whether any progress has been made on a crucial precondition — a Cuban withdrawal from Angola.

The issue was moved firmly on to the level of superpower discussions

In the view of the importance of the issue for SWA/Namibia and South Africa, the Prime Minister has agreed not to set a return date for completion," Mr Hough said.

Mr Hough said in consultation so far to establish guidelines for remodelling the interim dispensation, he had had to rely on temporarily seconded personnel mainly from the Prime Minister's office.

He had requested Mr Botha to consider ex-

Mr Hough said that in consultations in Pretoria on Monday with the South African State Security Council, Mr Botha had re-emphasized the urgent need for adjustments to the SWA/Namibian interim authority.

6.46: Police File. A programme in which the Sou... African Police asks the public to help s... crime of all kinds. Presented by David ... Green.

6.58: Midweek. A programme which provide... background to people, places and even... the news. Produced by Peter Vaughan ... presented by Norman Bisby.

7.33: Sha Na Na. This is the final episode. ... guests on this final programme is ... comedian Milton Burle and football ... Rosey Greer.

8.00: Nuus

8.28: Weer

8.36: D J Opperman. D J Opperman is one ... greatest living Afrikaans poets. But alth... his works are widely read, people know ... of Dirk Opperman's personal life. The ... mentary, transmitted on his 68th birthd... a tribute to this remarkable man. Pro... by Katinka Heyns.

9.40: Sportuitsending. A programme from ... sportsfields.

10.20: Nuus

CAMG Times 30/9/82 339

Steyn welcomes shelving of bill

Own Correspondent

JOHANNESBURG. — The Urban Foundation yesterday welcomed the government's decision to defer consideration of the Orderly Movement and Settlement of Black Persons Bill.

Speaking on the East Rand at the opening of the new black-owned Katlehong industrial park, Mr Jan Steyn, the executive director of the foundation, said it welcomed the decision by the government to consider the Orderly Movement and Settlement of Black Persons Bill only after it had considered the Black Community Development Bill and after black local authorities had been established in accordance with the Black Local Authorities Act.

Inference

"A reasonable inference is that this highly contentious issue will be negotiated with the black leadership that assumes the responsibility and accountability generated by a viable, truly representative system of local government," Mr Steyn said.

"Quite apart from the very extensive powers conferred by the Black Local Authorities Act on the elected representatives of the people, government's decision to hold back any legislation controlling influx until after the election of local authorities demonstrates the standing authority and real negotiating platform which these leaders may well have.

"This will be even more so if a real devolution of power is also to take place."

Financial resources

If the government could provide a mechanism for generating the necessary financial resources, the way seemed to be clear for the "emergence of a cadre of black representative leadership" which could play a real role in the future constitutional and socio-economic development of South Africa, Mr Steyn said.

He said business development, housing and education were the three most important areas of Urban Foundation activity. In housing the foundation had launched some 60 projects at a cost of R13-million, in education some 206 projects worth R14-million and in business some 25 projects worth R2,5-million.

The foundation had also researched and worked for the removal of barriers which inhibited the growth of business in black communities and had tried to create channels of communication to increase black businessmen's access to finance and expertise in the private sector, he said.

Chambers

To this end the foundation had worked with the various chambers of commerce, the National African Chamber of Commerce, the Small Business Development Corporation and the major banks. Mr Steyn referred particularly to the financial assistance the foundation had mobilized for the Blackchain organization and had given to various institutions offering training and development to black businessmen.

Row continues

Staff Reporter

THE controversial Orderly Movement and Settlement of Black Persons Bill is still causing a storm of protest in spite of the decision by the Parliamentary Select Committee on the Constitution to delay consideration of it.

Churches, trade unions and community organizations have said they will not be satisfied until the bill is scrapped in its entirety.

The parliamentary committee, which falls under the chairmanship of Mr Chris Heunis, the Minister of Constitutional Development, has decided not to look into the bill until it has considered the Black Communities Development Bill.

Both bills were referred to the committee after they were introduced to Parliament this year by Dr Piet Koornhof, Minister of Co-operation and Development.

The United Women's Organization (UWO) said yesterday the postponement showed the government was "retreating in the face of opposition from those who have taken up the campaign against this vicious bill".

'Like donkeys'

"The government is trying to hide the bill away, hoping that the people will forget it so they will be caught unprepared when the bill is suddenly made law," said the UWO. "The government treats us like donkeys that are inspanned with covered eyes and made to work blindly. But through our opposition we have shown that people do not accept this kind of treatment.

"We do not want it shelved until the government thinks we have cooled down. We will not stop fighting until the bill is totally removed."

The Roman Catholic Archbishop of Cape Town, Owen Cardinal McCann, said: "I hope by the time the bill comes up for consideration the government will have thought it over and scrapped it."

The Anglican Archbishop of Cape Town, the Most Rev Phillip Russell, said the deferring of the bill did not alter the objections to it. "One hopes in the intervening period that sanity will prevail and that it will be scrapped," he said.

Mrs Noel Robb, director of the Athlone Advice Office, said postponement of the bill proved protest to be worthwhile. She called for a positive plan for the urbanisation of black people in place of the bill.

CAPE TIMES

Friday, October 1, 1982

Koornhof bill ignores report

Own Correspondent

JOHANNESBURG — Dr Piet Koornhof's new bill governing the movement of black people ignores major recommendations of a high-powered advisory committee he appointed — and whose report he has never published.

The report is that of the Grosskopf Committee, which reported to Dr Koornhof in May last year. Key details of its recommendations were published in the Financial Mail this week.

Disclosure of details of the report could land Dr Koornhof in a new political storm while he is reportedly under fire in government circles because of alleged "obstruction" of reform plans by senior officials of his Department.

Proposed greater freedom for blacks

A study of the report, produced by a committee chaired by Mr Justice E M Grosskopf, discloses that it proposed extending far greater freedom to blacks already in the cities than Dr Koornhof's proposed bill.

Since then, Dr Koornhof introduced a new bill drastically tightening up on the freedom of movement of black people. It has been dubbed the "Genocide Bill" by critics, and churches have vowed to defy it.

Although the Grosskopf Committee endorsed the idea of higher fines for employers of "illegal" black city residents and those who allowed them to stay on their property, it also suggested that blacks who had lived in cities for five years be allowed permanent rights and be allowed to bring their families with them. It also said these rights should apply whether or not the black people concerned were citizens of "independent" homelands.

● The 60 000-member Council of Unions of SA yesterday issued a statement attacking Dr Piet Koornhof's proposed Orderly Movement and Settlement of Black Persons Bill.

"The bill seeks only to further restrict and control the movement of black people," it said.

Report they wouldn't publish

Labour Correspondent STEVEN FRIEDMAN reports on the hitherto undisclosed contents of the report of the Grosskopf Committee.



Mr Justice E M Grosskopf, who headed the committee.

THOUSANDS — perhaps tens of thousands — of black people in the cities would have won the right to remain there permanently with their families if Dr Piet Koornhof had accepted the report of a committee he himself appointed.

But Dr Koornhof largely ignored his committee — he did not even publish its report despite the fact that it urged him to do so.

Instead he introduced a Bill which critics have dubbed the "Genocide Bill" because, they say, it will condemn all but a privileged minority of blacks to poverty and possible starvation in the rural areas.

The committee was chaired by Mr Justice E M Grosskopf and was appointed to review Dr Koornhof's three Bills which provoked an outcry when they were released in 1980. It reported in May last year.

The committee's findings were roughly in line with those of the 1979 Riekert Commission: a major extension of rights to city blacks and a tougher crackdown on those in the country who wanted to come to the cities.

Thus the committee says that "economic and social realities require some curb on the settlement of black persons in urban areas".

Like the Riekert report it says employers who hire "unauthorised" workers should be "severely punished". People who have "illegal" workers on their premises should also be prosecuted and possibly evicted if they have leased their property.

These measures apparently found favour with Dr Koornhof. The new Bill suggests a R5 000 fine for employers of "illegals" and a R500 fine for those who "harbour" them.

But the Grosskopf committee's other influx control recommendations are in sharp conflict with the Bill. The committee found that "continued (black) urbanisation should be regulated but cannot be halted".

It stresses that the existing rights which some blacks have to stay permanently in the cities under Section 10 of the Black Urban Areas Act "should not be taken away". All black people who have these rights at present should retain them. It adds that "it is the essence of permanent residence that a person is entitled thereto even if he becomes unemployed or loses his accommodation".

It recommends, however, that a large category of other workers in the cities should also acquire these rights.

Firstly, that "a person who wishes to live an urbanised life and is able to maintain himself and his family adequately (in the cities) should be entitled to do so.

Thus "relatively affluent" black people, usually those with "above average skills, experience and ability" with "adequate" accommodation should be allowed to stay permanently in the cities.

A suitable criterion would be that person's financial ability to buy "immovable property".

Secondly, people who live legally in the cities (as temporary "contract workers") should, after a time, "be regarded as permanent residents if they so wish".

Thus, in its most far-reaching recommendation, the committee urges that all people who have been living legally in one or more urban areas for "a substantially continuous period of five years' lawful residence" should qualify for permanence.

The wives, husbands and dependants of permanent residents should also be entitled to these rights.

The five years' rule should apply retrospectively. "This will mean that all persons who have been lawfully resident in urban areas for five years or more at the inception of the new Act will immediately become entitled to permanent residence".

The people who qualify in this way will have worked in the cities as contract workers and should acquire these rights even if they returned to the countryside to renew their contracts or for a brief period while out of work. Citizens of "independent" homelands would also be entitled to these rights.

There is an exception — workers who have been working under contract and "are in single accommodation supplied by their employer" — mainly mine workers, some in the civil service and some construction workers.

The committee is also opposed to the present rule whereby people with criminal convictions cannot acquire city rights.

"The failure to acquire permanent residence rights should not be added as, in effect, a further penalty."

People who acquire these rights would be able to move freely from city to city and to the countryside without losing their rights. They would not need official permission to take up a job.

The committee accepts that allowing thousands of people city rights for the first time would place a strain on housing in the cities and urges all parties to provide this housing.

Temporary residence in the cities should be granted to contract workers who should be allowed to change jobs with the permission of a labour bureau.

The committee also proposed a major extension of contract worker rights — if these workers are unemployed, they should be allowed to stay in the cities for "a reasonable period (say six months)" to seek new jobs.

Black visitors who have no jobs should also be allowed into the cities for up to 90 days a year without a permit. But it would be up to their host to tell the authorities of the visit within a week.

Hospital patients, schoolchildren and hotel guests would also be entitled to temporary residence.

The committee urged that blacks who applied for city rights but were refused them should be able to appeal to a magistrate's court "merely by noting an appeal". Further appeals could then be made to the Supreme Court.

Like the Riekert Commission, the committee says influx control must be enforced "at the place of work and the place of residence, and not on the streets".

This would be done through the higher fines and by compelling employers to keep a register of all their workers and details of their urban residence rights. Employers would have to produce these to inspectors within 24 hours.

Raids on houses to discover "illegals" would continue — but a search warrant would be required.

If workers do not have housing or employment, they would not escape the influx control net, the committee said. They would be subject to arrest and removal under anti-squatting legislation.

The committee also recommended the scrapping of curfews for blacks. This system would remove the need for blacks to carry passes.

"If, as we recommend, the mere presence in any area is not subject to control, there can be no purpose in any legal provision which requires a person to produce an identification document on demand, and these provisions should be repealed."

However, documents would still be needed at the place of residence.

In sum, the recommendations would still make it extremely difficult for rural blacks to come to the cities and would tighten control on those who could not qualify for city rights — as the Riekert report did.

But it would open up important new rights for thousands of workers already in the cities and sharply increase the number of black people allowed to remain in them — something Dr Koornhof's Bills certainly do not do.

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INFLUX CONTROL FM 1|10|82

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What Grosskopf said

Dr Piet Koornhof and his Department of Co-operation and Development (CAD) are making heavy weather of it these days. One can sympathise with the Minister.

In the past Koornhof has complained of obstructionism in the ranks of the CAD bureaucracy. His reformist intentions *vis a vis* blacks have been strangled by the kind of influx control legislation produced by CAD, the latest example of which is the Orderly Movement and Settlement of Black Persons Bill (OMSBPB — see *Leaders* October 24).

But perhaps too many questions are being begged by this version of events. A Minister, like the MD of any large corporation, must ultimately carry the can for poor results. To do otherwise is to plead incompetence.

In February 1981, after a barrage of criticism greeted Koornhof's first, post-Riekert "new deal" bills on black development, the legislation was referred to a committee under Justice E M Grosskopf. The committee — which included two blacks — appears to have completed its work by May last year. The report, however, was never published despite a suggestion that it would be debated in Parliament.

Instead, Wits Professor Johan van der Vyver charged in November that it had been "shelved" by government because its recommendations had been found unacceptable.

The *FM* has a copy of the Grosskopf report. Its contents raise interesting questions about just who decided to keep it out of the public eye, and why this year's legislation for urban blacks has such a marked reactionary content.

The report and the OMSBPB are worlds apart. Grosskopf took as a guiding principle the Riekert recommendation that laws relating to urban blacks should promote "the retention and development of the free market system with the view to the more effective utilisation of all the available resources including labour."

Grosskopf, therefore, took the view that "continued urbanisation should be regulated but cannot be halted." (The OMSBPB, if carried through into law, would have the effect of radically curbing black urbanisation for generations.)

The committee, furthermore, "gave considerable thought to how the objectionable features of the reference book system may be avoided," whereas the OMSBPB entrenches the system and widens the scope of pass raids.

Significantly, Grosskopf said: "The first principle is that a person who wishes to live an urbanised life and is able to maintain himself and his family in an urban environment, should be entitled to do so... This type of person would probably not increase the problems caused by urbanisation but would, on the contrary, tend to alleviate them by promoting economic activity, contributing towards local authority revenue, etc. A suitable criterion for defining such a person could be based on his financial ability to acquire immovable property."



CAD's Koornhof ... the promise has faded

The committee, therefore, suggested the following categories of blacks as qualifying for the right to stay in urban areas:

☐ Persons who possess, at the commencement of the (new) Act, recognised rights under Section 10 of the Urban Areas Act to remain in a prescribed area for an indefinite period;

☐ Persons who have a stable income sufficient to maintain a family, and have adequate accommodation;

☐ Persons who have lawfully resided in one or more urban areas for a substantially continuous period of five years before and after the commencement of the Act;

☐ Persons granted rights of permanent urban residence by the authorities; and

☐ Wives, husbands, children and dependants of the above.

The OMSBPB creates a new category of permanent urban resident (PUR) which is extremely restrictive, particularly in its application to children who must prove that *both* their parents are PURs. Furthermore, the Bill makes the period of lawful residence in the urban areas 10 years, not five, the prerequisite for qualification for rights.

The OMSBPB also denies the right to qualify as a PUR to those classified as citizens of any independent homeland, whereas the Grosskopf report unequivocally states: "Rights of permanent residence should in our view be capable of acquisition by all persons who are either citizens of the Republic or citizens of States which formerly formed part of the territory of the Republic."

And, "such an urbanised person should be entitled to move freely from one urban area to another and take up employment

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

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without any form of authorisation . . . Broadly speaking, such a person will accordingly have full economic and social rights, subject to the general laws of the Republic."

As for pass documents, "It as we recommend the mere presence in any area is not subject to control (that is, the effective scrapping of curfews), there can be no purpose in any legal provision which requires a person to produce an identification document on demand, and these provisions should be repealed."

This "failure to acquire permanent residence rights should not be added as in effect a further penalty — and an influx control offence should not preclude a person from trying again. Indeed Grosskopf recommended, if a person's claim for permanent or temporary urban residence is refused by a 'designated official,' he may appeal to a magistrate's court "merely by noting an appeal. . . A further appeal to the Supreme Court is allowed as if the proceedings were a civil trial before a magistrate."

Then there is freehold. Grosskopf addressed itself to the housing issue "We can . . do no more than urge that the authorities should not only . . . provide housing to the greatest possible extent but that the greatest possible latitude, assistance and encouragement should be given to local authorities, property developers and the local black population itself to provide housing."

In simple terms, that would mean that "although this can be done under the existing 99-year leasehold system, it would in our view be preferable to allow the ordinary freehold ownership recognised by our common law."

There are several addenda to the report, the strongest objections to the influx reforms being lodged by J H T Mills, Director General of CAD — the "tortoise" of the bureaucracy.

However, in addressing the opening session of the committee in March 1981, Koornhof "emphasised that the purpose of the draft legislation which we have considered is to improve the quality of life of the black communities outside the homelands with the government's declared policy to move away from hurtful discrimination."

Reservations by some of the committee notwithstanding, the Grosskopf report meets this challenge — as the OMSBPB certainly does not. So: who stopped these recommendations in their tracks?

Koornhof had the report by May 1981. The new law appeared in Parliament about a year later, with its severe controls and penalties for infringement. It could be that the expansion of the original Grosskopf committee late last year (months after the report had been completed) was designed to prevent publication of its findings, and steer this particular think-tank in more "acceptable" directions.

Acceptable to whom? Koornhof himself? Difficult to say. A Cabinet decision is more likely to have been involved, reflecting broad antagonism to the loosening-up posited by Grosskopf including freehold and greater labour mobility. The Cabinet at that time contained Andries Treurnicht.

In the face of renewed criticism of influx measures, the OMSBPB has now been referred to a commission under Constitutional Affairs Minister Chris Heunis. It is evident that Koornhof's position as a reformer has been substantially weakened. If he wishes to salvage his credibility it might be in his interests to publicly explain how the Grosskopf report which the committee urged be published was instead pushed out of sight.

The FM asked Koornhof why the report was not made public and why many of its recommendations are so at variance with the OMSBPB. At the time of going to press he had not responded.

Grosskopf report on urban blacks shelved

Advisers ignored in new Koornhof Bill

By STEVEN FRIEDMAN
Labour Correspondent

THE new Bill governing the movement of black people ignores major recommendations of an advisory committee appointed by the Minister responsible for blacks, Dr Piet Koornhof.

The report is that of the Grosskopf Committee which reported to Dr Koornhof in May last year. Details of its recommendations were published in the Financial Mail this week. The Rand Daily Mail also has a copy of the report.

Disclosure of details of the report could land Dr Koornhof in a new political storm. They come at a time when he is reportedly under fire in Government circles because of alleged "obstruction" of Government reform plans by senior officials of his Department of Co-operation and Development.

A study of the report, produced by a committee chaired by Mr Justice E M Grosskopf, reveals it proposed extending far greater freedom to urban blacks than Dr Koornhof's Bill.

And it also reveals that Mr J H T Mills, then Director-General of Dr Koornhof's department, submitted a minority report objecting to some of the reforms proposed by the committee. The Bill is closer to Mr Mills' views than to those of the Grosskopf Committee.

In the report, compiled more than a year ago, the committee urges Dr Koornhof to publish its findings, but until now he has not done so.

The committee also says that, although legislation putting into effect its findings would be "very difficult and time-consuming", it was confident it could complete the task "well in time for the next session of Parliament".

The committee, which included Dr Piet Riekert, author of the 1979 Riekert report on influx control, and Dr Nic Wiehahn, chairman of the Wiehahn Commission on labour laws, was set up after the furore over Dr Koornhof's three Bills on urban blacks in late 1980.

It was given the task of improving the Bills and making them more acceptable to organisations critical of them.

Since then Dr Koornhof has introduced a new Bill drastically curtailing the freedom of movement of black people. It has been dubbed the "Genocide Bill" by critics and churches have vowed to defy it.

The Bill has been referred to Mr Chris Heunis' commission on constitutional affairs and is unlikely to be reintroduced until 1984.

Although the Grosskopf Committee endorsed the idea of higher fines for employers of "illegal" black city residents and those who allowed them to stay on their property, it also suggested that the number of blacks who could qualify to live legally in the cities be increased significantly.

The committee also suggested scrapping the curfew on blacks in the cities, that contract workers be allowed to stay in the cities to look for jobs and other key reforms.

Yesterday, the PFP spokesman on black affairs, Mrs Helen Suzman, said acceptance of the Grosskopf recommendations by the Government "would have made life a good deal easier for blacks in both the cities and towns".

A spokesman for Dr Koornhof's office said he would not comment on reports detailing the Grosskopf findings.

● Details — Page 9

Too many blacks 'offensive'

Reform body told to tighten influx control

By STEVEN FRIEDMAN
Labour Correspondent

A COMMITTEE set up to improve the pass laws was urged by the former head of the Department of Co-operation and Development Mr J H T Mills to prevent large numbers of blacks coming to "white" areas — because this would offend white voters.

He said the Group Areas Act was unable to stop "other races and undesirable elements" from coming to "white" areas and other measures were necessary.

Mr Mills also warned against allowing blacks property rights in "white" cities because, "private property is not indigenous to Bantu law or customs".

These views were contained in a hardline memorandum by Mr Mills on the report of the Grosskopf Committee, of which he was a member. The committee was set up in early 1981 to attempt to meet criticisms of Dr Piet Koornhof's three laws affecting urban blacks.

The committee reported last May and urged substantial pass law reforms. But its report was never published and most of its suggestions were ignored in Dr Koornhof's Orderly Movement and Settlement of Black Persons Bill.

Last week the contents of its report were revealed in the Press.

In his memo, Mr Mills opposed most far-reaching reforms urged by the committee. He was then head of the department which controls black affairs and is now Commissioner-General of KwaNdebele.

Dr Koornhof's Bill is closer to Mr Mills' views than to those of the committee.

Mr Mills opposed the committee's suggestion that blacks who had worked "temporarily" in cities for five years be allowed to live in them permanently.

This would grant permanent city rights to "a very great number of black people".

Mr Mills also opposed allowing blacks unfettered access to the Western Cape because, he said, this was against Government policy.

He also opposed recommendations that jobless contract workers be allowed six months in the cities to seek new jobs and rural blacks be allowed to visit the cities for 90 days a year without permission.

Mr Mills had doubts about the committee's view that influx control could be enforced at the work place and place of residence only and not on the streets.

Mr Mills said the committee glossed over the residence of blacks in white areas, and added: "The concern among the white electorate is precisely over the question of blacks in white areas".

On freehold property rights, Mr Mills said blacks had always regarded private property ownership with "suspicion" and attempts to introduce it in black areas had little success.

Cpol This is 4/10/82

Urban blacks 'lose out' on report

Own Correspondent

JOHANNESBURG. — It is possible that tens of thousands of city blacks would have won the right to remain there permanently with their families if Dr Piet Koornhof had accepted the report of a committee he himself appointed.

But urban blacks have "lost out", because Dr Koornhof largely ignored his committee — he did not even publish its report, in spite of the fact that it urged him to.

Instead he introduced a bill which critics have dubbed the "Genocide Bill" because, they say, it will condemn all but a privileged minority of blacks to poverty and possible starvation in rural areas.

The committee was chaired by Mr Justice E M Grosskopf and was appointed to review Dr Koornhof's three bills which provoked an outcry when they were released in 1980.

Riekert report

The committee's findings were roughly in line with those of the 1979 Riekert Commission — a major extension of rights to city blacks and a tougher crackdown on those in the country who wanted to come to the cities.

Like the Riekert report, it said employers who hired "unauthorized" workers should be "severely punished". People who had "illegal" workers on their premises should also be prosecuted and possibly evicted if they had leased their property.

The measures apparently found favour with Dr Koornhof. The new bill suggests a R5 000 fine for employers of "illegals" and a R500 fine for those who "harbour" them.

But the Grosskopf committee's other influx control recommendations are in sharp conflict with the bill. The committee found that "continued (black) urbanization should be regulated but cannot be halted".

It emphasized that the existing rights which some blacks have to stay permanently in the cities under Section 10 of the Black Urban Areas Act "should not be taken away".

It recommends, however, that a large category of other workers in the cities should also acquire the rights.

'Maintain himself'

Firstly, that "a person who wishes to live an urbanized life and is able to maintain himself and his family adequately (in the cities) should be entitled to do so".

Secondly, in its most far-reaching recommendation, the committee urges that all people who have been living legally in one or more urban areas for "a substantially continuous period of five years' lawful residence" should qualify for permanence.

The wives, husbands and dependants of permanent residents should also be entitled to the rights.

The five years rule should apply retrospectively. "This will mean that all persons who have been lawfully resident in urban areas for five years or more, at the inception of the new Act, will immediately become entitled to permanent residence".

Qualifactions

The people who qualified this way would have worked in the cities as contract workers and should acquire the rights even if they had returned to the countryside to renew their contracts or for a brief period while out of work. Citizens of "independent" homelands would also be entitled to the rights.

The committee also proposed a major extension of contract worker rights — if the workers were unemployed, they should be allowed to stay in the cities for "a reasonable period (say six months)" to seek new jobs.

Black visitors who had no jobs should also be allowed into the cities for up to 90 days a year without a permit.

Prof says influx bill must go

Staff Reporter

A NOTED Stellenbosch University academic, Professor S P Cilliers, has called for the Orderly Movement and Settlement of Black Persons Bill to be scrapped "in the best interests of the country".

According to the Afrikaans Sunday paper Rapport, Professor Cilliers has issued a study of the bill warning that the harsh new influx control measures enivisaged — which would lead to hundreds of thousands of people who qualify to live in the cities immediately losing these rights — could drive black people to violence.

His warnings come amid mounting opposition to the bill and new evidence that it bypasses the recommendations of the Grosskopf Committee which was set up by Dr Piet Koornhof, Minister of Co-operation and Development, himself to advise on the three "new deal" bills for black development.

Large-scale squatting and trespassing

Rapport quotes Professor Cilliers as saying the bill would either lead to large-scale squatting in the homelands — where there is even less housing available than in the cities — or a large-scale trespassing of the law by people who are regarded as "illegal" in the cities.

He said that in several respects the bill was more stringent than the Blacks (Urban Areas) Consolidation Act: A large number of children at present in the cities would not qualify for permanent residence status, nor would citizens of the independent homelands be able to qualify as permanent urban residents.

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There would be stringent restrictions on the movement and residence of blacks in the rural areas and Professor Cilliers argued that "the possibility of the widespread dumping of these people in the homelands cannot be excluded".

Visitors to the city would be allowed in for only 14 days a year — and then only if they could satisfy the department that they had approved accommodation. This would place serious restrictions on social relations and responsibilities.

Professor Cilliers believed the controls envisaged in the bill rested on a negative premiss — the denial of any basic right of existence for blacks in white-controlled South Africa. The bill would not lead to the removal of discrimination against blacks or the development of a democratic system of government for all.

The envisaged permit system could only be monitored by inspections and night raids leading to a sharp intensification of the potential for conflict.

In the light of the housing crisis, the requirement that blacks must have approved accommodation to acquire the right of residence is seen as totally unrealistic and impractical.

The outcome of all these measures "has serious implications for relations between black people and the maintenance of family and social life" and would lead to a further alienation between the black population and the authorities. It was contrary to the goals of the Riekert Commission as subscribed to by the government.

Professor Cilliers called for a national strategy for urbanization, to be part of a comprehensive development plan to meet the reasonable aspirations of all South Africa's inhabitants.

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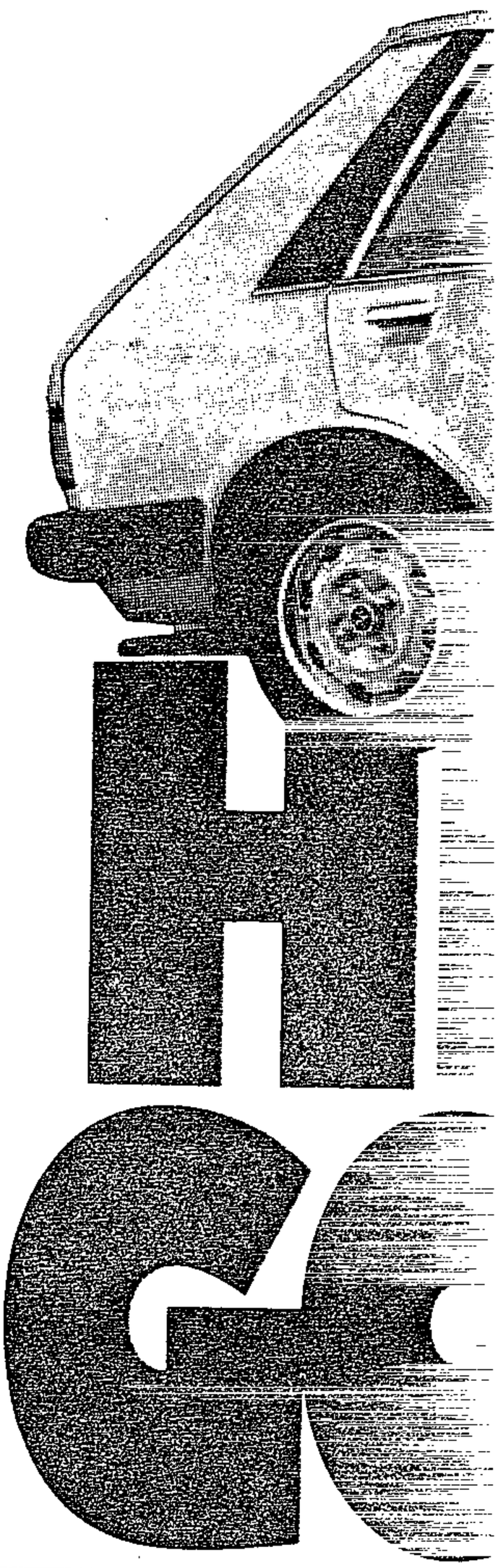
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Artist Vladimir Tretchikoff gives Cherie Dearheart Jennifer Import, a 12-year-old Chinchilla cat, a cuddle at the Pamper Championship Cat Show in Cape Town at the weekend. Jennifer was judged third Supreme Champion in South Africa. She is owned by Mrs Stella Slabber of Southfield.

Now Airw keep

BRITISH AIRWAYS beaten its punctu problem, according chief executive Mr Watts, who says: "We now honestly claim are punctual, and we tend to remain that

Earlier this year, Watts pinpointed pun ality as one of the m striking examples of airline's range of pro improvements. In statement, he pointed that during the summe 1977, the chances of on-time departure fo long-haul passenger about one in four T he said, was unaccepta and getting punctua right became the airli number one objecti From the summer of onwards, the on-time parture rate went steadily and it is si climbing.

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Missing detainee: Witnesses called

From KOOS COETZEE

WINDHOEK. — The truth about the mystery disappearance of a Kaokoland man after being detained and allegedly tortured by the security police in 1980, could emerge soon.

Mr Justice Mouton ruled in the Windhoek Supreme Court on Friday that the court could not arrive at a finding of improper conduct by the police on the basis of statements laid before the court, and ruled that both sides in the dispute could call witnesses for oral evidence.

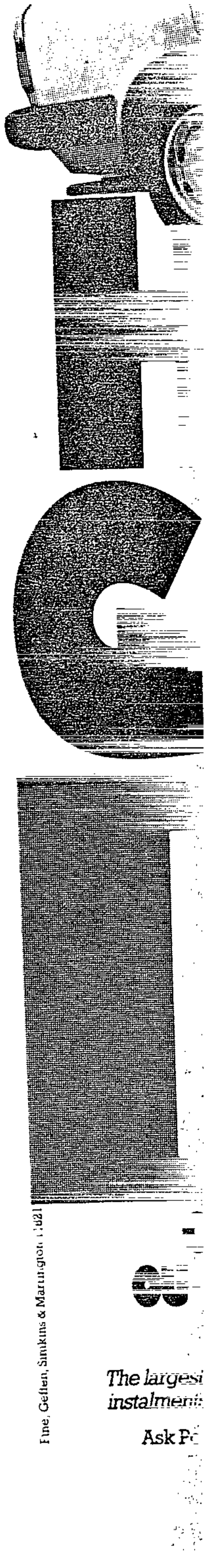
Mr Johannes Kakuva, 62, disappeared in the latter half of 1980 soon after being detained at the administrative centre at Opuwo in Kaokoland.

Mr Kakuva was a member of a group of Kaokoland residents rounded up by the police after a substantial infiltration of Swapo guerillas and political commissars into the area.

Lieutenant Pat King of the security police dismissed in a sworn statement allegations that Mr kakuva had been tortured and said Mr Kakuva had agreed to lead the police to make contact with a group of Swapo guerillas.

But according to a sworn statement made by another detainee, Mr Kakuva's body was thrown on him while he was lying on the floor after being assaulted. It was his opinion that Mr Kakuva was dead, he said.

Mr Kakuva's wife Uaringa, and his brother Willipard, brought an action against the South African Minister of Police and the Administrator-General of SWA.



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4/10/82

Labour chief criticises Grosskopf

Labour Correspondent

THE Director-General of Manpower Dr Piet van der Merwe has criticised the Grosskopf committee report on pass legislation for failing to recommend permanent residence rights for platteland blacks.

In a memorandum to the committee, also signed by Professor Nic Wiehahn, Prof Van der Merwe suggested that blacks from independent homelands be allowed into the country only if they had work permits approved by the Department of Immigration.

the Grosskopf committee.

In another memorandum, Mr M B Kumalo, also a committee member, criticised the report for excluding certain categories of migrant workers from the right to live permanently in the cities and suggested that some migrants be exempted.

In their memo, Dr Van der Merwe and Prof Wiehahn suggested that, if city contract workers were to be allowed permanent residence after five years, the right of black people who have lived for generations in white platteland areas should also be recognised.

They should also be able to sell their labour freely on the urban labour market.

Black people from independent homelands should be allowed into "white areas" in the same way as immigrants from other independent states in that the Department of Immigration would issue temporary work permits after consulting the Department of Manpower.

● A leading Stellenbosch academic, Prof S P Cilliers, has added his voice to criticism of Dr Piet Koornhof's Orderly Movement and Settlement of Black Persons Bill, which largely ignores the Grosskopf findings.

In a study of the Bill released to the Sunday newspaper Rapport, Prof Cillers said the Bill would force hundreds of thousands of black people, who qualify to live in the cities, to leave, leading to widespread squatting.

He said certain aspects of the Bill were more restrictive than the Black Urban Areas Act, which is now in force, and that it could also lead to widespread pass raids in white farming areas.

The Bill would sharply increase the potential for conflict and lead to further polarisation between white and black, Prof Cilliers said.

It would be in the country's best interests if the Bill was withdrawn, he said.

Political Staff
East London

The Government is set to introduce legislation to circumvent a 1980 Appeal Court judgment affecting the right of the wives of blacks qualified to be in white urban areas to stay with their husbands.

The Minister of Co-operation and Development, Dr Piet Koornhof, today referred to the Komani case, in which the Appeal Court ruled that the wives of blacks qualified to work in the urban areas could stay with their husbands.

After that judgment the Government said it would accept the court decision.

Today Dr Koornhof told the Cape National Party Congress this court decision and another influx control case were creating problems.

Parliament

It had therefore been decided to introduce legislation during the next session of Parliament to deal with the matter.

This was being done because a proposed influx measure, the Orderly Movement and Settlement of Black Persons Bill, was being delayed until local urban black authorities had been established.

The congress was discussing a resolution from the False Bay constituency, calling for stricter influx con-

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GEN

Govt plan to keep wives out

From page 1

trol — particularly in the Western Cape.

A Mr Olivier, of False Bay, said 30 years of increasingly severe penalties had not solved the problem of the large-scale influx of blacks into the Western Cape. At present there were 40 000 "illegal" blacks there.

His constituency was not introducing the motion out of heartlessness but because there was not enough work for "legal" blacks and because the influx had caused social problems. There was a serious shortage of black housing, he said.

Mr Olivier suggested stricter influx control measures, including road blocks and more efficient border control.

Dr Koornhof said he accepted the resolution but suggested one of the most effective means of influx control was to create opportunities for blacks in their own areas. Urbanisation should take place in the homelands, he said.

Dr Koornhof said the Government's decentralisation and regional development plans should be seen in this light.

He called on employers in urban areas to obey the law and not to employ illegal workers.

Dr G de V Morrison, Deputy Minister of Co-operation, endorsed the view that the most effective way of controlling the stream of black people to white areas was to provide those facilities blacks sought in their own areas.

At present there were only 1 100 housing plots available for blacks in the Peninsula. Apart from the 85 000 legally present there were 28 000 known "illegals" but the actual figure was probably far higher, he said.

By the year 2000 there could be 500 000 blacks in the Western Cape, Mr Morrison said. Since providing housing for only 80 000 would cost R600 million the uncontrolled influx of blacks would be too costly to be allowed.

Govt plan to keep wives out

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wives

Threat to rights of urban black

Argus 6/10/82 ~~[illegible]~~ ~~[illegible]~~ ~~206~~ 339



Dr Piet Koornhof

By Tos Wentzel
Political Correspondent

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It had therefore been decided to consider introducing legislation during the next session of Parliament to deal with the matter.

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The congress was discussing a resolution from the False Bay constituency calling for stricter influx control, particularly in the Western Cape.

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Dr Koornhof said he accepted the resolution, but one of the most effective ways of influx control was to create opportunities for blacks in their own areas. Urbanisation should in fact take place in the homelands.

This was why the Government's decentralisation and regional development plans were so important.

He called on employers in urban areas also to obey the law and not to employ illegal workers.

Dr G de V Morrison, deputy Minister of Co-operation, said the most effective way of controlling the black stream to the white areas was to provide for the blacks what they sought in white areas in their own areas.

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(Turn to Page 3)

Dismay over pass law announcement

ARGUS 7/10/82

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~~206~~

Argus Correspondent

JOHANNESBURG. — Dr Piet Koornhof's announcement that the Government would create legislation to counter the effects of court decisions which softened influx control has been greeted with dismay.

Dr Koornhof, the Minister of Co-operation and Development, said at the Cape congress of the National Party yesterday that the Appeal Court's decision in the Komani case was creating problems.

In this case the court recognised the right of wives and children to stay with men who had the right to live in urban areas.

CONTRACT

He also referred to another court decision causing problems.

This was apparently the Rikhoto case in which the Rand Supreme Court recognised that contract workers could receive residential rights after 10 years.

Mrs Helen Suzman, the Opposition spokesman on Co-operation and Development, said: "Coming from a man who has undertaken to soften the impact of the pass laws, this is all the more disgusting".

She said Dr Koornhof's statement that he would amend the pass laws to obliterate the Komani decision "is one promise you can be sure he will keep because his own job is threatened."

"INSTABILITY"

"If the government had set out deliberately to create instability and violence, it could not have done better than prevent black families from living together," she said.

A spokesman for the Legal Resources Centre said that in more than 100 cases the centre had to approach the authorities to reverse administrative decisions so that wives and children could live with their husbands or fathers in terms of the Komani decision.

Mrs Joyce Harris, national vice-president of the Black Sash, which was largely instrumental in pursuing the Komani case, said Dr Kornhof's statement "goes right in the teeth of the Government's profession to reform and leaves one absolutely speechless".

"As the Government professes to be God-fearing and to follow the teachings of the Bible, it would seem to be going completely contrary to these teachings in its determination to enforce its policy and to break up family life," she said.

"COLONIAL"

Professor John Dugard, director of the Centre for Applied Legal Studies at the University of the Witwatersrand, compared the Department of Co-operation and Development with the colonial empires of Africa and Asia which considered themselves above the law.

"It has never given full effect to the Komani decision and in a recent case in the Johannesburg Magistrate's Court a member of t he West Rand Administration Board told the court that it was his board's policy not to give effect to the Rikhoto decision.

"Dr Koornhof's new announcement that legislation will be introduced to overrule Komani reflects an arrogance and an inhumanity which has characterised that department for many years. There can be no reform in South Africa until that department is abolished," he said.

Outrage at Koornhof's influx move

By David Breier, Chief Reporter

Dr Piet Koornhof has drawn strong criticism for his announcement that the Government will frame legislation to counter court decisions which have softened influx control.

Dr Koornhof, the Minister of Co-operation and Development, told the Cape congress of the National Party yesterday that the Appeal Court's decision in the Komani case was creating problems.

In this case the court recognised the right of black wives and children to stay with men who had the right to live in urban areas.

He also referred to a second court decision, apparently the Rikhoto case, in which the Rand Supreme Court recognised contract workers could receive residential rights after 10 years.

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She said Dr Koornhof's statement that he would amend the pass laws to obliterate the Komani decision "is one promise you can be sure he will keep because his own job is threatened."

"If the Government had set out deliberately to create instability and violence, it could not have done better than prevent black families from living together," she said.

A spokesman for the Legal Resources Centre said that in more than 100 cases the centre had had to approach the authorities to reverse administrative decisions so that wives could live with their

To Page 3, Col 1

Influx law: rage at new threat

from page 1

husbands and children with their fathers in terms of the Komani decision.

Mrs Joyce Harris, national vice-president of the Black Sash which was largely instrumental in pursuing the Komani case, said Dr Koornhof's statement "goes right in the teeth of the Government's profession of reform and leaves one speechless.

"As the Government profess to be God-fearing and to follow the teachings of the Bible, it would seem to be going completely contrary to these teachings in its determination to enforce its policy and to break up family life," she said.

"It is surely immoral to make use of people's labour and then to deny them fundamental rights as human beings."

Professor John Dugard, director of the Centre for Applied Legal Studies at the University of the Witwatersrand, compared the Department of Co-operation and Development with the colonial powers in Africa and Asia which considered themselves above the law.

"It has never given full effect to the Komani decision and in a recent case in the Johannesburg Magistrate's Court a member of the West Rand Administration Board told the court that it was his board's policy not to give effect to the Rikhoto decision.

"There can be no talk of reform in South Africa until that department is abolished," he said.

Unionist urges change in movement bill

Dispatch 8/10/82

JOHANNESBURG — The general secretary of the country's biggest trade union, the 54 000-member SA Boilermakers' Society, yesterday lashed the planned bill to tighten influx control and said industrial action from his own union could not be ruled out if the government pressed ahead with it.

Mr Ike van der Watt told a personnel management convention in Bophuthatswana, shop-floor unrest was likely if the Orderly Movement and Settlement of Persons Bill, released earlier this year, was not changed significantly.

He said no union could "afford to ignore" the bill and urged management and labour to get together to prevent it being passed unchanged "before there is any question of wildcat industrial action."

"The legislation contains the seeds of industrial unrest. If not changed extensively we can expect trouble on the shop-floor."

The Boilermakers were not against "planning and discipline in population movements" he said, but only if the people affected agreed. "The present process of curtailing the rights of individuals without their consent is totally unacceptable to us."

The bill has been referred to a commission of inquiry headed by the Minister of Constitutional Affairs, Mr Chris Heunis. — DDC.

'Not planning law to nullify court ruling'

~~220~~ ~~20~~ 329 E. Post 9/10/82

Weekend Post Reporter

THE Minister of Co-operation and Development, Dr Piet Koornhof, said this week it was presumptuous to claim the Government wanted to override recent court decisions on influx control by means of the Orderly Movement and Settlement of Black Persons Bill.

He said in an interview with the Nasionale Koerante group that a select committee would examine the Bill, but it would not be considered until black local government authorities were instituted next year.

In answering a question at the National Party Cape Congress about the Komani appeal ruling, which gave the wives and children of black workers the right to live with them in urban areas, he had drawn attention to the Bill.

He had said the Government was busy with the matter, but that no decisions had yet been made.

"I never said there would be legislation over this case," he added.

It was also nonsense that it had been decided to scrap the Bill, said Dr Koornhof.

Deaf boy, 9, killed by train

By ANDREW DONALDSON

A NINE-year-old partially deaf Philippi boy was knocked down and killed by a train yesterday afternoon when he stopped to pick up some spilled tomatoes while crossing the railway line between Nyanga and Philippi

Randall John Karoulas, who sustained multiple injuries, probably had not heard the train coming, his distraught mother, Mrs Frances Karoulas, of the farm Hazeldean, said last night.

He was bringing home boxes of fruit and vegetables for his mother when the one with tomatoes in it broke.

"He knew he had to bring all the food home because his mother would have been annoyed with him otherwise," said Randall's sister, 18-year-

To page 2

Rights of urban blacks in jeopardy

CAPE TIMES 7/10/82 339

Political Staff

EAST LONDON. — The goverment is considering overriding recent landmark court decisions allowing urban blacks to live permanently in the cities with their wives and children.

This shock announcement, which could dash the chances of millions of blacks leading a family life in the cities, was made by the Minister of Co-operation and Development, Dr Piet Koornhof, at the National Party's Cape congress in East London yesterday.

Addressing the congress, Dr Koornhof referred specifically to the Appeal Court ruling in the Komani case, which granted wives and children of urban black workers the right to join them.

He said provision to "deal with the case" had been made in his controversial Orderly Movement and Settlement of Black Persons Bill.

But the Bill was being postponed and "we will therefore have to come with amending legislation to deal with the Komani case because it is causing problems", Dr Koornhof said.

His statement immediately caused an angry reaction from civil rights workers, lawyers and the opposition spokesman on black affairs, Mrs Helen Suzman.

'Scant respect'

Mrs Suzman said it showed "scant respect for the courts".

Dr Koornhof said in an interview after his speech Rikhoto and Booi judgments which established the right of contract workers to permanent city rights, in terms of Section 10 of the Black Urban Areas Act.

"These rulings defeat the purpose of goverment policy. Contract workers were not meant to get Section 10 rights," the government source said.

'Housing'

Unless the law were amended, millions of "illegal" blacks would gain the right to live in cities. "This would double the backlog in black housing to more than 500 000 units," he said.

The Komani ruling nullified a regulation that blacks could live in cities only if they obtained lodgers' permits from the authorities. This prevented many wives and children of qualified blacks from staying in the cities.

A clause in the Orderly Movement and Settlement of Black Persons Bill would give the minister the power to remove rights granted by influx control laws and thus override court rulings

Mrs Suzman and a leading lawyer said that because Parliament was supreme, it would be "easy" for the government to override the court judgments.

The Cape Times Funfinder

Looking for weekend entertainment? You will find it in FUNFINDER the new Cape Times supplement that tells you all you need to know about the entertainment scene in one colourful package. Look out for it tomorrow morning.

Carousel Stoneware Dinner Sets

Cape Times 7/10/82 (337)

by train

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To page 2 (A)

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'Scant respect'

Mrs Suzman said it showed "scant respect for the courts".

Dr Koornhof said in an interview after his speech that no decision had been taken by the goverment and the matter was merely "under consideration".

But another senior goverment source said the clear intention of amending legislation would be to restore the status quo before the Komani ruling and the Rikhoto and Booi judgments which established the right of contract workers to permanent city rights, in terms of Section 10 of the Black Urban Areas Act.

"These rulings defeat the purpose of goverment policy. Contract workers were not meant to get Section 10 rights," the government source said.

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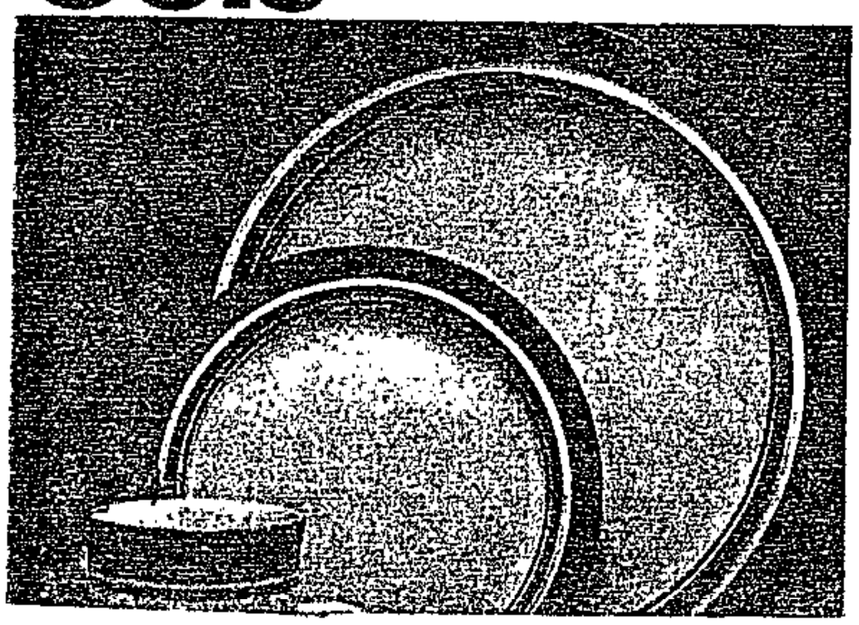
"In this system, an unscrupulous government can always override the courts. In other systems they would have to resign if they tried," Mrs Suzman said

Report by J Battersby and S Friedman, 75 Main Street Johannesburg.

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Carousel Stoneware Dinner Sets



NEW SA BASED ON TOUGH INFLUX PLAN

S. Tribune 10/10/82

SOUTH Africans hoping for meaningful change now that the four provincial congresses of the National Party have endorsed the Government's constitutional plan, are likely to be disappointed.

'For while it is true that the plan will transform the face of South African politics -- by putting coloureds and Indians into Parliament — it will not alter the fact that power will remain firmly in white hands.

And debate at this week's congress of the Cape National Party, Prime Minister P. W Botha's own stronghold, showed clearly along what lines Nationalists are thinking.

Delegate Nico Corbett, of Queenstown, made a plea for the Government to erect "human proof" fences along the borders of the homelands.

Delegates from False Bay pleaded with the Government for a stricter implementation of influx control — which denied black people the right to live and work in so-called 'white' South Africa.

And it was a plea which fell on fertile grounds. The Minister of Co-operation and Development, Dr Piet Koornhof, told reporters later he found the resolution "totally acceptable."

He announced to the congress that the Government would introduce amendments to influx control legislation "to deal with" the appeal court decision in the recent Komani case — which extended the rights of black people to have their families living with them in the cities in which they were working.

Dr Koornhof told the congress that provision to deal with the case had been made in the Orderly Movement and Settlement of Black Persons' Bill — one of the most draconian pieces of legislation ever introduced into Parliament.

However, Dr Koornhof said that because that Bill — which has been referred to the Parliamentary select committee on the constitution had been delayed — "we will have to come with amending legislation to deal with the Komani case because it is causing problems."

Although the Prime Minister denied at his public meeting on Monday that the constitutional plan represented a "ganging up" by whites, coloureds and Indians against black people, the hidden part of the constitutional plan — which depends on effective influx control and the consolidation of the homelands — was on display this week.

The latest trend in consolidation is that of "peoples consolidation". The Government has abandoned the idea of forming geographically consolidated, economically viable "independent national states". Now they seem set to consolidate by simply labelling all South Africa's blacks according to their ethnic origins.

People will be classified Zulu, Xhosa, Tswana and Sotho, and told they will have to exercise their political rights in those homelands — irrespective of where they live.

Current National Party thinking appears to be that if all South Africa's urban blacks are made citizens of the homelands or surrounding independent states, and whites, coloureds and Indians are forged into a political alliance, the black majority will have disappeared overnight

The Orderly Movement and Settlement of Black Persons' Bill provides for fines of up to R5 000 for "illegally" giving somebody a job.

Nationalists try and put a more human face on their plans. The False Bay delegate who introduced the motion on influx control said he was not doing so out of "heartlessness" but because there was not enough work for "legal" blacks and the influx of others caused social problems.

He said 30 years of ever higher penalties had not solved the problems and estimated that there were about 40 000 "illegal" blacks in the Western Cape alone. He suggested more efficient border control and roadblocks to stem the black tide to the cities.

Dr Koornhof said the most effective means of influx control was to create employment for blacks where they lived — thus obviating the necessity for them to move.

It was for this reason that the Government's regionalisation and decentralisation plans were so important. That was also why employers should not employ "illegal" people, Dr Koornhof said.

The South African Black Alliance meet in Johannesburg this week. Both the Labour Party and the Reform Party, the majority party in the South African Indian Council, are certain to critically analyse the government's constitutional deal.

While there is no doubt that the Prime Minister will succeed in getting enough coloured and Indian support to get his plan off the ground, he seems not to be drawing the support of current representative community leaders.

PUSHING THE PRIVATE SECTOR

339
Sowetan 12/10/82



JUSTICE STEYN: Trying to ease black tensio points.

THE Urban Foundation was founded in November, 1976. It was initiated by the black man's living conditions, job opportunities, improving and humanising the laws which harness him . . . to ease the points of black frustration. Reporter SAM MABE spoke to the Foundation's executive director, and former Cape Supreme Court judge, Mr Justice Steyn.

The SOWETAN: Did the 1976 unrests motivate the formation of the Urban Foundation?

Mr Justice Steyn: Not that alone. You cannot attach anything to a single event. The formation of the UF was due to a number of factors, but I think one of the key factors was what took place in 1976 because it was the spur for a realisation that co-ordinated effort was necessary.

Leading industrialists tackled numerous programmes of human amelioration in SA for many years before the Foundation came into existence. What the Foundation did was to act as a co-ordinator, in order to maximise the impact and to direct it towards specifically and clearly identifiable objectives.

It was clear after 1976 that the Government alone was not going to deal effectively with problems of acute deprivation in respect to housing, education and access to economic opportunities.

An efficient [illegible]

pable of revocation and incapable of inheritance.

With the support of its board, and many others in the community, together with building societies, the 99-year leasehold scheme was negotiated by the Foundation.

The Foundation's view still is that the 99-year leasehold is viable, on acceptable form of tenure. However, it must be seen as a transitory step leading, as it must inevitably do, to freehold title for all who aspire to it.

The SOWETAN: But why is this system not available to all parts of Soweto, for instance?

Mr Steyn: You should have it available in all parts of Soweto once the survey has been completed. There should be no limitations. But I would rather you check with Mr Knoetze [illegible] because I am not an ex-

dividual security, based on an accepted structure of law and order, equality before the law, the free enterprise economic system, and the elimination of discrimination on the basis of race and other irrational criteria."

We observe a recent tendency in SA to move towards a more "open" society. However, we identified the legislation mentioned in your question as measures inhibiting the freedom of the individual or restricting his access to a court of law. Our attitude in this respect is twofold:

(i) SA should return to the Rule of Law as soon as possible. Full access to the courts by all should be the end goal. In the interim a vigorous system of review by judges of the Supreme Court should be instituted in order to ensure the elimination of unacceptable conduct.

The cost of this project is estimated at some R4-million.

I may just mention that we have almost completed a country-wide research project to determine the nature and scope of non-formal education in South Africa, and to identify the hundreds if not thousands of agencies operating in this field. We hope, through this research, to be able to suggest guidelines for co-operation.

The SOWETAN: Have you done anything similar in other areas outside Soweto?

Mr Steyn: We have financed numerous non-formal educational projects like Career Research Information Centres. We have financed and built pre-schools.

The SOWETAN: What sections of the three recent Bills before Parliament did you find

phasis is placed on physical development and not enough on real community development.

The last of the three Bills, which is generally referred to as the Influx Control Bill, we found to be unacceptable. Strong representations were made about its provisions.

It has now been shelved by the Government, at least until after the establishment of black local authorities,

when it will hopefully be re-negotiated with elected leaders of the people. Development in this respect will be closely monitored.

The SOWETAN: The relationship between labour leaders and the Government has not been very good, but you made favourable comments about industrial relations in this country. How did you come to that?

sent local black Government. I think when labour leaders look at the new Black Local Authorities Act and see the very extensive powers which have now been given, and if we can succeed in getting appropriate finance from the Government, I don't think labour leaders will persist in denigrating the local Government as it is in its present form.

The SOWETAN: How do you see the housing situation in Soweto in the next 20 years?

Mr Steyn: I see an enormous development of home-ownership, people acquiring their own homes and devel-

Damelin CORRESPONDENCE COLLEGE.

that believed in the values which it shared with the people was necessary to make things happen. These were some of the factors which motivated the formation of the Foundation.

The SOWETAN: What kind of assistance, material or otherwise does the Foundation receive from the Government?

Mr Steyn: None. The Foundation was formed by the private sector and is totally financed and managed by the private sector.

The SOWETAN: When you conceived the 99-year leasehold system, why didn't you make it 100 years or something else?

Mr Steyn: The 99-year leasehold system was not conceived by the UF. It is however, a well-known and internationally recognised form of tenure both in SA and abroad. With rare exceptions, blacks in 1978 had no security of tenure.

This made the acquisition of finance to acquire one's own home other than through Government agencies, impossible. Some security of tenure had to be negotiated on their behalf in order to enable them to become home-owners in the real sense of the word.

The UF favours freehold title for everyone, but the Government made it clear that this was not negotiable and proposed in draft legislation a 30-year lease ca-

pert on what goes on in Soweto all the time.

The SOWETAN: The Foundation states that it cannot function in isolation from social, economic and political order. What does this mean?

Mr Steyn: Socio-economic factors such as housing, education, employment opportunities, health services, etc, are the prime determinants of the quality of life of individuals and communities. These in turn are sometimes to a greater or lesser extent determined by political decisions.

In our efforts to improve the quality of life in urban communities, we are dealing with the realities of South African life pertaining to these determinants.

It is obvious then that every development in the fields of housing, education, and access to economic opportunities and to structures in which it takes place, effects our work. In short, we cannot operate in a system even when we try to change it, by ignoring it.

The SOWETAN: Your annual review mentions security legislation and other laws limiting the freedom of the Press and the individual. What's your attitude towards these laws?

Mr Steyn: In its work the Foundation is guided by a set of values which are:

"Freedom of choice, individual self-reliance and self-sufficiency; in-

(ii) A free Press is essential for the survival of human freedom. Therefore its freedom must be jealously guarded.

The SOWETAN: How much have you done in the field of education?

Mr Steyn: In quantitative terms since 1977 we have launched some 200 projects to the value of R14-million. This excludes current activities in 50 projects worth about R5,8-million.

Our aims are to contribute to the provision of equal educational opportunity for all. We try to achieve this by trying to reform the system of educational provision, and by project activity in areas appropriate to the private sector.

These projects are of a catalyst nature, demonstrating the need for and the viability of change. In various ways the Foundation has contributed to the work and the report of the De Lange Committee, and we believe that this will have a significant impact on educational reform in South Africa.

Our projects are concentrated in four areas:

- teacher upgrading,
- non-formal education, especially adult education,
- technical and other career education, and
- pre-school and early learning.

The Informal Education Centre we are putting up in Diepkloof, Soweto, is an example of the kind of project activity we are engaged in.

objectionable or unacceptable, and what did you recommend in their place?



KHUTSONG: UF project to build houses for teachers.

Mr Steyn: Firstly, the first of the three Bills on local government is no longer a Bill but an Act passed by Parliament in a much amended form after representations and evidence by the Foundation and other interested parties.

Our attitude on this issue was fashioned by lengthy negotiations with urban black leadership throughout the country and across the political spectrum.

Secondly, the Black Community Development Bill is being considered by a special committee at present. We found this Bill to present a workable base which, with the necessary amendments, can become an acceptable piece of legislation answering to the needs of black communities.

One of the shortcomings which we identified is the fact that much em-

Mr Steyn: You've got to see labour relations in SA as an area of volatility. If you start with a reform process and you start with one area and change things in that area only without bringing reform across the spectrum of socio-economic and political life, then there's going to be a tendency of a concentration of activity in the area where access is given.

It follows that we must expect a great deal of activity in that area. It is my hope that when we get strong local Government going, some of the political heat that is being generated and is inappropriate in the labour field, should be conducted into what is legitimate political channels.

The SOWETAN: But it would appear that people in trade unions are the ones most opposed to the type of local Governments we have.

Mr Steyn: I am not talking about your pre-

oping a real sense of belonging, that goes with the pride of ownership.

I hope the Government in the very near future will make substantial portions of the exciting housing stock available for acquisition by people at reasonable prices. If that takes place, the face of Soweto will change.

It is already changing through the home improvement system as you can see for yourself. Secondly, what one is looking for is for people to be free to choose, to choose the kind of house they wish, and where it should be situated. Not to be given a key when they arrive and be told 'this is your house'.

The SOWETAN: With regard to the availability of housing?

Mr Steyn: We must increase the housing delivery process. Many more houses have to be built and I believe that they should not only be built by the local Government alone.

The private sector must also be involved. At the moment, 90 percent of white housing is provided by the private sector and only 10 percent is provided by the State.

I would like to see us moving to a situation where the same percentage is offered.

That will bring all the elements of freedom of choice with it.

Sowetan 4th 21/10/82 (33)

are can ore

ad- ary on

bursaries again next year.

In its annual report, the fund stated that only 180 new applications had been received from pu-

have R55 000 — which is a good beginning — but there will be a serious shortfall unless the public meets the balance," the report states.

Mr E Elsworth, trustee

Applications should be made to the African Scholar's Fund, PO Box 294, Rondebosch, 7700. A copy of the pupil's latest examination results should be attached.

SA friends overseas 'desperate for reform'

Political Staff

THE chairman of the Progressive Federal Party federal executive, Dr Alex Boraine, said today he had found considerable goodwill towards South Africa among many leaders in the United States and Britain.

"But they are desperate for more direct and positive signs of significant reform," he said.

Dr Boraine, MP for Pinelands, said these were his overall impressions. He returned to Cape Town at the weekend.

FEARS

He said there was wide concern in both the US and Britain concerning a settlement in SWA/Namibia. Fears were growing that the plans were coming unstuck.

"This largely centres on the linkage between a settlement and the withdrawal of Cuban troops from Angola.

"There is no doubt it would be in South Africa's interests for a settlement to take place that would bring about free and fair elections."

Dr Boraine spent three weeks in the US as one of a group of South African parliamentarians who met business and community leaders.

SPEECHES

He was invited to address business groups in New York and Boston about the political situation and the relationship between trade unions and politics in South Africa.

He went to Britain as a guest of the British Government.

He spent a day in Brighton at the Conservative Party's conference and met other groups, including academics, businessmen and politicians.

He also spent a day in Bristol which recently experienced a breakdown in community and race relations.

Dr Boraine said he had hoped to learn from the situation there but many appointments had been cancelled at the last moment because the city's Council for Racial Equality called for a boycott of his visit.

"Ironically, because of their decision, I had far greater opportunity to convey the message of the PFP through television, radio and Press interviews in Bristol," he said.

Report by F S Esterhuyse (122 St George's Street, Cape Town)

Newstyle printer's devil . . .

Argus African News Service

GABORONE — A sophisticated photocopying machine apparently lured a Motswana youth into crime.

The machine reproduces both sides of a piece of paper simultaneously.

A 17-year-old Gaborone boy seems to have immediately seen the potential of the photocopier. He allegedly presented a one-pula note for a pula emblazoned with Nelson Mandela's face and made 20 copies.

NOT SPOTTED

He then reportedly

Polstu warns on Black Movement Bill

Argus 12/10/82

Boland Bureau

STELLENBOSCH. — South Africa's legal system would be jeopardised if the Orderly Movement and Resettlement of Black Persons Bill was passed by Parliament, the Political Students' Association warns.

Polstu's newsletter says when the law — which should be an instrument for the promotion of public interest — is used to drastically curtail values which form the basis of society, its credibility is affected.

Under the headline "State creates 'order'", the article spells out the implications of the Bill.

"The Bill violates numerous fundamental human rights: the right of free movement, the right to choose a place to live and the right to choose a job and a career," it says.

Polstu comments: "The stiff fines will undoubtedly result in our overcrowded prisons being even more overcrowded and in an increasing number of people suffering the humiliation of prison life or the contravention of pass ordinances.

STIFF FINES

"Apart from the stiff fines for giving shelter to family members, the proposed ... clause ... will have a drastic influence on the right to have a healthy family life.

"In future children who wish to qualify for permanent urban residence rights will have to live with both their parents. These rights

"Bearing in that about 50 per cent of the children in black ... grow up in ... families, it ... clear that the Bill will have a ... impact on blacks in ...

Report by ... (122 St George's ...

D. Dispatch (339) 12/10/82

Heroes' acre plan for black townships

GRAHAMSTOWN — Community councils in the Eastern Cape are being asked to set aside "heroes acres" in township graveyards to honour blacks who have died fighting for South Africa.

The request from the South African Defence Force will be considered by the Grahamstown Community Council at its monthly meeting on Friday.

On the agenda is a detailed set of proposals from the SADF including 28 pages of text and diagrams of possible layouts and a recommendation from the council's acting chief executive officer, Mr G. J. Barnardt, that the idea be supported in principle.

According to Mr Barnardt "the deceased warrior shall be honoured and commemorated by means of an official stone of homage."

The SADF says the acre will also be open to members of the South African Police and Railways Police.

The chairman of the Community Council, Mr G. H. Nduna, thought the proposal deserved strong support. "We have every confidence in our soldiers; they do everything possible to protect our lives," he said.

But one resident, Mr Edward Mutama, said it was nonsense to talk of black people being honoured for the sacrifices they had made for South Africa when they were denied citizenship.

"I live and work in South Africa and yet I am told by the government that I am a Ciskeian. If I join the police and am killed in action, will I then be buried in a heroes' acre here and be honoured for having 'died for my country'?"

"Is a black man only going to be recognised as a South African when he is dead?" he asked.

An SADF spokesman said the proposals had been circulated to all local authorities, including administration boards.

Questioned on the matter of "foreigners" he said the SADF had no intention of prescribing to next of kin where they should bury their dead.

"We will have to get some sort of friendly agreement with the national states," he said. — DDC.

'Planned urbanisation' seen as answer to the influx bogy

Mercury 14/10/82

339

THE GOVERNMENT has come under fire recently for suggestions that new legislation might have to be considered to 'overcome' a court ruling that black workers in the urban areas are entitled to have their families with them.

Clearly the Government sees this as the thin end of the wedge and possibly the start of an even greater flood of blacks away from the impoverished homelands to the urban areas and the start of a new generation of squatter camps.

Strong in its criticism of the Government has been the Progressive Federal Party, the closest thing we have in South Africa to an elected alternative government.

How would it handle the tricky question of influx control in a more humane manner if it came to power?

Dr Fredrik van Zyl Slabbert, the Leader of the Opposition, says quite directly he would adopt a completely different approach to that of the Government which, he says, does not reckon with reality.

An illusion

'It is an illusion to believe that influx control has closed the gate on blacks coming into the urban areas and that there would be a significant increase in their numbers if the 10 various measures which make up influx control were dropped,' he said.

'As head of a new government I would immediately stop resettlement, all forced removals and anything which prevented family life.

'It would not have a significant impact on the rate of urbanisation but it would have an impact on quality of life if families were allowed to be together.

'Though the laws would be dropped one would attempt to guide people to where the best opportunities existed for work and housing.

'It remains a fact of life that if people do not have a job or proper housing in the rural areas they will look for them elsewhere.

'What makes it more dramatic to have the jobless and homeless in the urban areas than in the rural areas? Is it just that people can't see them in the rural areas that makes them feel better about it?'

Dr Slabbert rejected that the urban crime rate would increase if more people were allowed into the urban areas with their families.

'The Crossroads squatter camp, where there are families living together, disproves this. The crime rate there is lower than in the Langa and Nyanga townships,' he said.

Nowhere in the world was influx control successfully managed and it was time people realised this.

'We will have to accept the inevitablity of urbanisation and there will have to be a policy of "planned urbanisation",' Dr Slabbert said .

'This means we will have to look at deploying our resources with a view to accommodating a growing number of people in the urban areas rather than, as under the Nationalist Government, forcibly trying to keep them in poverty in the rural areas.'

But, while urbanisation had to be accepted, it would have to go hand in hand with the deconcentration of industries to ensure a proper ratio between people and land in the metropolitan areas.

'We would have to project into the future and plan to release more land for residential purposes at a certain tempo,' said Dr Slabbert, pointing out that it had already been estimated that South Africa would need another 10 'Sowetos' in the future.

'It is naive to believe that the State can provide sub-economic housing for everyone,' he said.

'In conjunction with the planned urbanisation policy we will need a dramatically revised housing policy in which the State would make land available and provide essential services to assist people to build homes.

Improvements

'As people's economic position advances with improved opportunities so will their houses improve.

'If we resist this we are only going to compound the existing problems for future generations.'

An important aspect of the urban policy would be the deconcentration of industries. But, he warned, it would be foolish to believe that this could be directed by political and ideological considerations rather than by economic needs.

It had been shown that deconcentration could be successful only when new industrial areas were formed within 50 km of existing metropolitan areas.

While the realities of urbanisation had to be faced, the need for rural agricultural development tackled.

One of the problems at present was that nobody knew exactly how many blacks were in the urban areas because existing laws turned them into criminals for entering the urban areas. If they declared themselves or their families they faced the possibility of being sent back to where they came from.

'We would not have any laws preventing people from moving about and offering their services on the best labour market,' said Dr Slabbert.

'We cannot stop people moving, which has been shown even under the Government's existing laws, but we can try to avoid everyone going to the same places by directing them to where the best housing and work possibilities are — but not forcibly.'

One of the causes of the present squatter problem was that the Government had told local authorities that no more blacks would be allowed into their areas. The result was that no provision was made for the increasing numbers who nevertheless went there.

'We will have to face reality and plan for them, and under no circumstances can we disrupt family life which creates a more stable society than one in which you have masses of "singles" drifting around,' he said.

Transition

'Naturally there will be a period of transition which will underline the wrongs of 34 years of Nationalist rule but the realities of today highlight the inadequacies of the Government's policies.

'There is no easy or instant solution to the problems that have been

Ormande Pollok
Political Correspondent

Evaton water fees go up R3,50

EVATON residents will be expected to pay R3,50 extra for water tariffs as from November 1.

The recently re-elected chairman of the Evaton Community Council, Mr Sam Rabotapi, confirmed the increases and said it was to recover capital lost in bills that are in arrears.

Mr Rabotapi said the increased rates would be included in the residential permit of every legal resident of Evaton.

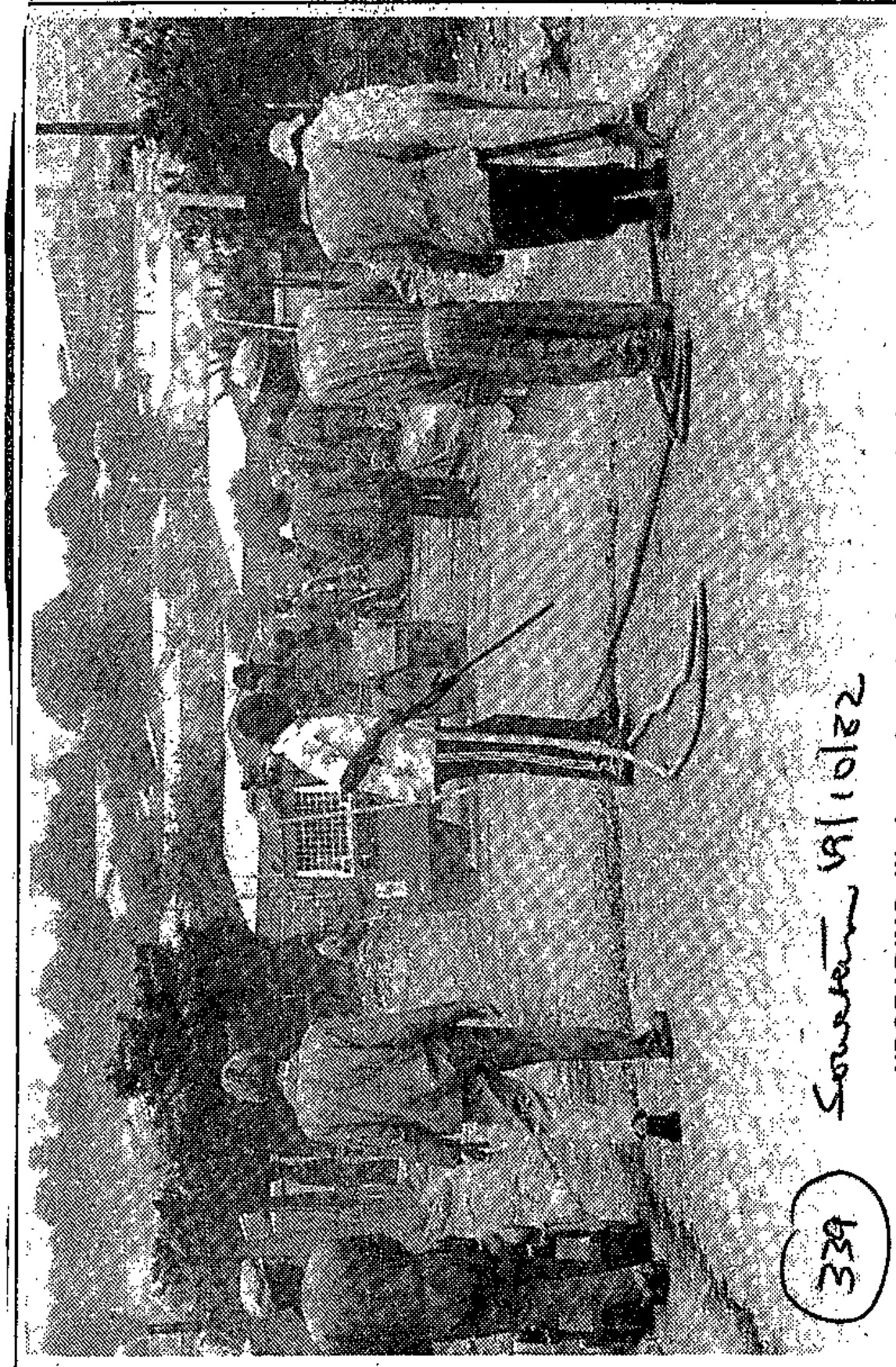
"The R3,50 will mean we no longer have to install water meters and will have to replace the old meters," Mr Rabotapi said.

On the question of land being repossessed as a result of standowners being in arrears, Mr Rabotapi said that in the case of some 18 plotowners who have not been attending to their dues," the council would sit down and review each case, before any action is taken."

The Council's "sympathetic" stand has been encouraged by the fact that local residents at one time owed the council in the region of R1-million, "which has since been drastically cut as a result of those who paid their dues," said Mr Rabotapi.

He added that he was surprised to find that there were standowners who were in arrears, "as some of these plotowners charge tenants R70 rent for corrugated -iron housing structures."

Mr Rabotapi said standowners should take into account that the Orange-Vaal Administration Board would have to pay R3 600 for the provision of infrastructure on their properties



UPGRADING: Workmen busy tarring a street in Soweto.

R75-m spent in Soweto

THE staggering sum of about R135-million will have been spent at the completion of construction of roads, streets, storm-water drainage, sewerage, water supply and reticulation by the Greater Soweto Planning Council.

This money is part of the R150-million overseas loan from a consortium of banks negotiated by the Soweto Council aimed at completing development projects for phase one by April 1984.

Mr A W du Toit, project manager for the GSPC, told **The SOWETAN** in an interview that since November 1980 to August this year they have spent R75-million on construction and professional fees.

This amount has been used for sewerage, moving of services, expropriation of land, payments to contractors, Soweto survey and design and contract administration.

He said it had been recommended that stormwater drainage be installed on existing surfaced roads that do not have them. Also the installation of mountable kerbs on existing surfaced roads that do not have kerbing.

As for the Klipspruit Valley Road that is being constructed and is to be completed next year, it will have undivided four lane arterial with the necessary connections to the external road network. There will also be construction of arterial roads to complete the internal primary distributor road network.

Furthermore there will be the rebuilding of existing surfaced roads as well as resurfacing of existing roads.

Heavy duty pavements to serve as bus stops will also be built.

Councillor says cash must be governed by local decisions

Councils need more power over finance

339 SOWETAN 19/10/82

"THE structure of community councils is very weak. All decisions councillors take, must always first be scrutinised by local administration boards, and then must still be approved by the Government.

So says Mr Silumko Tom Boya, chairman of the Daveyton Community Council.

Mr Boya revealed his feelings to **The SOWETAN** after he was re-elected last week as chairman of the Daveyton Community Council for the third successive year.

AFFAIRS

"I am totally unhappy with the present structure governing the running of community councils. Community councils must be given meaningful powers by the Government as soon as possible in order for councillors to develop their townships the way they want, as white Municipalities are presently doing," he said.

Mr Boya said he had studied the proposed Black Local Authorities Act which is to replace the present local Community Councils Act, and has found it gave councillors certain "powers" to run some of their affairs.

However, "there is one thing I found dubious about it," he said. "The act does not state from where councillors will get funds to run their affairs."

HAPPY

Mr Boya said that it had not been his intention to join the councils when they were introduced. But after he realised that living conditions in Daveyton were not up to standard, he opted to join the council to improve living conditions, and to "fight" for his people's rights where he could.

Asked about his achievements since joining the council in 1978, he said he was happy to have succeeded in negotiating with the private sector towards the building of more houses in the area — about 200 over the past two years.

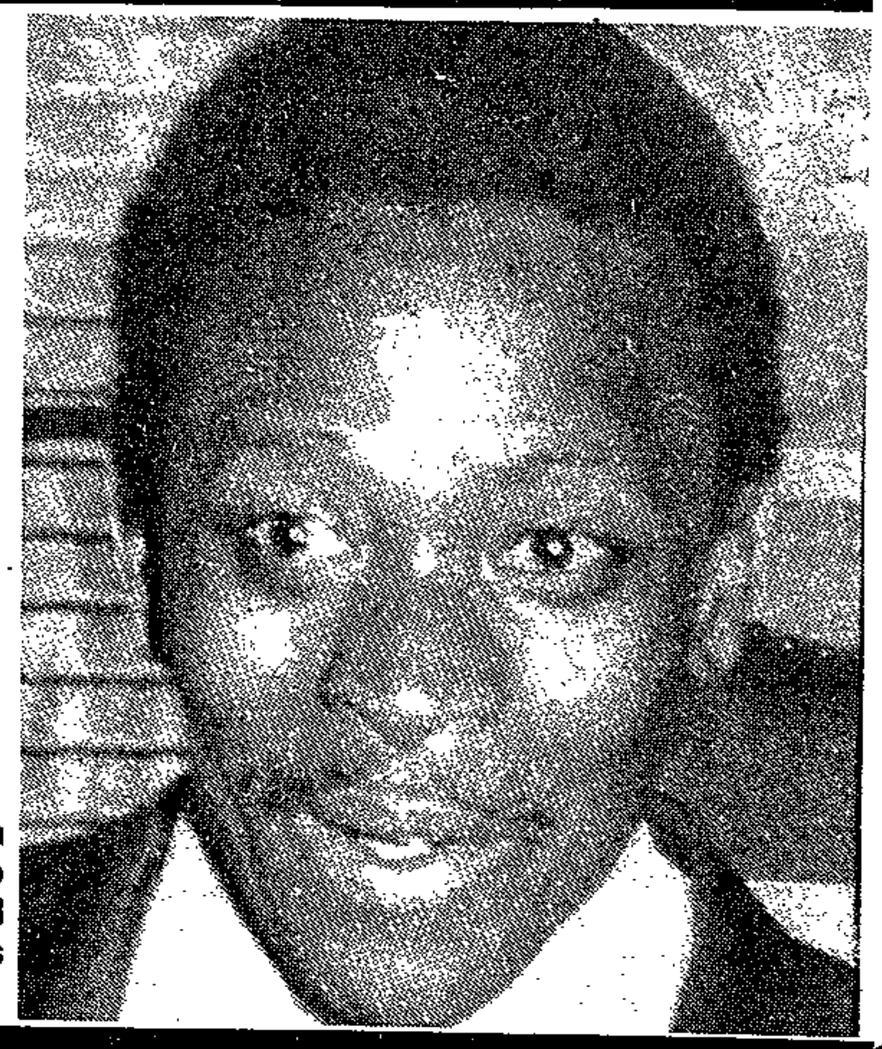
"My future plans and dreams are to see the present housing backlog in the area being wiped. to achieve this, the Council needs about R50-m to provide for at least 400 houses each year. To see this dream come true, the Government has to allow councillors the meaningful powers to run their own funds the way they want to," he said.

Mr Boya was born 32 year ago in Benoni's old Ethwa-Thwa location, now known as Actonville. He is married with four children, two boys and two girls.

After completing his secondary schooling, he joined a furniture company in 1970 as a salesman. After three years, he won a car after he was voted the best salesman for the company throughout the country. In 1974 he won another car, and in 1979 he won a two-week trip to Spain, after again being voted top salesman.

Tom Boya joined the community council in 1978 and represented Ward One of the area. He was elected chairman two years later, and still holds the same position.

He is secretary of the East Rand Community Council's Liaison Committee, vice secretary of UCASA and a director of the East Rand Branch of The Youth Leadership Forum, as well as being involved in many other organisations in the area.



MZIKAYISE EDOM speaks to the chairman of the Daveyton Community Council - TOM BOYA -

IDEALIST: Tom Boya joined the council to help Daveyton, and fight for his people's right.

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ew deal r service jectors

Argus 19/10/82

Argus Correspondent

AN. — A new deal for conscien- jectors could allow for national io be performed within the De- nt of Manpower, according to in- ion given to the general assem- the Presbyterian Church of n Africa yesterday by the Rev nnie

Mr Binnie is a member of the United Board of Free Churches, a liaison body between the South African Defence Force and several Protestant churches

He told the assembly that the Chaplain General had given the board an outline of what was to be presented to the Government next year as a basis for new legislation.

One of the main differences between the proposed new legislation and existing provisions, he said, was that the allowance would be made for conscientious objection based on the religious views of the individual rather than on the views of the church to which he belonged.

SPECIAL BOARD

Any religious conscientious objector would have the right to apply for C O status, Mr Binnie said. The objector would have to prove his bona fides to a specially constituted board.

It was proposed that there be three categories of objector: non-combatants; non-militarists within the SADF who would serve for 1-1/2 times as long as the "normal" serviceman, and non-militarists outside the SADF who would serve for twice as long

The third group would be provided for by the Department of Manpower.

"Political conscientious objectors", said Mr Binnie, would fall outside the ambit of the proposed provisions. They would be tried by civil authorites

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e Reporter

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Fosatu rejects 'divisive' Black Settlement Bill

Argus 19/10/82

Labour Reporter

THE central committee of the 100 000 strong Federation of South African Trade Unions (Fosatu) has condemned the Orderly Movement and Settlement of Black Persons' Bill as further curtailing the rights of workers and weakening the worker movement in South Africa

In a statement after a central committee meeting in Johannesburg at the weekend, Fosatu said the Bill was clearly aimed at "dividing workers between those who live in the rural areas and those who live in the towns"

"The influx control system must be condemned not only as a way of retrenching minority rule, but also as a way of weakening the worker movement which aims at a better life for all South African citizens," the statement said

"Fosatu is aware that many strikes have been broken by the use of influx control legislation to ship striking workers into homelands."

The central committee also passed a motion rejecting the President's Council proposals as being based on the "divide and rule policy which has existed for generations in South Africa and which is dedicated to oppression of the majority by the minority"

Fostau re-affirmed its commitment to a non-racial South Africa controlled by the majority of its citizens, the central committee said.

It resolved to continue working towards building a non-racial democratic trade union movement as its contribution to a future South Africa. ●

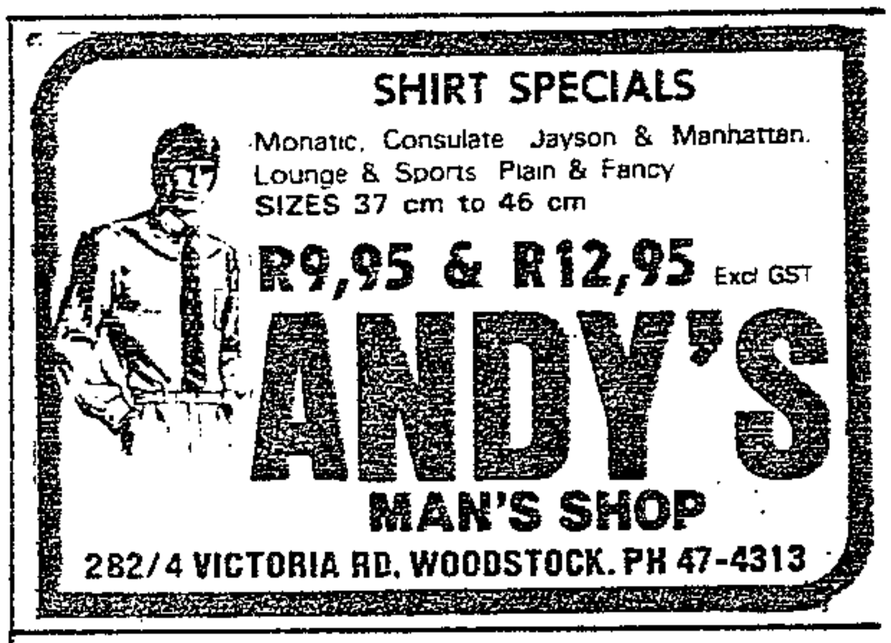
SA envoy injured in smash

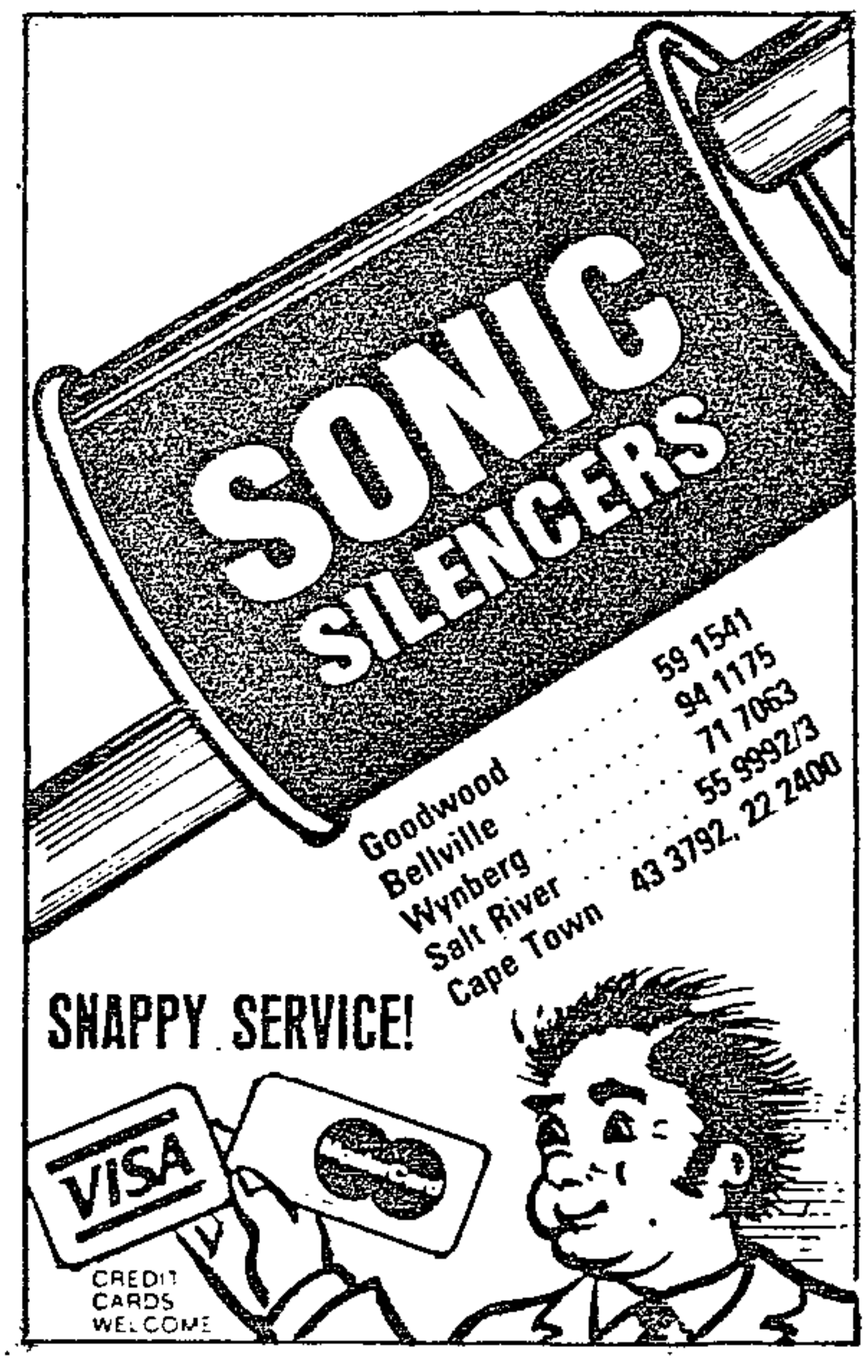
Medical Reporter

THE first secretary of the South African embassy in Ciskei, Mr George Stroebel, was flown to Cape Town in a Red Cross air ambulance yesterday after injuring his spine in a road accident.

Mr Stroebel, who was accompanied by his wife, was taken to Conradie Hospital, Pinelands.

Mr Stroebel and a Mrs van Greunen were admitted to the intensive care unit of Frere Hospital, East London, after the car in which they were travelling overturned in King William's Town on Sunday morning.





Evaton

982- 20/10/82 Page 5

Evaton rumbles

MORE than 500 Evaton residents have strongly condemned the Evaton Community Council for increasing water tariffs by R3,50.

At a meeting called by the Evaton Ratepayers' Association (Era) at the Roman Catholic church in Evaton at the weekend, speaker after speaker attacked the increases which come into effect on November 1.

The chairman of Era, Mr Caswell Kabi, said sub-tenants will have to fend for themselves and pay for their own water.

Kicked out of Vaal Community Council

MATJILA OUSTED



OUT: Matjila.



OUT: Sekobane.

IN A DRAMATIC move yesterday, members of the Orange-Vaal Administration Board ousted chairman Mr Knox Matjila and his deputy Mr Ananias Sekobane out of office during the "mayoral" elections.

THE two men are replaced by Mr Esau Mahlatsi and Mr Daniel Molotsana respectively.

Mr Matjila and Mr Sekobane were elected into office in 1979 after beating their arch-rival Mr George Thabe at the polls.

In 1980 they again thrashed Mr Thabe by 22 votes to 14.

During his reign of office, Mr Matjila, amongst other things, caused a stir when

By CHARLES MOGALE

he changed the name of the George Thabe Stadium in Sharpeville to Sharpeville Stadium. He said he was changing the name because Mr Thabe had made "swollen-headed" remarks when he resigned by saying the council was "toothless".

Immediately after Mr Thabe's resignation, Mr Samuel Kolisang, a prominent Vaal resident, also quit.

A jubilant Mr Kolisang said yesterday: "I would like to thank the members who remained after we left for realising that their leadership was too weak. We now hope that there will be co-operation and consultation with the residents before any major decisions are taken.

"We know it will not be easy to change, nor easy to bring down the rents. But at least the people can rest assured they will be consulted by councillors before any action is taken."

Mr Kolisang added he was confident that Sharpeville Stadium would be renamed to honour the country's soccer el'supremo, Mr George Thabe.

The SOWETAN telephoned the office of the chief director of the board, Mr D C Ganz twice yesterday, but was told there was no reply from his office and that he was probably attending a meeting.

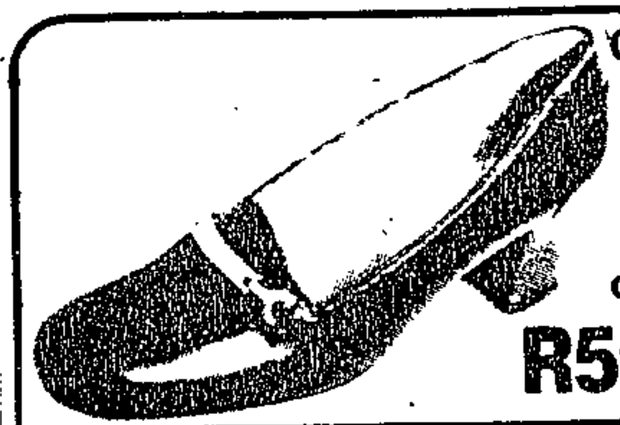
Mr Matjila was said to be neither in his former office nor at his home.

The secretary of the council, Mr W F Matjokana, said the new chairman could not be reached.

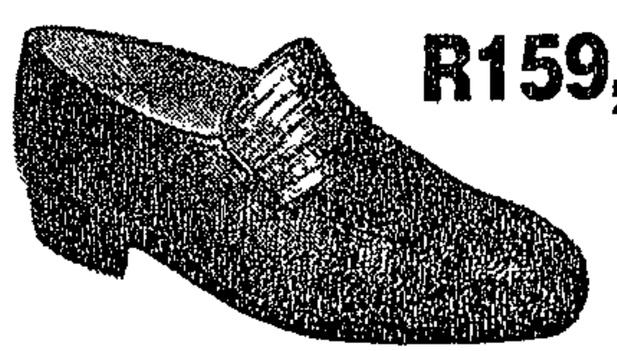
"They won an election this morning and rushed out ululating and honking their car horns to celebrate. They are all at the Vaal Dam now," Mr Matjokana said.

S 3930

HÉLIO
SHOE BOUTIQUES
GENUINE LEATHER AND SNAKESKIN SHOES



College shoes just arrived in all colours
R59,95



R159,95

In your Sowetan

Teachers' in-service

Church attacks movement bill

Staff Reporter

THE Reformed Presbyterian Church in Southern Africa has attacked the "so-called governmental move towards reform", said it viewed it as nothing more than the "tightening up of old apartheid policies".

In a statement yesterday, the Church criticized the Orderly Movement and Settlement of Black Persons Bill, the President's Council, the handling of the disturbances at Fort Hare University and the impending forced removal of people from Mgwali near Stutterheim.

They said many people in South Africa and abroad had watched with "approval and appreciation even the slight move Mr Botha made in removing from some public places those discrimination signs" but apart from that nothing had changed.

"The policies which the government has introduced since then under the cloak of the so-called 'reforms' — for example the President's Council — and Dr Koornhof's recent Orderly Movement Bill, prove that the heart of the government is not changing, but is hardening."

Describing the President's Council as an "unchristian and unloving attempt by the government to perpetuate and ensure white prosperity and domination", the Church asked how the council was solving the problems of tension between white and black races, what it was doing about excruciating conditions of black poverty, unemployment and malnutrition, and how it was dispelling the fear of the "swart-gevaar" amongst whites.

The representatives of the Church condemned the Orderly Movement Bill and said it was "merely increasing" the hate, frustration and alienation of the black people in South Africa.

They appealed to the government to reconsider its proposal to move people from Mgwali, one of the oldest mission stations established by the Church of Scotland, to the "barren dry land of Frankfurt".

UNIVERSITY OF CAPE TOWN
EXAMINATION ANSWER BOOK

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(to be copied from the heading on the Examination Paper)

WHY CAD SAYS IT DOESN'T SUPPLY WATER TO AMAWOTANA

THE Department of Co-operation and Development (CAD) does not supply water to the drought-stricken Amawotana area of Inanda because "the nature of the terrain" would damage their vehicles.

This is the response of Roy Blumrick, chief commissioner of CAD in Natal, to questions put to him by the Sunday Tribune two weeks ago when it was discovered people there were paying for water delivered to them in CAD vehicles.

Mr Blumrick said the water supply to Amawotana had not been authorised by his department. The matter, he said, had been referred to the South African Police for investigation.

Three CAD employees have been charged with theft and appeared in the Verulam magistrate's court in this connection last week.

Since their arrest Amawotana — home to about 4 000 people—has had no water. The area is drought-stricken and falls in a rain shadow area. The people travel to Verulam by bus to collect water from public taps there. The journey costs them 15 cents each way and another 15 cents for the container of water.

The Department of Co-operation and Development delivers free water to other areas of Inanda.

Mr Blumrick said free water was not delivered to Amawotana because the "nature of the terrain" would damage their vehicles.

Instead, he said, the department had established Inanda Newtown and had "invited" the residents of Amawotana to move there — where water was made available and where the sites could be purchased by the occupiers.

A spokesman for the residents of Amawotana said residents were unwilling to move to Inanda Newtown because most of them owned the land on which they lived.

Residents also think it strange that the CAD trucks delivered water to the area for weeks without any sign of damage to them. They also pointed out that there is a regular bus service in the area as well as regular deliveries of bread and sorghum beer — and no harm had come to these vehicles either.

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.

	Internal	External
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Switch on in '83

A total of 62 000 houses have already been wired in Soweto in the race to complete the massive Greater Soweto electrification scheme before the end of 1983.

The scheme provides for the building of an electrical infrastructure to provide electricity to 105 754 stands and to upgrade or wire 101 934 houses.

Mr J S Burger, deputy chairman of the West Rand Administration Board, said the total cost of the infrastructure would amount to R167-million and the house wiring to R44-million, making the total electrification cost amount to a total of a massive R211-million.

At present, the scheme was running one month ahead of schedule, he said.

Reacting to reports that Soweto residents were faced with high electricity bills, Mr Burger said this was due to the fact that Soweto residents skipped months in paying for the electricity they use.

GENERAL NEWS

Blacks find city roads a death trap

339
SAPS
28(0)82

By Stephen McQuillan

The urban turmoil could be killing thousands of black people each year as they struggle to cope with the rigours of city motoring.

Statistics show blacks are the ones most accident prone as more and more flood into the cities in search of better jobs and higher pay.

The slowly improving standard of living is resulting in more black car owners.

This, according to some of South Africa's leading motoring experts, is causing more black road deaths.

The two major facts to emerge from figures released by Central Statistical Services are:

- The high death toll of black pedestrians.
- The disproportionately high accident toll among blacks — considering the greater number of white motorists.

Last year, 3 139 black pedestrians were killed on the roads. Only 165 whites died.

Experts estimate that in 60 percent of the cases the pedestrian or the motorist had been drinking.

In the same year, 9 881 drivers were involved in fatal road accidents — 3 723 whites and 4 701 blacks.

The latest figures show there are 2,4 million registered white motorists, and only 600 000 black. The AA estimates that there are 500 000 to 750 000 non-registered motorists.

Of the 25 [illegible] drivers involved in major injury accidents, 10 969 were white and 10 674 black.

Statistics show that 1 202 white drivers died in road accidents and 1 058 black. Of the 2 448 passengers killed, 544 were white and 1 480 black.

Mr Hannes Rall, deputy director-general of AA public affairs, said many black people came from unsophisticated backgrounds. They had lived in rural areas and were now migrating to the cities.

"You are confused until you eventually adjust," he said.

"You have been used to slower transport and fewer road dangers. Then you are dumped in a city like Johannesburg.

"Black people needed more training for their own benefit, he said.

"We have found these people cannot judge the speed of oncoming traffic, and pedestrians taking a chance when crossing the road are hit."

A spokesman for CSS said research had shown that blacks had problems in seeing oncoming traffic at night, and often misjudged speed. Black drivers seemed to have less discipline.

Mr Brian Kennedy, president of the Southern African Road Federation, said one reason for the high black death toll was that many came into urban areas with no idea of survival in the city.

Mr Rall said: "Black people have been emerging in more recent years as a group of people with increasing wealth. Their turnover in this country is ever-increasing and the wage gap between whites and blacks is narrowing. Consequently, they are buying more cars.

"Historically, they usually buy a second-hand car, and maybe they are not as roadworthy as they should be because of a lack of education."

The high serious accident toll among black passengers was caused because blacks had fewer vehicles than whites and they tended to pack more people inside.

A spokesman for the Council for Scientific and Industrial Research said drinking played a part in more than 60 percent of all pedestrian deaths.

"We see the accident situation in South Africa as very serious," he said. "Last year there was a 10 percent increase in the accident rate."

Mr Kennedy said: "Africans tend to be less well trained, and I think many have licences from neighbouring states where it is fairly easy to get one. Consequently, they are less able to cope in heavy traffic."

Drunken driving contribution to the could also be a factor in the black accident rate. "I think some try to find solace in drink," he said.

A spokesman for the National Road Safety Council said it was a fact that at least half the road accidents were caused by drinking.

[redacted]

Star 4/11/82 (339)

Sash: Act now on urban rights

The Black Sash has warned that if the proposed Orderly Movement and Settlement of Black Persons Bill becomes law, blacks who have not secured their urban rights would be "banished to a poverty-stricken workless rural area."

The Bill, which has been temporarily shelved while it is being discussed by a Select Committee, is not likely to be withdrawn in its entirety, the Sash states in a letter to employers and organisations.

"It is imperative that all black people who are presently entitled to rights under sections 10(1)(a) and 10(1)(b) of the Urban Areas Act, and who do not already have these rights recorded in their reference books, should apply for them immediately in order to establish them before there is any new legislation," the document emphasises.

"This can make all the difference to their future, for it can be the decisive factor in gaining for them the right to live and work in an urban area and to have their families living with them," the letter reads.

It urges trade unions, community organisations and employers to publicise this information and assist people in applying for their rights.

People who have lived lawfully in the area of their place of employment for 15 years, or who have been in registered employment with one employer for 10 years, or who have lived continuously in one town since birth, qualify for these rights.

This allows them to work anywhere within the administration board area in which they are registered or move to another urban area if they have both accommodation and a job.

Qualified urban residents may also rent or buy a house in a black urban township. This is denied to black people who are not formally qualified urban dwellers.

Does Act

CAPE TIMES 5/11/82

No 'new deal' for urban blacks

339

Staff Reporter

LEGISLATION designed to transform administration boards into "development boards" would not change their functions or powers, Mr Nic Olivier, the Progressive Federal Party's director of research, said yesterday.

Mr Olivier, who has made a detailed study of the Black Communities Development (BCD) Bill, the second and least publicised of Dr Piet Koornhof's trio of "new deal" bills, said it was "not a new deal at all".

The first bill has already become law as the Black Local Authorities Act, while the other two — the BCD Bill and the Orderly Movement and Settlement of Black Persons Bill — have been referred to a parliamentary select committee.

Most attention has been on the Orderly Movement Bill which has been widely opposed, but when the select committee sits in January it will be considering the BCD Bill first.

'Used to govern'

Mr Olivier said the basic problem was that administration boards were regarded by blacks as not acting in their interests.

"They are part of the white administration apparatus. They are used to control and govern blacks and apply laws which are not acceptable to them. Their names are being changed to development boards, but all their powers will remain virtually unchanged.



Mr Nic Olivier

"Unless there is a change in the whole set-up of administration boards, there will be a continuation of the system which has been in existence since 1910: that is, to regard blacks as a separate entity with a separate administrative apparatus and separate laws".

Mr Olivier said a second fundamental problem was that there would be two separate authorities operating in the black areas, as the Black Local Authorities Act provided for the setting up of black local authorities.

"The picture emerges that the development boards will be responsible for the general administration of blacks and the application of all the laws restricting entry to the urban areas, and employment and residence.

"The black local authorities would have some degree of purely internal administration of the township, but no powers in the general areas. The question is, how can one avoid conflict between the two bodies?"

Mr Olivier said that while the boards would be known as "development boards" it was difficult to know in practice what kind of development they could achieve.

All-white boards

The members of the boards would be all white though "it would seem essential that representatives of the black local authorities should serve on them if they are to have any development function".

The bill also effectively granted wide powers to the Minister of Co-operation and Development to do what he wanted.

Apart from a number of other problems of detail, most of the bill was a repetition of what was already embodied in other acts which meant that very little would change.

"A number of the functions of the development boards can only be seen in the light of the Orderly Movement and Settlement of Black Persons Bill, which has been held back for a while. One can't arrive at a final judgment until one has seen what happens with that bill."

Call for full attack on Soweto's ultimatum

Unite to fight council

THE ORLANDO East Civic Association has called on all black organisations and churches to help fight the latest ultimatum from the Soweto Council that residents demolish their back-yard shacks within 10 days or face prosecution.

By NKOPANE MAKOBANE

A spokesman yesterday told The SOWETAN that should the council carry out its threat, they will seek a court interdict and hold a demonstration to be led by Dr Nthato Motlana, chairman of the mother body of the Soweto Civic Association.

He said these decisions were part of resolutions adopted last July after authorities had issued a warning that residents must destroy their shacks.

"We are calling for the support of different bodies and churches, because we feel this move does not only affect Orlando East but other places throughout the country.

"It is our belief that once the authorities succeed with Orlando East, their task will have been made easier in other areas. On the other hand, it must be understood that we do not mean that we are happy with the shacks, but for God's sake let the authorities provide us with alternative accommodation," he said.

He said the claim by the authorities that the place was turning into a slum was no fault of the residents. It was the duty of the authorities to alleviate the shortage of housing, he said.

He further said another claim that residents had shown poor response to the R3½-million loan available for building additional rooms was pointless in that people living in shacks wanted their own houses because they had been on housing waiting lists for years.

"We believe that the warning to residents to demolish their shacks is no solution to the problem. The authorities will create chaos by rendering hundreds of people homeless.

According to summonses issued to residents dated November 1, people who fail to remove the shacks will have legal action taken against them. On conviction, the council may effect demolition and removal, and recover the costs from the "owners".



MOTLANA: Will lead protest.

VETAN, Wednesday, November 10, 1982

United body plan - to fight councils

PLANS are underway to organise anti-community council civic bodies throughout the country into a formidable single national force, according to sources within these bodies.

By LEN KALANE

The idea is to present a united front to authorities on issues like rent, and other township grievances.

The plan, still in an early stage, is to organise townships throughout the country to fight in one spirit.

Bodies which may join forces include the Soweto Civic Association, the Port Elizabeth Black Civic Association (Pebco), and civic bodies in the East Rand, Pretoria, the Vaal and the West Rand.

Already, two bodies in the West Rand, the Mohlakeng Civic Association and the Krugersdorp Residents' Organisation (KRO), met this week to discuss the prospect.

It is thought that Dr Nthato Motlana, chairman of the Soweto Civic Association, might be elected president of the new body.

The **SOWETAN** has also learnt that the Committee of Ten's blueprint and the Soweto Civic Association's constitution, might be adopted to govern the new body.

Sowetan 10/11/82

If everything goes according to plan, the new body will consist of a number of executives elected from provincial levels and regions, and led by Dr Motlana.

FM 12/11/82

URBAN BLACKS' RIGHTS

Appeal to employers

Thousands of blacks qualify for the right to remain in urban areas. But they do not know that they have rights, so don't ask for them. This is the interpretation of the Black Sash (BS), which argues that if Minister of Co-operation and Development Piet Koornhof's proposed Orderly Movement and Settlement of Black Persons Bill becomes law, thousands of qualified blacks who have not yet been formally granted urban rights could be permanently displaced.

The BS, therefore, says it is imperative that employers, trade unionists and community groups urge all blacks entitled to rights under Section 10 (1)(a) and 10 (1)(b) of the Urban Areas Act, but who do not have these rights recorded in their reference books, to apply for them immediately.

According to a circular issued recently by the BS, although the Bill has been temporarily shelved while being discussed by a select committee, "it is unlikely that it will be withdrawn in its entirety."

So obtaining Section 10 rights could "make the difference between stability and security on the one hand and banishment to a poverty-stricken workless rural area on the other."

Section 10 rights entitle holders to work anywhere in the administration board area where they qualify. They can also move to other areas, and may be registered there if they have a job and accommodation. Section 10 (1)(a) and (b) qualifications are necessary for a black to buy or rent a house in a black township in an urban area.

The BS says that certain categories of people should, if their reference books have not been been appropriately stamped, apply for these endorsements:

- **Those who have resided continuously in one town since the time of their birth (Section 10 (1)(a);**
- Those who have worked continuously in registered employment for one employer in one town for a full 10 years (Section 10 (1)(b)); and
- **A person who has worked for different employers in the same area for 15 years and has been legally accommodated, may gain Section 10 (1)(b) rights. A fine of more than R500, or imprisonment for more than six months, disqualifies such workers for Section 10 (1)(b) rights.**

Thousands of contract workers who have worked in their present jobs for more than 10 years, or who have lived legally in hostels for more than 15 years, could also be eligible. They are unaware that they qualify as they have been registered on annual contracts and therefore return annually to rural areas to renew their contracts.

Any person who registered in a job before March 1968, in which he subsequently completed 10 years' service, and thereafter was instructed to re-register on the annual contract system is entitled to insist on his 10 (1)(b) qualification.

People whose 10 or 15-year periods began after March 1968 are in a more difficult position. The East Rand Administration Board has lodged an appeal against the judgment in the Rikhoto case, which upheld the rights of certain contract workers to 10 (1)(b) qualifications. An Appeal Court decison is awaited.

Wives and unmarried daughters, and sons under 18 of people with Section 10 (1)(a) or (b) qualifications, are entitled to Section 10 (1)(c) rights — provided he or she is resident with the husband or parent in a black township.

Financial Mail November 12 1982

face to face

ent in perspective this study was undertaken as a preliminary investi-

on to a more detailed analysis of the current mortality experiences

ie various communities in South Africa. The following objectives w

ied:

1. To identify sources of data which would reflect the mortality experience of the White, Coloured, Asian and Black population groups in South Africa for the census years between 1921 and 1970 (inclusive).

2. To determine suitable methods of analysing and presenting this mortality data in order to provide a composite picture of the mortality experiences of the different communities in South Africa during the defined period.

3. To outline trends in the mortality data presented, to make pertinent comment and to provide back-ground information for a more detailed analysis of the current mortality experience in South Africa.

paper is essentially an attempt to identify and collate published relating to the past mortality experiences of the various communities outh Africa. Extensive discussion about the data has been avoided as s hoped that the Tables and Figures will speak for themselves, and that

they will stimulate though, comment and, where necessary, action.

Official proposes resettlement plan

Staff Reporter

A SENIOR administration board official has proposed the programmed resettlement of black South Africans from the white areas to the homelands

Dr W S Snyman chairman of the Highveld Administration Board, says the resettlement programme should be aimed at reducing the preponderance of black labour in the "white" areas until whites had the biggest share of jobs in these areas

Writing in the April issue of the Journal of Racial Affairs, published by the South African Bureau of Racial Affairs, Dr Snyman also called for the freezing of extensions to black residential areas in the "white" cities and their eventual replacement by the building of additional housing in the national states.

He also called for a resettlement "blueprint" (grondplan) which would promote:

- The creation of new cities within the national states.
- Consolidation of the national states into "economically viable fatherlands".
- The development of new industrial areas and job opportunities.

He proposed the "elimination" of idle and unproductive black workers and mechanization and immigration as methods which could be employed to reduce the number of blacks workers in the white areas

A "comprehensive blueprint" was needed to resettle each nation under its own authority by 2000.

The blueprint should uphold the principle that political rights should be enjoyed only in the national states.

It should also aim at reducing the number of blacks in "white" areas by providing them with a good livelihood in their own national states.

"Many people shrink from the implications of such a blueprint because of the sacrifices which it would require. They would prefer to accept power-sharing in one state, but it is doubtful if the implications have been considered.

Suicide

"It would mean national suicide for the whites and the question which must be posed is whether any sacrifice is too big to avoid this."

Dr Snyman said businessmen and officials should be mindful that the training of blacks for managerial posts, the erection of undertakings for black consumers, the mobilization of black manpower, the creation of job opportunities and tapping of black spending power should be oriented to the black national states ann was "their due".

Despite the existence of homelands blacks had moved to the white urban and industrial areas at a high tempo Population increase in the black areas should be attributed largely to the efforts of the authorities

He said several new big cities with modern facilities and an inherent growth potential were needed to serve as "binding symbols for nation building".

Common bonds

An "own fatherland", he said was fundamental but not sufficient for the survival of a nation. Common bonds within a society — created by a long and spontaneous process of biological contact and spiritual union" — were indispensable for the preservation of a nation These bonds were strong enough to keep a nation united even if deprived of its territory.

"It is indeed such bonds which inspire the struggle to maintain or reform one's territory, or to getting a new territory as in the case of the Afrikaner's history."

An individual's ties with a nation dominated his thoughts, relationships and activities, whether he was situated in his own territory or that of another nation. Dr Snyman said

Classification of Disease (I.C.D.). There have been many revisions of the I.C.D. during the period of this study, from the third revision which was used in 1922 to the eighth revision which has been used since 1968. Between

* For details of sources of deaths before 1926 see reference 3, page for 1938, page XVIII.

White-by-night drive in two cities

330

By FAY SALEH

THE Department of Co-operation and Development has intensified its efforts to turn Durban and Johannesburg "white by night".

A spokesman, Mr Johan Oosthuisen, said the department had delegated the implementation of the policy to the administration boards.

The policy is framed in a long-standing policy directive to administration boards throughout the country to restrict the number of blacks allowed overnight in "high-density" areas.

To ensure uniformity in its application, the Department of Co-operation and Development has approved of a formula to determine the number of blacks allowed in the high-density areas at night.

Complaints

Social welfare organisations and an Opposition Member of Parliament have accused the department of intensifying the "white-by-night" policy recently to implement the groundwork for the Orderly Movement and Settlement of Black Persons Bill.

The intensification of the policy was brought to light when a number of flat tenants complained to the Progressive Federal Party MP for Durban Central, Mr Peter Gastrow, that their servants could no longer live-in.

Mr Gastrow said they were told by Port Natal Administration Board officials that the servants would not be allowed to stay in the servant's quarters any longer, but would have to commute from the townships.

Act quoted

The officials said they were implementing the Urban Areas Act of 1966.

In a letter to Mr Gastrow, the Director-General of the Department of Co-operation and Development, Mr R J Raath, spelled out the "white-by-night" policy.

According to the letter, the policy was necessary to minimise the number of blacks in white residential areas, especially high-density areas, overnight.

Mr Raath outlined the formula specifying the number of servants for each property who can stay overnight.

The number could be increased "where white residents require assistance because of poor health or age".

But applications for additional servants would have to be "properly motivated and supported by medical certificates".

These applications would be considered on "compassionate grounds", the letter said.

The formula being implemented by the administration boards is:

Bachelor flats — no black domestic servants.

One-bedroomed flats — no black servants except in cases of special concession, with a limit of one servant for six flats, with a maximum of ten servants.

Two-bedroomed flats — one servant for every six flats with a maximum of 12.

Three- or more bedroomed flats — one domestic servant for every three flats with a maximum of 15.

There are also restrictions on the numbers of black service personnel employed in blocks of flats.

Mr Gastrow slammed the policy as an attempt to "further the illusion that we are living in a white South Africa".

He said the "white-by-night" policy would lead to the "ridiculous situation" where people who required servants and had a place for them to live in were not allowed to employ them and let them use the servants' quarters.

Critics

"This means that there would be a large number of servants' quarters lying vacant in the city but the servants would be forced to commute to work from the townships".

The Black Sash and the Domestic Workers and Employers' Project have both criticised the implementation of the policy.

A DWEP spokesman said servants who had been living in would find it very difficult to find accommodation because of the acute housing shortage in the townships.

● Mr John Knoetze, chairman of the West Rand Administration Board, told the Sunday Times the directive on the formula allowed for a certain amount of discretion to be used by the boards.

"We have tried to apply this in a humane way and have tended to treat individual cases leniently and on merit," he said.

Response

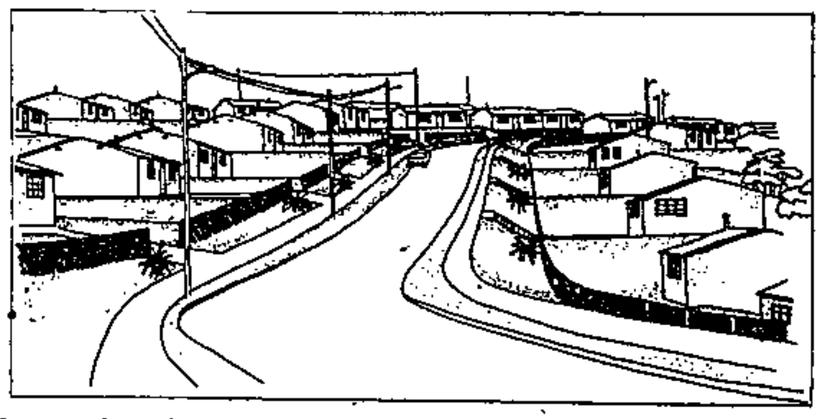
He said there had been no new directives from the Department of Co-operation and Development, but confirmed there had been a recent intensification in its application in Johannesburg.

This was in response to complaints from residents mainly in the densely-populated Hillbrow area and to an increase in muggings in the central Johannesburg area.

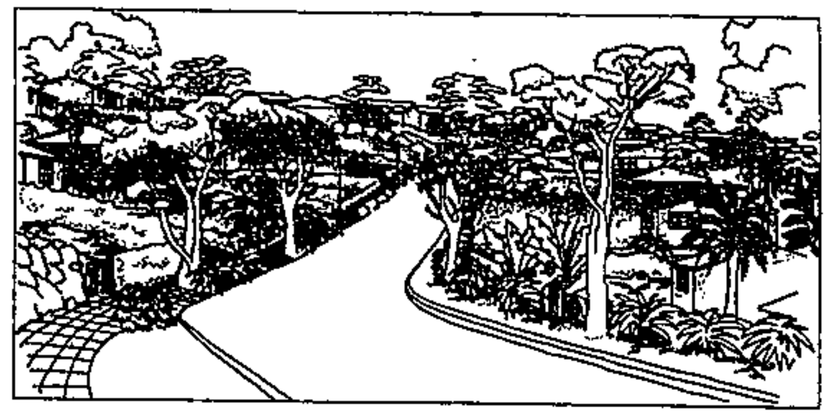
"In the Hillbrow area, things had been allowed to get slack," he said.

"In some cases up to 20 people were found living in one room at the top of a block of flats."

Matchbox homes are rejected by township blacks



A study showed blacks preferred this environment because they identified it as urban.



● Blacks thought this lush vegetation suggested a rural environment. It was seen as dark and possibly unhealthy.

MORE than 80% of township blacks are dissatisfied with their houses — and 85% say they would never buy them.

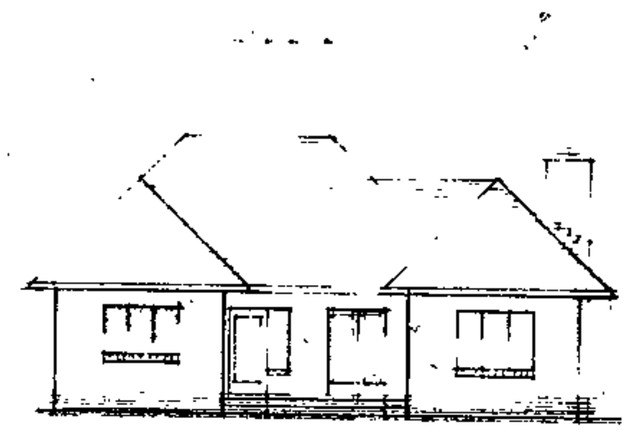
By JEAN LE MAY Political Reporter

Given the choice, most blacks would live in the type of house popular in any middle-class white suburb: single-storey, with reception rooms on either side of the entrance hall, three bedrooms, kitchen, combined bathroom-toilet, a recessed front porch and a hipped, tiled roof.

This was said by Professor Laurie Schlemmer and Dr Valerie Moller, of the University of Natal, in a recent article describing two surveys — one in Natal, the other in Soweto — on the quality of life in black townships.

The surveys also found that security was a major factor in determining choices made by blacks on housing and environment: certain types of houses were preferred because they were 'safe' while others were rejected because they were seen as 'unsafe' or because large windows made them 'vulnerable'.

Moreover, a landscaped suburb with heavy vegetation was seen as being 'dangerous' and the non-grassy



● Although it looks expensive, blacks thought this was a secure home.



● Blacks thought this had 'oppressive height' and was expensive.

People interviewed deplored the lack of corridors in 'matchbox' houses, saying interleading rooms meant little privacy.

Overall, the survey found "the need for space and privacy dominated perceptions".

Parents, in particular, complained about the lack of privacy.

"Some children have to sleep with their parents, or otherwise under the table in the lounge," said one woman, and a man put the problem vividly: "In that house children will see me making them."

other problem. One woman politicised it: "This being made to share toilets is a deliberate act by the authorities so that we fight among ourselves."

Most people preferred indoor toilets — as long as they were a long way from the kitchen and not visible from the living area. Several people reported assaults and even deaths en route to the outside toilet: "That's where the tsotsis sleep" and "Most of the widows lost their husbands through this outside toilet."

A series of 12 drawings of [illegible] township house which had the positive aspects of "affordable, acceptable, solid construction" with the drawbacks of "relatively small" and "irregular windows".

Fifth place was taken by a modified township house with a Cape Dutch gable added to the front, and sixth to a traditional double rondavel-type with a thatched roof, which was, however, criticised as being "unsuitable for urban living" and "difficult to maintain" — and who can blame this last criticism, since thatch-grass is not among the available amenities of kwaMashu.

Two houses shown in the sample got the thumbs-down: they were both double-storeyed, one with a hipped roof (reminiscent of British council houses) and the other with a flat roof.

But they were slammed by participants in the survey for being "tenement houses, expensive 'Indian' style" with "oppressive or dangerous height" or — in the case of the flat-roofed house — looking like "an Indian shop or boarding house".

There was another surprise when those taking part in the Natal survey were shown two drawings of landscaped housing schemes, the first showing a row of houses with gardens bare of vegetation and the second with exuberant tropical planting of the type much admired in Natal's white suburbs.

Most blacks chose the first landscape, without any trees or plants in the gardens because they saw it as "affluent, better-provided with services and with substantial houses on large plots, and a minimum of security risks" — although a few people complained the gardens were "empty".

They rejected the landscape with heavy plant growth because this was associated with a rural rather than an urban setting, or perhaps with "an under-provided peri-urban shanty environment", said the survey.

The study found that in kwaMashu the following neighbourhood services and facilities were the "most desired", in the order shown: police station, supermarkets, schools, churches, railway stations, creches, bus stops, clinics, post offices and community halls.

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14/11/82

339

in neighbourhood amenities desired by people who took part in the survey was a police station.

The surveys, made in kwaMashu by the Centre for Applied Social Sciences at the university and in Soweto by the Centre for Sociological Research at the University of South Africa, found that size was the most common complaint about the standard 'matchbox' house.

More than half the blacks interviewed for the Natal survey said the first improvement they would make would be to build on another room.

Two-thirds of township housing was found by the survey to be overcrowded according to criteria of minimum floor-space and separation of sexes.

A teenage boy who usually slept in the dining room said: "When I come home late I have to sleep in the car."

The stress on space was so great that many people who asked to submit plans of preferred houses for the survey included a "typical rural homestead pattern, with internal circulation space taking the place of a courtyard or yard area between huts".

Shared toilets were anshown to those who took part in the survey.

First preference was given to versions of the standard suburban house described above: reasons were "gracious family living, strong and secure, spacious and modern", while the only disadvantage was that it was "expensive".

The third choice was a split-level house, which attracted the same positive comments as those above but which was also described negatively as "asymmetric design and expensive".

The fourth choice was, surprisingly, a modified

'Those who built the wealth discarded'

ARGUS 15/11/82 — 339

Labour Reporter

INFLUX control has become a mechanism to prevent all further black urbanisation in white areas, according to Mrs Sheena Duncan, president of the Black Sash.

In a recent paper on influx control, she said it could no longer be described as a mechanism to "regulate" urbanisation.

REVERSE

The proportion of blacks living in white rural and urban areas fell from 63 percent in 1960 to 46 percent in 1980.

"The National Party's claim that the flow of black people into white areas would be reversed by 1978 is not as ridiculous as it seemed to be," said Mrs Duncan.

The desire to have enormous pools of unskilled labour readily available was giving way to a more capital-intensive type of development requiring fewer workers.

"As this process continues, the country discards the men and women on whose work the wealth of the economy was built," she said.

COMPULSORY

Since the Government's 1968 labour regulations, no migrant worker has been allowed to enter into a contract with an employer for more than one year at a time.

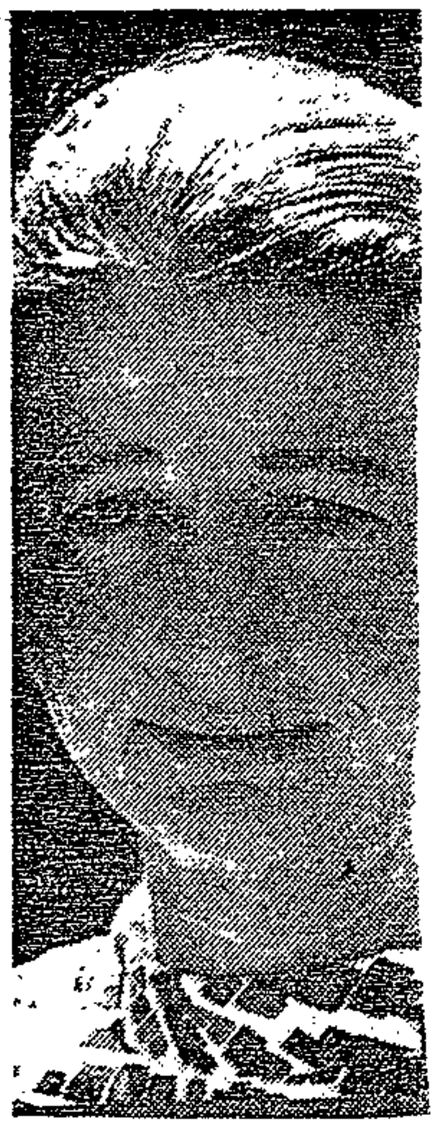
The Department of Cooperation and Development maintained the compulsory annual return to the home area constituted a break in the continuous 10 years employment or 15 years residence required for permanent urban status.

Research at the University of the Witwatersrand had indicated that "tens of thousands" of migrant workers had been in their present employment for 10 years or more but had been denied Section 10 1(b) (residence) rights.

Mrs Duncan said the new Orderly Movement and Settlement of Black Persons Bill was a further attempt to "whittle away" the urban rights of people

Under the intended legislation, a person born in an urban area would have to prove not only his own place of birth, but would have to show that both his parents were permanent urban residents.

"The fact that 60 percent of births in Soweto are illegitimate is one indication of the extent to which rights are to be limited," said Mrs Duncan.



Mrs Sheena Duncan .."Influx control has become a mechanism to prevent all further black urbanisation."

CAPE Times 23/11/82

Tutu condemns 'apartheid' bill

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Own Correspondent

PORT ELIZABETH. — The Orderly Movement and Settlement of Black Persons Bill was "the final solution of apartheid just as the nazis found a final solution", the Rt Rev Desmond Tutu said yesterday.

Bishop Tutu, general secretary of the South African Council of Churches, was speaking on a motion condemning the bill at the triennial provincial synod of the Church of the Province of South Africa here yesterday.

The motion before the synod says the bill will bring "increased suffering to millions of South Africans and add to the violence being done to their dignity and basic rights".

'Immoral'

It states it believes the bill to be immoral and calls for support to be given "to those who find themselves called by God to disobey any provisions of the bill should they become law, and so give witness to the Law of Christ".

An amendment, which was defeated, requested



Bishop Tutu

the synod to "ask the archbishop to communicate to the government authorities that if this bill is passed in the form as drafted he will call on all Anglicans to disobey it".

"You don't need gas chambers, you don't need death camps when you have these things," Bishop Tutu said.

"The effect of this legislation when it does come to be promulgated will be to put a steel ring around white South Africa and consign God's children into outer darkness.

"They will be thrown away like rubbish."

'Knocking'

Bishop Tutu said that when it came to implementing the bill "they will come as they have always come, knocking on doors in the middle of the night".

Supporting the motion, the Rev David Russell said the bill was the "most heinous piece of legislation ever to come before Parliament".

Mr Deon Irish of Cape Town, criticizing the amendment, asked at what point did the church enter the realm of civil disobedience.

He said the amendment suggested the archbishop be used as the "scapegoat" and the synod was "telling the archbishop to break the law".

"I challenge this provincial synod to state what the penalties for Section 19 (1) of the bill are, or for Section 23 (1)," he said.

"I find it utterly hypocritical that this synod can take such a decision."

[redacted] Call for

Section B : Q 4.

UNIVERSITY OF CAPE TOWN

ANSWER BOOK

Fears of 'white by night' clamp lead to protests

(Post 24/11/82) (335)

Post Reporter

THE PFP and Black Sash have raised fears that the police are engaged in a "white by night" clampdown in Port Elizabeth following instances in which domestic workers have been arrested at night.

Mrs Molly Blackburn, PFP MPC for Walmer, who has personally investigated several of the cases, today called on the Divisional Commissioner of Police to give an unequivocal public assurance that police are not involved in a crackdown on "white by night' lines.

And a Black Sash spokesman has urged people wrongfully arrested to consult their advice office on their rights.

The moves follow two recent incidents in which domestic workers arrested on relatively minor charges claim they were not allowed to telephone their employers.

Two weeks ago a young domestic worker was arrested and charged for "loitering" while on a local errand for her employer.

Mrs Blackburn said today it appeared there might be a crackdown.

"I call upon the Divisional Commissioner to give a public assurance that his policemen are not being over-zealous. If he is not satisfied, a public statement on what steps he is taking to correct the situation would be welcomed by the public."

A spokesman for the Port Elizabeth advice office of the Black Sash today expressed the hope that the police were not involved in a "white by night" campaign.

She said the regulations on loitering were municipal and had been framed to ensure there was no obstruction to the flow of traffic.

"It is a travesty of the law and individual rights that people should be arrested unless there is good reason for suspecting a crime is being committed".

Those wrongfully arrested and held should sue, but were deterred by three factors — ignorance of their rights, fears of repercussions and concern at legal costs.

"The Black Sash is particularly concerned over loitering charges because as they carry the option of a fine they are not covered by Legal Aid".

The spokesman advised people affected to contact Mrs Sharyn Vincent (☎ 334652) for assistance.

Subject .....
(to be copied from the heading on the Examination Paper)

Paper No 2
(to be copied from the heading on the Examination Paper)

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.

Internal	External
(2)	(3)
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Examiners' Initials	

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.

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TRANSPORT 339 332

Missing the bus

FM 26/11/82 284

Employers in the Pretoria area should lend a sympathetic ear to unpunctual black workers who complain of transport problems. Nesta Morris, a researcher with the National Institute for Transport and Road Research (NITRR), outlined some of their difficulties at a recent conference on "The Transport Problems of Black Workers."

According to Morris: "More than half of all commuters were dissatisfied with the general standard of punctuality of the time of arrival to work, while 41% were dissatisfied with the time waited at the first



Black commuters . . . struggling for space and time

boarding point; 23% of bus-only commuters said that they were 'quite often late' or 'nearly always late' for work."

Morris's findings are the result of a major study of 1 045 black commuters living and working in the Pretoria area. Undertaken by the NITRR last year, the study claims a representative sample of all major public transport journeys undertaken by black commuters in the Pretoria area.

However, punctuality is not the only problem. According to Morris: "More than half the commuters were dissatisfied with crowding, frequency, total travel times, cost and punctuality at work. The time waited at transfer points, the type of seating, crime levels and time waited at the first boarding point were unsatisfactory to more than 40% of the commuters, as was the walking time between transport and work."

Commuting to work is both a tiring and dangerous journey. Take Hammanskraal residents, for example. More than 53% made more than two transfers to their place of work while 19% of all workers made more than two transfers. Ninety percent of bus-only commuters were dissatisfied with crowding and 83% of train-only commuters with the service provided. The survey found that 6% of the respondents travelled more than three hours to work and over half the respondents travelled more than 90 minutes.

Crime has been experienced by 42% of all commuters. According to Morris the "experience of crime was particularly associated with trains (29%). the walk between home and transport (28%) and the walk between work and transport (26%). Most notably dangerous routes were those involving train travel."

Financial Mail November 26 1982

Children greet summer holidays

KIDS CAN be fun and at this time of the year when schools are closing and Christmas is just around the corner, children bring added happiness and magic into our lives.

A festive spirit prevailed at Sholomane Primary School, Dube, yesterday. The school, like many other schools around the country, had its day of fun before closing down for the summer holidays.

Kids sang beautiful tunes and performed sketches that had been painstakingly practised.

The old folk who were invited to the function were greatly moved when 13-year-old Puella Tshofela sang praises of the old Xhosa warriors. As she danced across the hall applause thundered and here and there some old people, who could not contain themselves, hid their eyes behind handkerchiefs.

It was also a day for celebrating to the school's excellent record. Five scholars got first class passes and the best pupil was presented with a floating trophy.

Dewy-eyed Patricia Booi could not believe it when Mr Robert Ndlovu, representing the sponsor, handed her the silver trophy. Patricia hopes to be a social worker.





PROUD: The school's best pupil Patricia Booi with her trophy. Sowetan 2/12/82

SHADES: Puella Tshofela singing praise to old Xhosa warriors.

Many people do not know what rights they are entitled to under the Urban A

Do you have your section 10

MANY black men and women are entitled to rights under section 10 (1) of the Urban Areas Act but do not know it.

By JOSHUA RABOROKO 339

An article in the Garment Worker, the official organ of the Garment Workers Union of SA, says it is important that everyone should establish their section 10 rights without delay.

Anyone who has section 10 (1) a (b) or (c) qualifications can now work anywhere in their administration area without having to be registered.

They can also move to another area and will be registered in the new areas provided they already have a job and accommodation there.

Section 10 (1) (a) and (b) qualifications are necessary if a person wishes to buy or to rent a house in a black urban township.

Qualification must be applied for from the administration board in the area where the person resides. There are no section 10 rights for people who live within a home and/or for people who live on white-owned farms which lie outside the prescribed (urban) areas.

Section 10 (a) qualifications are given to those who have resided continuously in one place since birth. The labour officer usually demands a birth certificate and proof of lawful residence in a township — the person's name listed on a house or lodger's permit.

A person is entitled to the qualification if he or she:

- has worked in registered employment for one employer in one town for ten years
- has lived lawfully (with a lodger's permit or listed on a house permit, in a hostel or as a domestic worker at his or her place of registered employment), for 15 years and
- has remained continuously in the town concerned for the prescribed period has been completed and
- is not employed outside the town concerned at the time of making the application and
- has not been sentenced to a fine of more than R500 or to six months imprisonment.

Do you qualify?

Tens of thousands of men have worked in their present jobs for more than ten years or have lived legally in hostels for more than fifteen years but are denied section 10 rights because they are registered on annual contracts and have to return to a rural area each year to renew the contract.

Any person who was registered before March 1968 but who was instructed to re-register on the annual contract system is entitled to insist on section 10 (1) (b) qualification.

Prior to 1968 the work registration was valid for

Soweton
2/12/82 (339)

reas Act

rights?

as long as he or she remained in the job. Such people should never have been forced to re-register on an annual basis.

People whose ten or fifteen year period began after March 1968 are in a more difficult position. The authorities consistently refuse to give them section 10 (1) (b) rights.

In recent judgments in both the Cape and the Transvaal divisions of the Supreme Court (the Booi and Rikhotso cases) the court upheld the rights of such workers to 10 (1) (b) qualifications.

The East Rand Administration Board has lodged an appeal against the Rikhotso decision.

However, lawyers are of the opinion that contract workers who have been in their jobs for ten years or who have been lawfully resident in some town for fifteen years should apply now for 10 (1) (b) endorsement to be placed in their reference books.

All section 10 (1) (b) applications must be accompanied by documentary evidence of the employment or the lawful residence.

Wives, unmarried daughters and sons under the age of 18 of a man or woman who section 10 (1) (a) or (b) qualifications is entitled to section 10 (1) (c) qualification provided that he or she is resident with the husband or parent in a black township.

The documents required are a marriage certificate (in the case of a wife) and the husband's or parent's house or lodger's permit and their reference book showing the section 10 (1) (a) or (b) endorsement.

This is not a legal right. It is a permit to remain in an urban area which may be granted or refused by the labour officer. People registered in terms of section 10 (1) (d) have no rights and no security.

If you are in a position to apply for these rights or know someone who is, act at once. For further advice contact the Black Sash, Khotso House, 42 De Villiers Street, Johannesburg 2001. Telephone 37-2435/6.

'Wrab delays urban rights'

By MAURITZ MOOLMAN

APPLICATIONS for Section 10(1)(b) rights giving blacks the legal right to stay in urban areas are being delayed, obstructed or refused by pass officers in anticipation of the Orderly Movement and Settlement of Black Persons Bill, according to the Black Sash.

In deciding which blacks are to get Section 10 rights, pass officers are already guided by the spirit of the proposed Bill although it has been withdrawn temporarily, says an article in the November edition of the Black Sash magazine.

The magazine says the Bill was referred to a select committee because of the "strength and scope" of the protest that was mounting against the Bill and not because it failed to express "reformist" Government policy.

The Bill is expected to become law in its revised form at the next meeting of Parliament some time next year.

A Black Sash member, renewing a permit for her domestic worker to sleep on the property, is quoted in the article as saying she had been told by a labour officer of the West Rand Administration Board (Wrab) that Section 10(1)(b) was a "present" to blacks and was to be taken away.

And Wrab has followed the example of the East Rand Administration Board by ceasing to allow migrants who leave and lose their jobs to transfer their contracts to another employer, the article says.

It is also claimed that in the absence of hospital or clinic records the Registrar of Births is "simply not issuing birth certificates for late registration of births of over a year old".

This means 16-year-olds who did not have birth certificates cannot be issued with their first reference books nor have their 10(1)(b) rights recognised.

"They remain in limbo," the article says.

Sailor still missing

Staff Reporter

POLICE in four-wheel-drive vehicles are continuing the search for a missing yachtsman, Mr Jurgen Schmidt, who was swept overboard by a freak wave shortly before the yacht Pie ran aground in heavy seas off Melkbosstrand on Friday night.

Mr Schmidt, a Johannesburg engineer, was crewing on Pie, one of the competitors in the Rothmans Week Class II middle-distance race from Table Bay to Bok Point on the West Coast.

The NSRI called off their sea search early on Saturday morning, but a spokesman for the Boland police said yesterday that a contingent of policemen was still combing the area. By late last night "nothing had yet been found".

The yacht's owner-skipper, Mr Manfred Beck, of Johannesburg, and two other crew members, Mr Christopher Bouwer, of Alberton, and his son Kevin, 17, managed to reach shore safely.

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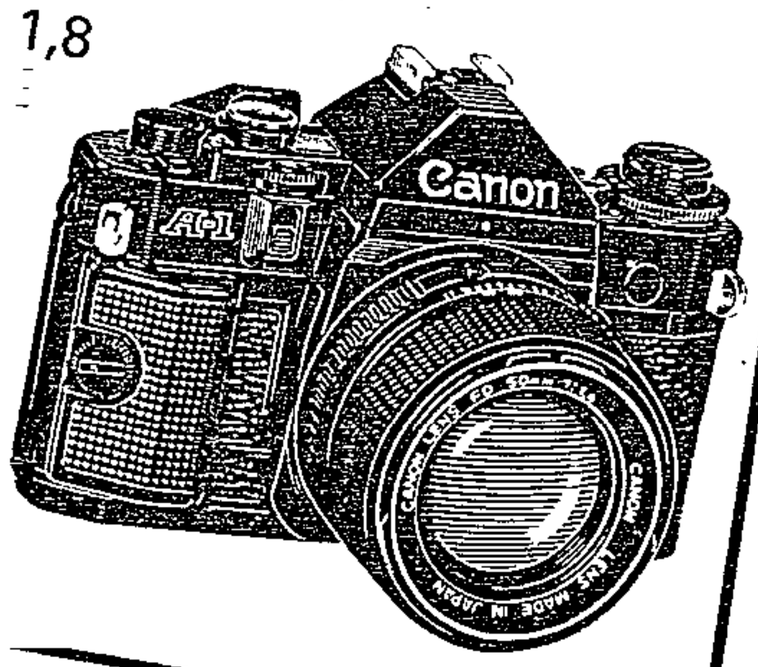
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Security's part in 'curfew' bill

Capt Times 20/12/82 (339)

Political Staff

THE influential security arm of the government had a major say in the drafting of the Orderly Movement and Settlement of Black Persons Bill, and was responsible for the most contentious aspects of the bill, according to informed sources.

Before the controversial bill was published in its present form in May this year it was laundered through the cabinet committee on constitutional development (then Internal Affairs), where the departments of Law and Order (then police), Defence, the National Intelligence Services, and Internal Affairs had a major hand in its drafting.

According to sources, it was in this cabinet committee, under the chairmanship of the Minister of Constitutional Development, Mr Chris Heunis, that many of the original intentions of the Riekert Commission and subsequently the Grosskopf Committee were frustrated.

It is understood that the need to ensure the effective combating of urban terrorism was given in the committee and played a major role in the redrafting of the bill.

It is also understood that the highly contentious 10pm to 5am curfew on "unqualified" blacks in the urban areas and the blanket curfew clause conferring wide powers on the Minister of Co-operation and Development were introduced in this committee.

It is also likely that key aspects of the bill were scrutinized by the powerful State Security Council before it was referred to the cabinet committee on constitutional development.

The bill, which deals with influx control and the rights of urban blacks, was referred to the parliamentary select committee on the constitution after its publication earlier this year, and further comment from interested parties was invited.

Outcry

The measure evoked an outcry and sharp criticism from a broad spectrum of expert opinion.

It has been dubbed a "war measure" which would make the lives of blacks in the cities intolerable and invite "massive police raids" in what would amount to a state of perpetual martial law for blacks.

Although the select committee on the constitution, under the chairmanship of Mr Heunis, has agreed subsequently not to deal with the measure until black local authorities have been set up in terms of the new Black Local Government Act, public calls for the measure to be scrapped have continued unabated.

Although the Department of Co-operation and Development, which has borne the major brunt of criticism that has accompanied the bill, bears ultimate political responsibility for the bill, the Minister of Co-operation and Development, Dr Piet Koornhof, like other ministers on the committee, is bound by decisions which are taken on a consensus basis.

Other departments

In addition to the five departments already mentioned, it is understood that the departments of Labour, Justice, and Foreign Affairs were also represented on the committee.

The Orderly Movement Bill was already a redraft of legislation introduced by Dr Koornhof in October, 1980, as part of a "new deal" for urban blacks.

It was one of three re-

Man, 30, drowns at Sandvlei

Staff Reporter

FIVE people were killed in 169 reported assaults and four died in 51 road accidents in the Peninsula at the weekend.

Mr Jeffrey Edwards, 30, of Allison Court, Ocean View, drowned near the Sandvlei caravan park on Saturday afternoon.

Mr Z Gungxeka, 45, died when he was knocked down by a car in Guguletu yesterday.

An unidentified man died when he was struck by a motor-cycle in Ravensmeade on Saturday.

A 20-year-old man, believed to be Mr K Mutswana, died when he was knocked down by a car in Phillipi on Saturday.

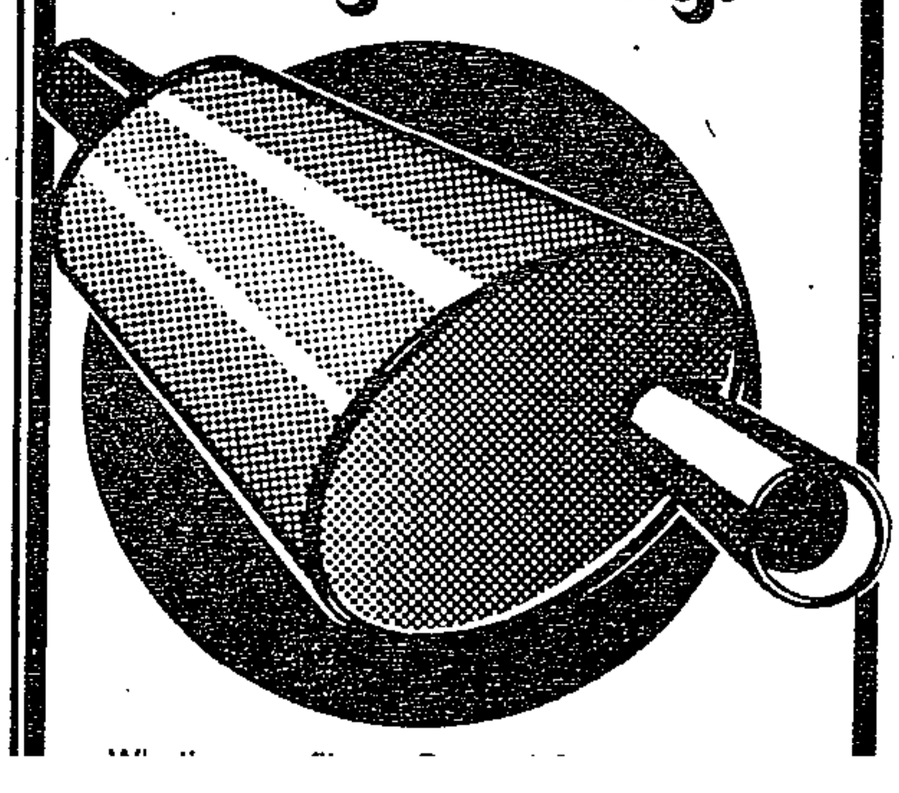
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It was one of three related bills dealing respectively with black local government, administration boards and community development, and influx control.

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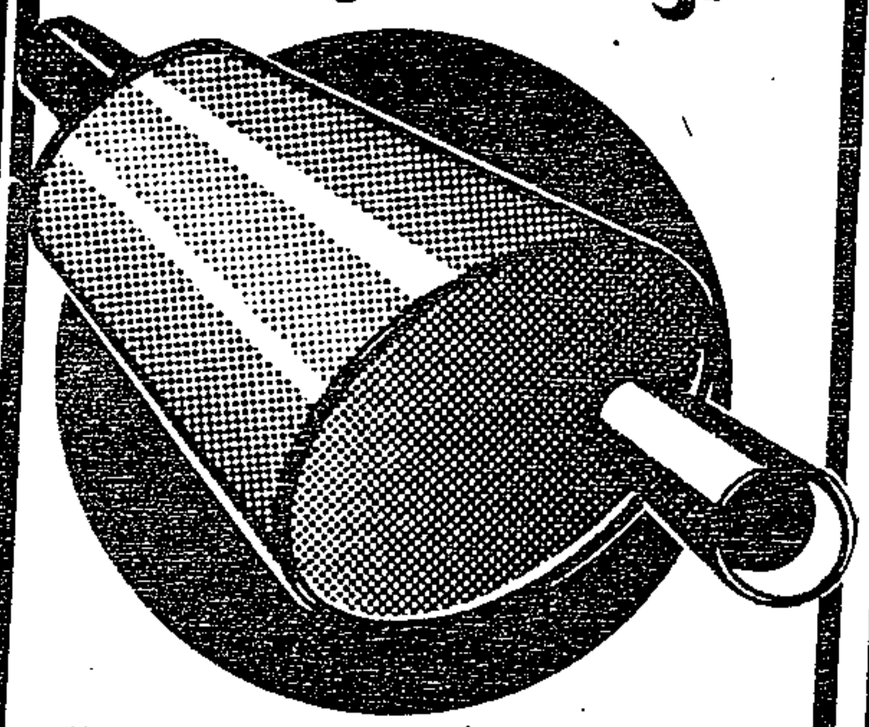
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Black Sash issues warning

Workers could be exiled

Sowetan

30/12/87

339

IN A RACE against time to beat the implementation of the Orderly Movement and Settlement of Black Persons Bill the Black Sash has appealed to all those who qualify under Section 10 (1) (A), (B) or (C) of the Urban Areas Act to have their urban rights recorded in their reference books.

Without these rights they could be denied the opportunity to live and work in an urban area, and they could be refused permission to have their families living with them.

"It can make the difference between stability and security on the one hand and banishment to a poverty-stricken, workless rural area on the other," the Black Sash writes in an urgent newsletter to employers of black labour asking them to ensure that all those affected by the proposed new legislation are aware of its implications.

The Orderly Movement and Settlement of Black Persons Bill has been temporarily shelved while it is considered by a select committee, but it is believed to be unlikely that the bill will be withdrawn in its entirety.

The Black Sash believes that there are many people, men and women, who are entitled to urban qualifications but are either unaware of this, or do not know how to set about having their rights endorsed in their reference books.

Qualifications must be applied for at the offices of the administration board in the area where the person lives.

There are no Section 10 rights for people living within a bantustan, or on a white-owned farm outside the prescribed urban areas.

Section 10 (1) (A) qualifications are given to those who have lived continuously in one town since birth. A birth certificate and proof of lawful residence is usually required in order to claim these rights.

A person is entitled to Section 10 (1) (B) rights if he or she has worked in registered employment for the same employer in the same town for 10 years, or has lived lawfully and continuously in the same town for 15 years.

Section 10 (1) (C) rights are granted to the wife, unmarried daughter or son living with a man or woman who has 10 (1) (A) or (B) qualifications.

The tens of thousands of contract workers in the country are denied urban rights, even if they have worked in their present jobs for more than 10 years or lived legally in hostels for more than 15 years, because they are required to return to the rural area each year to renew their contracts.

Their reference books are endorsed with the section 10 (1) (D) stamp.

URBAN AFRICANS - GENERAL

1983

JAN. — DEC.

Prepare to pay service rates, blacks warned

By CHRIS FREIMOND
Political Reporter

RESIDENTS in black urban areas must be prepared to pay more for essential services — such as water and electricity — the Minister of Co-operation and Development, Dr Piet Koornhof, warned last night.

Speaking in Johannesburg at a meeting of civic and business leaders, Dr Koornhof said it had to be realised that the cost of providing such services was rising, and would have to be paid for by "realistic contributions" from consumers.

While people who could not afford tariff increases could apply to the authorities for relief, most residents were "in a position to make a substantially increased contribution towards service charges".

"Commodities such as water and electricity should be metered and must be paid for according to actual consumption," he said.

This was being done in Soweto and was helping reduce the community council's budget deficit.

"This is Government policy and will increasingly be applied in all black residential areas," he said.

He emphasised, however, that the policy of building economically viable communities would be applied with "empathy and understanding".

Dr Koornhof also called on employers and financial institutions to play a greater role in providing black housing "on a free enterprise basis".

He said the Government would in future be following the recommendation of the Viljoen Committee and limiting capital expenditure in black urban areas.

About 85% of Soweto residents could make "substantial" contributions to their own housing needs — but should be helped by their employers and by financial institutions.

"I am not refering to handouts, but have in mind rather provision of capital, or some form of assistance for development schemes."

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Admin boards will stay, says Koornhof

SUDDEN REVERSAL OF URBAN BLACK POLICY

By JEAN Le MAY, Political Reporter

BLACK hopes that the Government's controversial administration boards would vanish under the new Black Community Development Bill are doomed to disappointment.

On Friday the Minister of Co-operation and Development, Dr Piet Koornhof, disclosed that the boards would not be phased out.

This runs contrary to the Government's original plan that the boards would make way for black local authorities, and is a reversal of policy as expressed in the Bill when it was introduced in December, 1980.

The Bill then said that administration boards would eventually be phased out and their functions taken over by new development boards.

In a surprise statement to civic and business leaders in Johannesburg on Friday, Dr Koornhof said that "the impression had unfortunately been created that this means abdication by the old boards and that the black local authorities will be set adrift to fend for themselves".

The policy of "creative withdrawal" still applied as far as the administration and development of black communities was concerned, he added.

But the Government's view was that "administration boards are in the best position to assist with the creation and development of black local authorities and full use will continue to be made of their services where this is needed."

When the Sunday Express asked why the decision to phase out the administration boards had been reversed, Dr Koornhof said angrily that there never been any such intention.

"The Riekert Commission and the Grosskopf Committee made no such recommendation and if you misquote me on this I will take you to the Press Council," he said.

Later, in a telephone interview, Dr Koornhof said that he did not wish to make any statement on the future of the administration boards because "I have a Bill on the table at the moment and a Parliamentary Select Committee is dealing with it. We had a meeting this very week. It would be inappropriate for me to comment at this time."

Proffesor Nic Olivier, Progressive Federal Party MP and a member of the Parliamentary Select Committee on the Constitution which is investigating the Black Community Development Bill, said in a interview that — contrary to the intention of the original Bill — it had become obvious that administration boards would be retained.

"As long as Government policy is to restrict the flow of blacks to urban areas, the boards cannot be phased out," he said.

"No black town council established under the new Local Authorities Act will be prepared to enforce influx control.

"Moreover, town councils will not be established in all areas under the new Act, and there must be a body to act as an agent for the Government in these areas."

The Grosskopf Committee, under the chairmanship of Mr Justice E M Grosskopf, was established to investigate Dr Koornhof's three controversial Bills — the Black Community Development Bill, the Local Government Bill and the Laws on Co-Operation and Development Amendment Bill (now the Orderly Movement of Black Persons Bill) after they were withdrawn following a public outcry.

The committee's report said that "the administration boards would disappear when and where black municipalities are established . . . The boards' assets, liabilities and staff should then be transferred to the black municipalities."

It was disclosed recently that most of the recommendations of the Grosskopf Committee, which proposed extending far greater freedom to urban blacks, were shelved when the Orderly Movement of Black Persons Bill was rewritten.

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SOUTH AFRICAN ALLIED WORKERS UNION (SAAWU)

Influx Bill likely to be scrapped

ARGUS 18/1/83

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Political Staff

THE controversial Orderly Movement and Settlement of Black Persons Bill is heading for the scrap heap.

No official confirmation could be obtained today that the Bill, which met with widespread condemnation, was to be shelved.

However, members of the Parliamentary select committee on the constitution have been told they will not be dealing with the Bill this year, and they expect it to be scrapped.

The Bill was one of the trilogy of so-called "Koornhof Bills" which were intended to improve the lot of blacks in the urban areas.

OTHERS

The Black Community Development Act was approved by Parliament last year. The Black Local Authority Bill is being dealt with by the select committee, and is expected to be put before Parliament during the forthcoming session.

The Orderly Movement and Settlement Bill has been described as placing blacks under a virtual state of martial law in attempting to control the influx to urban areas.

It is understood that instead of going ahead with the Bill, the Government is contemplating amendments to legislation that would toughen influx laws.

COURT DECISIONS

These could include far heavier penalties for offences under the influx control provisions and reversal of court decisions allowing wives and dependents of people with rights under Section 10a and b of the Black Urban Areas Act to live in urban areas.

The Government has announced that the Bill will be referred to black local authorities for their consideration, but this is seen as a way in which it can be shelved quietly, as it is highly unlikely to receive support from the black urban community.

UNIVERSITY OF CAPE TOWN

339

EVERY CANDIDATE MUST enter in column (1) the number of each question rder in which it has ive columns (2) and

The Cape Times, Monday, January 24, 1983 11

Big black housing sale likely

Own Correspondent

JOHANNESBURG. — The government is expected to announce soon that it has agreed in principle to the mass sale of existing Administration Board housing to black tenants.

Mr Peter Richardson, president of the Association of Building Societies, told a press lunch last week: "We do not know officially, but we understand that it has been approved.

"The matter has been with the cabinet for 15 months and we are just waiting announcement of a decision in principle."

Asked to comment, Mr P D McEnery, Deputy Director-General of Community Development, said the government was "giving attention" to the sale of rented accommodation to tenants, not only of black housing, but also of white, coloured and Indian rented accommodation.

The matter had not yet been finalized and any announcements would come from the Ministers of Community Development and of Co-operation and Development.

Mr McEnery pointed out that after the recommendations of the 1981 Viljoen Committee into Soweto's housing crisis had been accepted in principle by the cabinet, Dr Piet Koornhof, Minister of Co-operation and Development, had saidt steps would be taken to sell existing housing stock in urban areas to black residents.

Coloured tenants have already been given an option by the Johannesburg municipality to buy their houses — or face a steep increase in rent.

External
(3)

NO to community councils

PINKY'S anti-council CRUSADE

By MANDLA NDLAZI

THE Mohlakeng Civic Association (Moca) is to launch a nationwide anti-community council movement, whose first campaining will be to organise boycotts of community council elections due in September.

Launch date is today at a 1 pm meeting at the local Methodist Church.

Moca chairman Pinky Ngakane told GCP an anti-community council committee would be elected at the meeting, as a sub-committee of Moca, to liaise with similar bodies established countrywide to fight the councils.

Moca is an offshoot of Dr Nthato Motlana's Soweto Committee of Ten, itself a strong opponent of community councils.

Polls

"The anti-community council committee's first task will be to discourage residents from going to the polls in September," Mr Ngakane said.

"We are out to prove that the people don't want the councils."

There is growing opposition towards the council system, and this week even men involved spoke against it. "We can do nothing more than bark," said Tsakane township council chairman Mpikayise P Buthelezi.

He said people would have to unite to fight for a better deal.

YES

'I'M SERVING MY PEOPLE'

DAVEYTON council chairman Tom Boya is to form a new party to fight township elections — despite accusations that he is a "Government stooge."

"Whenever I appear in public, people point at me as a Government stooge, because of my involvement in community councils," Mr Boya told GCP.

Despite the hostility, he will go on. "I am keen to serve my people, even if it means working in the system.

"If the right people don't come forward, the Government will appoint its own stooges."

His new party, he said, would encourage residents to take an interest in the council.

Change in Govt policy is likely

New plans for urban blacks in the pipeline

By JOHN BATTERSBY
Political Correspondent

THE Prime Minister, Mr P W Botha, is expected to deal with the position of urban blacks when he enters the no-confidence debate next week amid widespread expectations that he could make an important announcement on the Government's plans for their political accommodation.

In his speech at the opening of Parliament on Friday the State President, Mr Marais Viljoen, said that "continued and active" attention was being given to the position of black communities outside the independent and national states.

While it is not expected that Mr Botha will announce a major departure from current Government thinking on urban blacks, it is thought that he might give notice of the Government's intention to draw urban blacks into the process of negotiating a new dispensation for them once the new black local authorities have been established in terms of legislation passed last year.

In any negotiations that take place it will be made clear that the option of a "fourth chamber" for blacks in Parliament — or for that matter any direct representation in a unitary or federal Parliament — would not be on the agenda.

Mr Botha will come under pressure from the Leader of the Opposition, Dr Frederik van Zyl Slabbert, when he opens the non-confidence debate today to spell out what future vision the Government has on this unresolved issue.

Dr Slabbert is likely to sound grave warnings that the exclusion of blacks from the Government's constitutional plans could further polarise the society instead of precipitating a process of internal reform.

While Mr Botha is not expected to depart from the Government's stated policy that blacks must look to their respective states of origin to exercise their political rights, he could move beyond his present position that urban blacks will be allowed to develop further than municipal status and ultimately find some place on a Southern African confederal council.

The position of urban blacks is understood to have received considerable attention at last week's pre-session Cabinet meeting and Government planners have been working continuously for the past two years on options for their political accommodation.

Last year the Minister of Constitutional Development and Planning, Mr Chris Heunis, following a meeting of the parliamentary select committee on the constitution last year, indicated the Government's readiness to draw elected representatives of the urban blacks into the negotiating process.

The committee agreed to postpone consideration of the contentious Orderly Movement and Settlement of Black Persons Bill on the grounds that the black local authorities — not yet established — should be consulted on the matter.

This would be an important departure from the unilateral style the Government had adopted until now on the formation of policy on urban blacks.

During the second half of last year there was a concerted effort by the Nationalist leadership to impress upon its rank and file, by dwelling on demographic realities, that black urbanisation is a fact of life which will not go away and that blacks in the cities will have to be provided for.

The type of solution mooted by some Nationalist commentators involves a complex multi-level representation for urban blacks which would attempt to compensate for their exclusion from a central Parliament.

This vision includes black representation on metropolitan authorities, representation on regional councils and constituency-based representation in the parliaments of their national states.

There have also been indications that while the Government remains committed to its policy of industrial decentralisation it has accepted that this will never reverse the flow of blacks to the cities and that a comprehensive black urbanisation policy must be developed.

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— JILL EDELSTEIN

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Gay in tears after acquittal

By J S MOJAPELO
Pretoria Bureau

A SELF-CONFESSED homosexual bowed his head and cried in the dock of the Pretoria Supreme Court yesterday after he was found not guilty on a charge of murdering a Pretoria Technikon student who allegedly delighted in terrorising homosexuals.

Mr Andries Petrus Smit, 46, of De Hoewe Road, Eldoraigne, had pleaded not guilty before Mr Justice P J van der Walt to a charge of murdering Mr Jan Daniel Nel, 20, in Arcadia Park, Pretoria, on January 21 last year.

Mr Nel, who was said to have taken pleasure in terrorising homosexuals at the park, was shot in the stomach with a .38 revolver. He died later from loss of blood.

According to evidence, Arcadia Park is a meeting place for homosexuals. Mr Smit, a married man and father of two, said he had visited the park several times to meet homosexuals.

Mr D J P Jordan, who the judge described as a "hopeless witness", said he and Mr Nel had gone to the park to terrorise homosexuals.

They had gone to the park on the night of January 21 and he had been approached by a homosexual.

He had punched the man and then had heard a shot. He had found Mr Nel with a wound in the stomach.

Under cross-examination, Mr Jordan admitted he had made two different statements to the police about the incident. He was found guilty of perjury. He also admitted possessing pornographic pictures of nude men.

Mr Smit, who holds two honours bachelors degrees, said he had started carrying a revolver for self-protection after being robbed.

Mr Smit said he had gone to Arcadia Park about 11pm on January 21 and had seen a man there.

"The man then blatantly beckoned me. I got scared because this was not the method we use to make contact. The man then stormed me while I was walking away. I took out the revolver and saw flame and heard the man scream in pain," Mr Smit said.

'New Heart' is for you

Govt in new move on urban blacks

2/2/83

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RDM

HOUSE OF ASSEMBLY. — The Prime Minister, Mr P W Botha, yesterday announced a special Cabinet committee would investigate all outstanding problems affecting urban blacks.

Speaking in the No-Confidence Debate, he said he firmly believed that with a positive attitude all outstanding problems could be solved.

The committee will consult the governments of independent black states, the non-independent national states and black community councils outside the national states, and will consist of six Cabinet Ministers.

They are the Minister of Co-operation and Development, Dr Piet Koornhof; the Minister of Constitutional Development, Mr Chris Heunis, the Minister of Foreign Affairs, Mr Pik Botha, the Minister of Law and Order, Mr Louis le Grange, the Minister of National Education, Dr Gerrit Viljoen, and the Minister of Justice, Mr Kobie Coetsee.

Mr Botha said the committee would deal with the problems according to the principles of the government of the day — but the solving of human relations problems between the various race groups was most important.

The constitutional development of South Africa's black states, as well as their economic development, were matters of high priority for the Government. This was part of the 12-point plan for which the Government had received a mandate, he said.

The Government respected the aspirations of blacks and their right to own land.

The Opposition, Mr Botha said, was continually confronting the Government on the position of the urban blacks, especially those outside the national states, but the Government, he said, had never underestimated the problem. More than 60% of urban blacks outside the national states lived in five metropolitan areas.

There were no instant solutions. The problem of migrants existed in other parts of the world, he said. — Sapa.

Gliding high — and he almost made it

PORT ELIZABETH. — A Port Elizabeth man, Mr Barry Becke has come close to doing what sounds almost impossible — gliding from the Transvaal to Port Elizabeth.

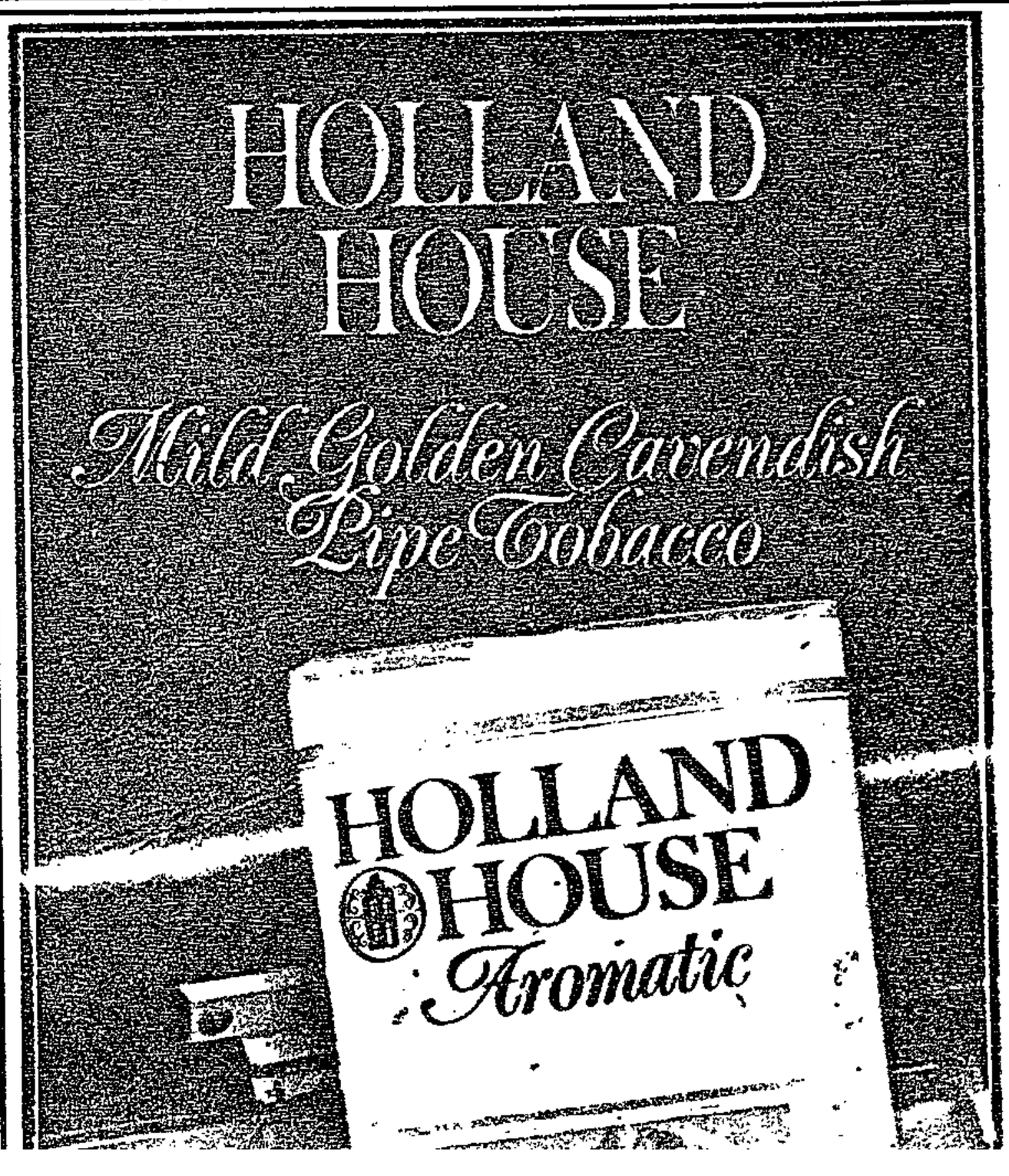
Mr Becke, former chairman of the Eastern Province Gliding Club at Uitenhage, took off at Orkney and was well on his way to Graaff-Reinet when he decided to turn back to Middelburg, partly because it was getting late and partly because his family, who were following by car, were unable to keep up.

Mr Becke kept as close as possible to the national road and was able to keep in contact with his family by radio.

As far as is known, this is the first time that a glider has crossed the Free State in a single flight.

Mr Becke had at first battled to gain height and had flown the first 70km at a height of about 800m. — Sapa.

There are 296 homes on offer in the our Homefinder section. See pages 18-21.



Capt Times 2/2/83

Influx control: Govt's 'plans'

Staff Reporter

EVEN if the proposed Orderly Movement and Settlement of Black Persons Bill were scrapped, the government would very likely "amend existing legislation to achieve the same purpose," Mrs Noel Robb, director of the Athlone Advice Office (AAO), said yesterday.

She was speaking on the practical implications of proposed influx control legislation, particularly in the Western Cape. The lecture was one of a series organized by the University of Cape Town's Summer School.

Mrs Robb said the controversial draft bill, which has been criticized by churches, community organizations and opposition politicians, was meant to "curtail and control as far as possible the number of black people living and working in the urban areas of South Africa".

However, according to a recent press report, the draft legislation, currently being studied by a select committee of Parliament, would be withdrawn altogether.

Mrs Robb said statements by the Minister of Co-operation and Development, Dr Piet Koornhof, at a National Party congress in East London in October last year indicated that government was planning to amend existing legislation "to achieve the same purpose".

● The AAO's organizer, Mrs Val West, said that during 1981, 13 694 people had been arrested under the influx control laws in Cape Town. This figure excluded the 3 666 Nyanga site squatters arrested and deported to Transkei

Govt move on urban blacks

Political Staff

Cape Times 2/2/83

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IN WHAT appears to be a major government rethink on political rights for blacks, the Prime Minister, Mr P W Botha, yesterday announced the setting up of a cabinet committee to seek a new dispensation for urban blacks.



Mr P W Botha ... no instant solutions to the problem



Dr Alex Boraine ... investigation was inadequate

The multi-level investigation will seek to draw the elected leaders of urban black communities, the leaders of the independent and of self-governing homelands into the process of negotiating a new dispensation.

At this stage there is no indication that the government will depart from its fundamental principle that blacks must exercise their political rights in their homelands of origin, but the Prime Minister's announcement does open up a former non-negotiable to wider debate.

However, Dr Alex Boraine, Progressive Federal Party MP for Pinelands, who spoke directly after Mr Botha, said the investigation was inadequate because of the limitations set on it, and it would not meet the demands of blacks.

'Hidden agenda'

The government move is seen as a bid to counter the barrage of domestic and international criticism that it has excluded blacks from its constitutional plans.

It is also seen as an effort to keep alive Western hopes that there is a "hidden agenda" for blacks in the plans.

It could go some of the way to meeting demands from the official Opposition, verligte Nationalist commentators, coloured politicians and the President's Council for a government declaration of intent on its future plans for blacks.

The top-level committee will be headed by the Minister of Constitutional Development and Planning, Mr Chris Heunis, and will include the Minister of Co-operation and Development, Dr Piet Koornhof, the Minister of Internal Affairs, Mr F W de Klerk, the Minister of Foreign Affairs, Mr Pik Botha, the Minister of Law and Order, Mr Louis le Grange, the Minister of National Education, Dr Gerrit Viljoen, and the Minister of Justice, Mr Kobie Coetsee.

'Epoch-making'

Speaking during the no-confidence debate in Parliament, Mr Botha warned, however, that there were no instant solutions to the urban black problem, and that it would not be solved in one generation.

And in a speech in which he described Mr Botha's announcement as "an epoch-making occasion", Dr Koornhof ruled out the option of a fourth chamber in the central parliament for urban blacks as "unattainable and in conflict with the government's constitutional points of departure".

In reply to questions by Dr Boraine, Mr Botha said the committee would be in a position to negotiate a new constitutional dispensation for blacks "within the framework of National Party policy".

Dr Boraine: Are you prepared to review principles of the National Party?

Mr Botha: I am prepared to review policy. But I am not prepared to review NP principles without taking them to my congresses, and you know it.

Consultation

At a press conference after Mr Botha's announcement, Dr Koornhof said the cabinet committee would consult not only the elected representatives of the urban black communities in the community councils — and from the end of the year in the new black local authorities — but would also go out of its way to accommodate other representatives elected by black communities to consult with the government.

Dr Koornhof said there was no fixed time schedule or deadline for the investigation but that the government attached high priority to the matter.

He also disclosed that the Orderly Movement and Settlement Bill, which deals with influx control, would not be dealt with during this session of Parliament and that when it finally appeared in its redrafted

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form, it would be vastly different.

The Black Community Development Bill would be dealt with this session and would also undergo vast changes.

He said in reply to a question that the committee would give serious attention to "freehold title" for urban blacks.

In announcing the investigation, Mr Botha said there were outstanding problems relating to urban blacks which needed to be resolved including:

- Cohesive mechanism dealing with overlapping problems such as those of Soweto in relation to the wider Witwatersrand complex.
- Who would have final control over black local authorities.
- The establishment of regional structures to serve rural communities.
- The achievement of the goal of financial viability for the various local authorities.

Criteria

- To decide how to deal with black communities which did not meet the criteria for viability as separate local authorities.

Mr Botha said the urbanization process could not be lost sight of and it was clear that there would always be blacks living in metropolitan areas outside the national States.

Dr Koornhof said the government's aim of giving all a say in the political decision-making process applied also to blacks.

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Urban blacks ... NP policy leaves few alternatives

339 RDM 3/2/83

THE appointment of a Cabinet Committee to examine how best to accommodate the political aspirations of blacks living in white-designated South Africa has been labelled "epoch-making" by the Minister of Co-operation and Development, Dr Piet Koornhof.

But at the same time he made it clear that it would function within the framework of the principles of National Party policy, adding that, while there could be adapations to policy, there could be no deviation from the principles on which it rested without specific approval from the congresses of the NP.

The distinction between "policy" and "principles" is not as clear to observers and even rank and file NP members as it is to the NP leadership.

But the policy of separate development still appears to rests firmly on the principle that blacks living in white-designated South Africa are citizens of their respective "homelands", irrespective of whether they are independent or not.

Blacks, however, who are citizens of the non-independent homelands, or — as they known in NP jargon — the "self-governing national states" remain South African nationals for passport purposes.

BUT when these national states "evolve" to independence under NP policy blacks in South Africa lose even their claim to South African nationality and become "foreigners" or "aliens" in the land of their birth.

The implications of this were spelt out by Dr Koornhof's predecessor, Dr Connie Mulder, who told Parliament: "If our policy is taken to its logical conclusion as far as the black people are concerned, there will not be black man with South African citizenship (or nationality)."

Dr Mulder added with faultless logic: "Every black in South Africa will eventually be accommodated in some independent new state in this honourable way and there will no longer be a moral obligation on this Parliament to accommodate these people politically."

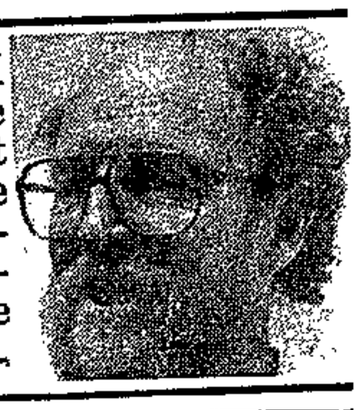
Dr Mulder's 1978 statement has never been specifically repudiated by the Botha administration, in spite of his fall from power after the Information scandal.

Mr Botha and his aides have, on the contrary, explicitly endorsed the citizenship policy. The Status of Venda and Ciskei Acts passed under Prime Minister P W Botha were identical to the Status of Transkei and Bophuthatswana Acts passed by his predecessor, Mr Vorster. All deprived blacks of their [illegible]



Dr Piet Koornhof ... still sees blacks linked to the "homelands".

Political Editor PATRICK LAURENCE assesses the chances of the new Cabinet Committee finding a viable formula to satisfy the political aspirations of the 10-million blacks living outside "their national homelands".





Dr Connie Mulder ... logical conclusion of NP policy is a South Africa with no black citizens.

of the now more than 10-million blacks estimated to live outside the "homelands" or in what some observers prefer to call the common area.

But taking recent speeches by Mr Botha and his key lieutenants as a guide, the main outlines of the road ahead can be depicted fairly confidently.

Mr Botha said in his address to the special NP Federal Congress in July last year: "These black city councils and town councils will have the highest degree of autonomy over their own affairs ... They will function politically and constitutionally as autonomous local authorities."

tives to legislative assemblies in "their homelands".

Thus, in terms of this model, blacks in the common area would have some say in the deliberations at confederal level when South Africa and the national states discuss matters of common interest.

AS Mr Botha put it in 1980: "Most black people in our urban areas have homeland ties and, consequently, I believe that they would prefer to participate in (the confederation) through their national states."

There have obviously been shifts of emphasis and terminology and even some changes, but Mr Botha's statement is not totally inconsistent with one made in the 1950s by the high priest of classical apartheid, Dr Hendrik Verwoerd.

Speaking after the Tomlinson Commission warned that there would always be blacks in South Africa, he assured his followers that these blacks "will have their anchor in their homelands ... and that is where they will seek their rights."

Mr Botha's confederation will not restore to them their lost South African citizenship or nationality. Nor will it offer them more than the most indirect and tenuous influence over affairs in South Africa at a national level.

To quote Mr Botha's speech to Parliament last year: "A confederation, unlike a federation, is not a state and therefore as a necessary consequence it cannot have citizens or nationals. A confederation is a formal association of *independent* states which deprives its existence from a multilateral treaty." (Italics added).

THE "new deal" for blacks is certain to run into resistance at both the local and confederal levels.

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Dr Hendrik Verwoerd ... the high priest of classical apartheid.



Mr John Vorster ... launched the first "independent homelands".



Mr P W Botha ... rules out an eventual fourth chamber for blacks.

nationality.

Mr Botha and Dr Koornhof have, moreover, firmly ruled out the possibility of an eventual fourth chamber for blacks being added to the new three-chamber parliament for whites, coloureds and Indians which Mr Botha's constitutional planners have devised.

As long as the new Cabinet Committee is restrained by these principles it is difficult to view it as "epoch-making" or even to see how it can recommend fundamental changes to existing policy.

THE appointment of a Cabinet Committee to examine the political position of blacks living outside the "homelands" is not in itself an entirely new initiative. There were Cabinet Committees on urban blacks generally under both Dr Mulder and his predecessor, Mr M C Botha.

According to calculations by Charles Simkins, of the University of Cape Town, there were 9 600 000 blacks in the common area in 1980, of whom 3 400 000 lived in the metropolitan areas, 1 900 000 in the smaller urban areas and 4 300 000 in "white" rural areas.

It is, of course, difficult to predict with precision what proposals the present committee will come up with to meet the political aspirations

AN obvious starting point is the granting of increased powers of local government to blacks living in large townships, a process already foreshadowed in Local Black Authorities Act, through which, it is promised, blacks will eventually receive the same powers of local government as those enjoyed by white town councils and municipalities.

Although full details are still unclear, especially about the financing of black local authorities, the idea of increasing self-government for blacks at local level is part of an on-going process.

As the old Native Advisory Boards gave way to Urban Bantu Chambers, which were replaced by Community Councils, so Community Councils will make way for the new Local Authorities.

There is more to it than mere changes in nomenclature. Each new institution either had slightly more power or was more representative than its predecessor. In that context the Cabinet Committee may preside over definite changes at the level of local government, the more so as it is envisaged that the new local authorities will themselves make representations to the committee once they are finally established.

The way has also been cleared to offer blacks some form of say on administration at metropolitan and regional level. The latest official handout on local government under the new deal implicitly assumes representation for blacks at these levels.

IT said: "Services will probably have to be provided jointly on a metropolitan or regional basis. For this purpose bodies will have to be established on which the various local authorities will be represented by delegates designated by the authorities themselves."

The road to representation in Parliament remains firmly blocked, however. Instead there is an offer of an indirect voice in the envisaged Confederation of States between South Africa and the independent "national states."

As Dr Koornhof said in a speech to Parliament last year: "As already stated on a number of occasions by the Government, the policy is that blacks in the RSA can be meaningfully linked with the various peoples in the national states *through confederation*." (Italics added)

The way to do that will, as Dr Koornhof noted in the same speech, be to create special constituencies in the common area for blacks living there to elect representa-

At local level a pointer of what to expect is the boycott of the Soweto Council elections of 1978, when the poll was reduced to a mere 6%. Nothing has altered to eliminate the likelihood of another boycott. Increased local self government is still being offered as a substitute for rather than a step toward a share in national government.

At the confederal level President Lucas Mangope, of Bophuthatswana, voiced his opposition in November last year at the time of the Pretoria summit meeting between South Africa and the nominally independent states.

Since then President Kaiser Matanzima, of Transkei, has held talks with Chief Gatsha Buthelezi, of KwaZulu, to mobilise massive black resistance to confederation and the associated exclusion of blacks from Parliament. Chief Buthelezi has already released several verbal salvoes against the new deal.

The Transkei Prime Minister, Chief George Matanzima, summed up the issue neatly when he bluntly told Mr Botha at the November summit: "Our black brothers and sisters who are permanently resident ... in South Africa have no connection with either the national states nor the independent states."

Hidden agendas mean inaction

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FM 4/2/83

The formation of a Cabinet Committee to consult with blacks in hammering out a new dispensation is welcome news. While the focus is specifically on urban blacks, government spokesmen such as Piet Koornhof have indicated enough to suggest that the deliberations will in fact be wide-ranging. They could impinge on the present National Party policy requirement that blacks exercise ultimate political rights through the homelands.

In addition, Koornhof has said that "serious attention" will be given to the question of black freehold. And, it seems, the Orderly Movement and Settlement of Black Persons Bill has been shelved indefinitely and will probably be completely rewritten. Hopefully, when it resurfaces, it will be more in line with the moderate suggestions of the influx control committee under Justice E M Grosskopf which reported to government in mid-1981.

The new committee will be headed by Constitutional Affairs Minister Chris Heunis. This, in itself, says much about the fresh attitude government has adopted to the position of urban blacks. And, as outlined in Parliament, it will be speaking to elected urban black representatives and homeland leaders.

The passing of the Black Local Authorities Act, designed to confer greater powers on townships, could have the effect of drawing previously recalcitrant black political parties into community council elections. Hopefully, these will be held later this year and will make the councils more broadly based, and give them enhanced credibility.

Doubtless, many black groups will adopt a boycott attitude to both the Heunis Committee and to any elections. Even so, those leaders with whom government does talk are unlikely to skirt the crucial issues of housing, education, influx control and political rights above the metropolitan level.

A fourth chamber for blacks in Parliament has been ruled out at this stage. But "never" would be too long a term to place upon its feasibility.

There are two disquieting aspects in the new development. The first relates to an intensification of influx control — hardly a propitious sign if a "new deal" is in the air.

In at least some cases, administration boards have taken it upon themselves to stall on the rights acknowledged by the Supreme Court in several key judgments. These allow dependants to join legal workers in the cities, and for certain categories of migrants to work towards the right of urban residence.

In addition, further bureaucratic obstacles are being placed in the way of workers seeking urban tenure. One (see *Current Affairs*) is a new clause in the "call-in" cards of migrants, making job security contingent on their not bringing their families to the urban areas.

Then there is the role that overseas opinion may have played in persuading Pretoria to set up the Heunis Committee. Foreign criticism of the National Party's reform plans has focused on the exclusion of blacks. Yet, according to PFP MP Alex Boraine, Nationalist *verligtes* have been telling diplomats and overseas visitors that there is a "hidden agenda" in the constitutional plan.

It is being hinted that blacks will, eventually, be brought in. Presumably, the "hidden" component is being posited as necessary because of fears of repercussions on the Right.

If Boraine's allegations are correct, not only the cynical will fear that the Heunis Committee could turn out to be yet another of those bodies government sets up to sit, seemingly forever, on one or another intractable problem.

The committee needs to begin its work soon and in earnest to defuse any charge of stalling. And government should again consider making a "declaration of intent" vis-à-vis SA's blacks, as called for in the original President's Council report on the constitution.

In the current climate of political uncertainty and division, black trust needs to be gained. There are those who would argue that change by stealth is politically expedient. But if the process is dragged out interminably behind closed doors, the upshot might be that there is very little real change at all.

PARLIAMENT

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Blacks in play

FM 4/2/83

In many respects, government was in a powerful position when the traditional No-Confidence debate got underway this week.

For a start, this parliamentary session will be the last "whites-only" affair. That left the Conservative Party to argue that the inclusion of coloureds and Asians in the new deal was going too far — an opinion the P W Botha administration has long discounted.

The Progressive Federal Party, of course, raised the issue of the black majority. Then government startled the House by announcing the appointment of a Cabinet committee to deal with precisely that issue.

According to Dr Piet Koornhof, the appointment is an "epoch-making" event. That remains to be seen, but it was certainly a public relations coup.

The announcement came at the same time that it was revealed that the controversial Orderly Movement and Settlement of Black Persons Bill has effectively been shelved. According to Constitutional Affairs Minister Chris Heunis, who is to be chairman of the new Cabinet committee, the standing parliamentary committee on the constitution will have its hands full drafting the final version of the new constitution for whites, coloureds and Asians. The influx control Bill will simply have to wait in line.

For blacks outside the homelands that is relatively good news. The Blacks (Urban Areas) Consolidation Act — which has regulated the admission of blacks to urban areas since 1945 — is a known factor, and certainly better than the measure it was feared would replace it.

Optimists may see grounds for renewed hope of bringing urban blacks into the constitutional dialogue. Government sources say it is not without significance that with the exception of Foreign Affairs Minister Pik Botha the members of the new Cabinet committee are also members of the Cabinet's constitution committee. The same sources have been hinting that government has a "hidden agenda" for blacks outside the constitutionally separate states.

This is probably too rosy a view. PM Botha made it clear during the No Confidence debate that blacks in the common area would continue to be excluded from political structures for other race groups.

That would seem to narrow the areas for discussion down to the financial viability of black local authorities, the freehold issue, joint local authority services and ultimate lines of control over urban and rural authorities.

Heunis and Koornhof intimated that the committee may be willing, when the time comes, to discuss with black leaders the final form the Orderly Movement Bill — or any associated measure — will take. The real question will then be: to what extent are the pass laws negotiable?

INFLUX CONTROL (339)

Unhappy families

FM 4/2/83

Controversy surrounds a "new" measure making it easier to endorse contract workers out of Reef urban areas if they attempt to bring their families with them. Officials say the clause is not new at all, but has at times simply been ignored in the past. Trade unionists and legal experts counter that they came across its effects for the first time this year.

The measure is a clause in the "call-in forms" issued to contract workers. These forms spell out conditions with which migrants have to comply. The new clause states that they may not bring their wives or families with them to the West Rand Administation Board (Wrab) area, and that if they attempt to do so their contracts will either not be registered or immediately terminated.

Armand Steenhuisen, Wrab's director of manpower, says the clause has been in existence since 1969 in some areas and for five years in others. In some cases the clause was not included on the call-in form, Steenhuisen says, due to a "slip-up" by his staff. He maintains that it is not a new addition to the list of conditions for registration of a contract.

The clause is there, claims Steenhuisen, to ensure that when a person is introduced to an urban area in a work category for which there are no local work-seekers, he does not add to overcrowding, or squatting, by bringing his family along.

If the conditions are not adhered to, Wrab has the option of cancelling the contract or refusing to register it. "This will not be done in all cases," Steenhuisen says. "If the family is sent back to the area from which they illegally migrated, the employee may be allowed to stay. In some cases where specialised labour is concerned, he may be allowed to bring his family to live in the prescribed area."

A legal source told the *FM* that a clause relating to families was extraneous to the actual contract and could therefore be regarded as unacceptable. Nowhere in the Black Labour Regulations of 1965 and 1968 was there provision for such a clause, which might, therefore, be *ultra vires*. Steenhuisen refuses to comment on the legal aspect of the clause but says: "In terms of Section 10(2) of the Urban Areas Act we can impose any condition."

The Black Sash's Sheena Duncan sees the clause as "simply an additional measure to curtail the number of migrant blacks seeking a livelihood. Although recent statistics on the number of prosecutions under the influx control laws are unavailable, indications are that control, from an administrative aspect, has been stepped up. The inclusion of the new clause and preference for commuting labour over migrant labour in areas like Natal is evidence of this."

Duncan adds: "In addition to limitations placed on the influx of families, it has become increasingly difficult to get call-in forms acceted by various labour bureaus — thus effectively blocking workers from seeking legal employment in the cities."

Trade unions with a large proportion of contract workers among their membership contend that workers have experienced problems registering their contracts in terms of the "new" clause. They describe the clause as placing serious limitations on workers in the Wrab area whose contracts needed renewal.

Blacks can seek court redress from councils

Urban blacks may approach the Supreme Court for litigation against community councils, Mr Justice Goldstone ruled yesterday in a precedent-setting judgment in the Rand Supreme Court.

Mr Justice Goldstone,'s interpretation of a section in the Community Council Act of 1977 in effect removes a legal barrier which had precluded blacks from seeking redress to higher courts.

The important ruling was made during an urgent application submitted by three shack dwellers who sought an order to prevent the Soweto Council from demolishing their shacks and to rebuild those that had been flattened.

The joint application was submitted by Mrs Carol Mathope (82) and Mrs Margaret Hlongwane (33) whose shacks had been demolished this week by the council. The council employees were about to demolish the structure belonging to Mrs Beatrice Buthelezi (73) when the court application was made by the women.

Mr Justice Goldstone postponed the hearing to February 22 after ordering all the parties to file replying and answering affidavits. The council gave an undertaking to the judge that it would not demolish Mrs Buthelezi's structure pending the outcome of the application. The undertaking was made an order of court.

The judge handed down his precedent-setting judgment after Mr J van Niekerk, representing the council, submitted that the Supreme Court did nothave jurisdiction to hear civil disputes between blacks and community councils.

When rejecting the legal argument, Mr Justice Goldstone expressed the view that it would undesirable and unnecessary for the Supreme Court to be placed out of bounds for blacks.

The judge held that it was ot the policy of the Government under its Black Administration Act to oust jurisdiction of ordinary courts over blacks. The legislators would have clearly specified if the Supreme Court did not have jurisdiction.

KNOW ALL, ... not just those you want to listen to

DR KOORNHOF TO URBAN BLACKS: SPEAK TO US

JOE LATAKGOMO, editor of The Sowetan, the daily paper serving the giant town outside Johannesburg, assesses the Government's 'discovery' this week of the urban black question — and finds no cause for comfort, unless there is a change in traditional thinking

PRIME Minister P W Botha announced in Parliament this week that a Cabinet Committee had been set up to investigate "all outstanding problems affecting urban blacks".

The announcement received a cool reception from most urban blacks.

The reason is not difficult to find: For far too long, the Government had believed that the urban black was just a temporary sojourner in "white" South Africa, and would eventually return to his homeland. In the Government's view, all blacks in South Africa were "guest workers", and therefore could not demand participation in the decision-making process of the country which so kindly offered them job opportunities when their own countries could not do so.

Indeed, supporters of the Government even compared our situation here with that of West Germany, where people from countries like Turkey work as guest workers.

In those times, the Government hoped for an all-white South Africa when the grand design of apartheid ran its full course. There would be a country for Zulus, Xhosas, North Sothos etc. Those people would be welcome to work in "white" South Africa, but they could have their full rights — including voting — in their own "countries".

There has now been a slight shift of emphasis in this aspect. The Government seems to accept that urban blacks are permanent residents, and even attempts to force them to take out homeland citizenship has only on paper resulted in a reduction of blacks in "white" South Africa.

It was from this thinking that the 99-year-lease system for urban blacks arose. But there again, the Government had initially planned to link the system to the homelands.

The advisory boards in the townships evolved into Urban Bantu Councils. The riots of 1976 — and the political climate they created — resulted in the death of these councils. Community Councils were born.

And now Dr Piet Koornhof has come up with his famous "trilogy" of bills for another "new deal" for blacks.

The Orderly Movement and Settlement of Blacks Bill has already been earmarked for the scrapheap — and it is hoped will end up there. The Community Councils will be making way

Cabinet Com

THE new Cabinet Committee set up to investigate the problems of the urban blacks was not only inadequate but a sham to "buy time."

These scathing comments came from a wide variety of political analysts and experts on influx control this week.

Prime Minister P W Botha, announcing the high-powered committee on Tuesday, emphasised that any new deal for urban blacks would still exclude them from the political institutions of South Africa, except possibly at municipal level.

Dr Piet Koornhof, Minister of Co-operation and Development, made it clear that blacks would not be given a fourth chamber in Parliament in any new dispensation. However, the committee would look at the possibility of freehold title — a move away from National Party ideology which refused to recognise the permanence of blacks outside the homelands.

Those few short paragraphs, propped up by reams of Press publicity this week, have revealed nothing new. The three new bills relating to urban blacks — the Black Community Development Bill, the Black Local Authorities Bill and the Orderly Movement and Settlement of Black Persons Bill — tell the story of the futility of the new committee.

The Government has already mapped out the path it wishes to take with urban blacks and endless talks are unlikely to change much, if anything, in the new bills.

The Government emphasised this week that the apartheid framework would, "under no circumstances," be tampered with.

If it did, observers said, the right wing pack of cards would crash on its head and the threat of right wing militancy agitating against the present Government is far worse than any threat coming from blacks.

The Government announcement that blacks would not take part in any form of power sharing except at municipal level is not new. Community Councils, whether legitimately elected by ratepayers or not, determine the municipal affairs of blacks in their satellite cities.

However, in the proposed new legislation the Government has introduced an interesting catch-clause. Community Councils would have to prove their financial independence before they could attain the increased powers of local authority status.

Soweto, as an example, has never managed to pull itself out of the red,

S. Tribune 6/2/83 (354)

AAAH ...
NOW
I SEE IT!

URBAN BLACKS

PRESS

*!¿!

T.P. 2-83

for "town councils" with the full powers of any local authority by the end of this year.

This the Government sees as being a major step forward in terms of providing rights for urban blacks. The question of rights in the national situation are, however, still out.

That is the position of the Government.

Added to that, Mr Botha has already stated categorically that there is no way blacks would be included in the new constitutional dispensation. Indeed, it has even been suggested that there would have to be a separate chamber for every black "nation" if that were to be done. Blacks, however, don't know who the Government asked to arrived at this conclusion.

Mr Botha has also stressed that the Cabinet Committee would deal with the urban black problems according to the principles of the government of the day. (For a long time, that will be the Nats, so, in effect, Mr Botha means that the problems would be dealt with according to the principles of the Nats). These principles mean — and will do so for some time yet — separate development.

It is precisely for this reason that the committee will consult the governments of "independent states", the "non-independent states" and Community Councils.

Clearly, the Government has determined that it will speak to the people it wants to listen to. Those it does not want to listen to are against all the above bodies.

If the Government is so sincere in its attempt to find solutions to the problems of the urban blacks, then there will need to be a departure from traditional thinking. One cannot probe the problems of Johannesburg residents by speaking to the Mayor of Louis Trichardt.

So where does Dr Koornhof go from here? He has lost much credibility. He would need to be seen genuinely to want to speak to all shades of black opinion if he is to overcome the credibility problem that he faces.

He has in this Cabinet Committee two men who have been responsible for signing banning orders for people whose views the Government does not like. The views of these people are vital if the Government has to get to the root of the problems of the urban blacks. As a first step the banning orders on those people should be lifted, and their co-operation sought.

The problems of urban blacks are clearly identifiable. They are citizens of South Africa, and want to be treated as such. They want freehold rights, they want equal opportunity in education, which would give them equal opportunity in employment.

They want to determine for themselves who should govern this country. They are tired of hearing about change, yet not seeing anything fundamentally affecting their lives. They have had enough of detentions without trial. They are tired of influx control regulations which make it impossible for people to live a normal life.

These are some of the major problems that Dr Koornhof and his team would have to address themselves to. Unless they are faced squarely, the whole effort will be seen as just another time-buying attempt by the Government.

Blacks are tired of hearing an echo of the old Brazilian saying: "There is no racism here. The blacks know their place."

mittee 'inadequate': Charlene Beltramo reports

JUST A SHAM TO 'BUY TIME'

in common with all other black urban areas.

Its income from residents and other sources is less than a third of the township's annual running costs. Legislation denies it the ability to develop an income-generating infrastructure.

More than 80 percent of the money spent in Johannesburg's wealthy central business district is from the pockets of black shoppers. White business interests are excluded from the black trading areas, in the same way that the reverse applies. This ensures that high-revenue-generating shopping complexes or industries — which would not only cut down on commuting time and costs for workers but would add appreciably to the coffers of the Community Council — cannot be set up in black areas.

would ensure that only a limited number of persons could take advantage, a number that would decrease as the number of "qualified" blacks decreases.

The OMSBP Bill will take apartheid to its ultimate conclusion, the dream that Connie Mulder spoke of in 1978 when he said: "Soon there will be no black South Africans."

This bill, however, is likely to go through only at the end of this parliamentary session or next year. It is in order to push through this bill, rejected on three occasions, that analysts claim the Government is "buying time."

Marion Lacey, an expert on influx control and labour, said that whatever committees were set up would es-

previously . . . "disenfranchised they are co-opted by the Government giving them better housing and labour prospects."

As an example, she said, new labour preferential laws (in terms of the Riekert Report) for urban blacks had meant 850 000 fewer registrations at administration boards from homelands work-seekers between 1975 and 1981.

Mrs Lacey said freehold title would have to be meaningful.

"Few houses have been sold under 99-year-leasehold because they cost from R15 000 to R35 000. Only the more affluent black, who is in the minority, can afford such a house."

Professor A J G Oosthuizen, of the

ation by not building homes for blacks in townships.

Mrs Lacey points out that at Bronkhorstspruit, near Rustenburg, the Government is creating a "catchment area" for the overflow of blacks from Soweto. Once there all these qualified blacks will lose their Section 10 qualification. The area will cater for 500 000 people. "Increasingly there are fewer urban blacks whether due to influx control, citizenship or housing," Mrs Lacey said.

In another example, the Government recently declared areas such as Lady Selborne and Lichtenburg part of the homelands. This deprived another 750 000 blacks of their urban rights.

Thousands more unemployed people have been endorsed out of the cities to homelands during the recession and they will never again be legally allowed to take up work or accommodation in the so-called white urban areas.

Dr Nthatho Motlana, chairman of the Soweto Committee of Ten, said the Government saw South Africa as consisting of 12 nations, 11 black and one white.

"On that non-negotiable premise,

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they say they will look at the position of urban blacks. Who are they trying to bluff?

"There are no possibilities unless they admit there is one South African nation, not of different tribes but of differing language groups.

"I don't understand this nonsense either of rural blacks and urban blacks,no-one uses the same terminology for whites. How can they be divided? It's ridiculous.

"Chris Heunis said if blacks were included in Parliament there would have to be 13 chambers — what sort of madness is this?

"This new Cabinet Committee is just to buy time, and what a pitiful waste of time."

Jill Wentzel, vice-president of the Black Sash, said it seemed Dr Koornhof once more was insulting the intelligence of black leaders by expecting them to oil the wheels of their own oppression.

"Dr Koornhof (and the Government) has become an implacable destroyer of black communities and their homes. How can he expect black leaders to discuss peripheral municipal matters with him, while at the same time he is destroying township dwellings and economically viable rural communities at Driefontein, Mothopostad and elsewhere — in the midst of a housing crisis."

rand Afrikaans University's Institute for Urban Studies, said he had long recommended site and service schemes, or core housing, and allowing blacks to build homes themselves.

"Government regulations and standards are too high and too expensive."

"If a man does not work for 122 consecutive days in a year he can be declared idle and undesirable and endorsed out, losing his precious Section 10 rights to live and work in a white urban area", said Mrs Lacey.

"Because of a shortage of houses people are relocating themselves in squatter areas such as Winterveld and once there they lose their Section 10 rights."

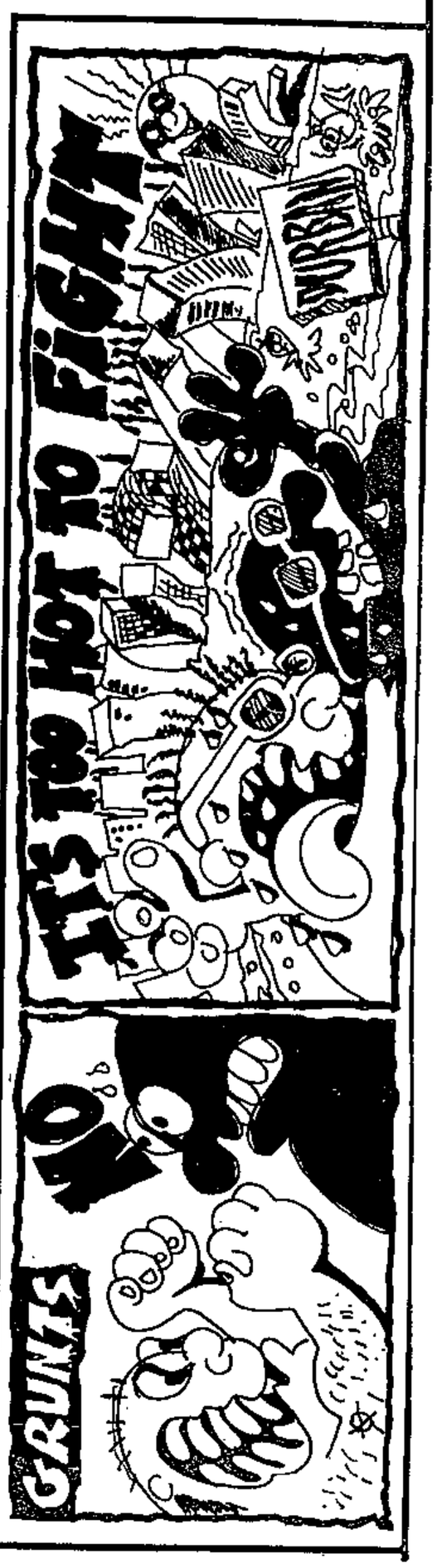
The Government is forcing this situation to redistribute urban blacks to fill skilled labour shortages and to split the urban and rural blacks, by creating resentment among the less privileged rural communities.

"The policy seems to be to fit in with the Cape plan to develop regions according to their economic potential."

Mrs Lacey said it was "unquestionable", however, that blacks wanted some rights. "They have no rights now, only certain privileges."

"In terms of the Status Act as an example, blacks are stripped of their South African citizenship and made citizens of one or another homeland."

She said the situation of blacks now was the same as that of the coloureds



Whereas white municipalities, as another example, receive a portion of the provincial revenue from road taxes, black areas receive nothing.

The likelihood of Community Councils becoming financially viable and achieving the more powerful local authority status, therefore seems like a distant dream.

Soweto, as an example, has an unemployment rate of about 20 percent, and more than 70 percent of its population lives on or below the minimum living level.

Even if freehold title is given to the 5,3 million urban blacks (who form only a quarter of all South African blacks) the Orderly Movement and Settlement of Black Persons Bill

This quiet corner

DEON



DU PLESSIS

ATTENTION! Attention all urban Bantu: The Minister will address you now.

And a very good, bad or indifferent mourning to you my people, this is your moanister sparking.

By now you will have heard the good noose: The Government I represent has decided that you ARE here after all, part of the greater South Africa. We don't hear any applause, but you can't fool us. We know you're out there ... we can hear you breathing.

You will be aware of the new dispensation, that coloureds and Indians are now with us, the whites, in a separate but equal ratio of 4:2:1. Some critics have likened this sensible ratio to the wheel configuration of a steam engine and have dubbed the new order Locomotive Diplomacy. Some of them have been unkind enough to suggest that whereas a locomotive goes chuff, chuff, our new order will merely go chaff, chaff. These critics are mostly writers and radicals. They should be warned. They should be told, too, that they are not the only ones who can play with words. I would tell these writers that it is the surly bard which catches the wham.

Do not heed these radicals, my people hear me, your father, instead. You will know that not only are you not part of the 4:2:1, but neither are you, as urban bantu, part of the national states or the independent states.

So we have decided to set up a committee to determine your future.

The radicals will tell you that because no black people are on this committee that it is rigged against you. That is untrue, we deny it categorically. It is just that we know our own policy best. It is for this reason alone that there are no block people on the committee.

The committee is composed of such men as the Minister of Pulleys, whom I'm sure some of you will already know. We are also backed by such men — even though he is not on the committee (and HE doesen't complain) — as the Minister of Offence who has already so eloquently stated that if he thinks it will be good for him he will bliksem you.

So what sort of future will we decide upon for you my people? It is not decided yet. We will listen to some of your leaders and we will decide whether they know better than us. Then we will speak again and you'd all better listen good.

But for the moment let me say that we are talking about limited self determination at restricted municipal level. This is a very wonderful idea and by way of explaining it to you, let me say that, ah ... well it WILL be explained to you.

But just to make this quite clear, let me nationally, no, independently, state that what you will end up with is the logical consequence of the policy of orderly evolution from Township Advisory Boards to Urban Bantu Councils to Community Councils which can prove their financial independence before they attain the status of Local Authorities.

And if the details of all this are not clear to you my people, let me say that at last we understand each other.

Thank you for your patients. We will hold another frank and fruitful indaba sometime.

Homelands: new deal in sight?

The Cabinet committee appointed to find a political model for urban blacks will meet soon.

By Anthony Duigan

It is no longer possible to tie urban blacks politically to the homelands, and the Cabinet committee, appointed to find a political model for these people, will have to start from this premise, say leading National Party theorists.

Black and white opposition quarters are cynical about the chance's of anything worthwhile emerging from the Cabinet committee.

But, looking behind the glare in which politicians posture and perform for their followers, there are signs that reality rather than pure party ideology could prevail.

The Government's leading theorist on black urbanisation and population, Dr Flip Smit, vice-president of the Human Sciences Research Council, is already preparing the way for a new look at politics and population.

In a recent speech on the socio-economic and political situation of urban blacks (given before a largely conservative academic audience in Potchefstroom) he warned that forcing blacks into political links with the homelands was unsound and self-defeating.

In other words, a proper model of political accommodation in "white" South Africa, acceptable to urban blacks, had to be evolved — a theme echoed by NP commentator Dr Wimpie de Klerk, a good sounding board for new thoughts gaining credence within the Establishment.

Facts outlined by Dr Smit in arguing for a realistic rather than an ideological examination of the urban black issue include:

● Blacks already make up about half the population of the "white" urban areas and this proportion will increase enormously in the coming decades while white numbers will rise only slightly. In other words, come to terms with the facts and accept what cannot be wished away.

● Two-thirds of the urban blacks today live in the four main metropolitan areas and, cornerstone of separate development, ethnicity, is taking a back seat because of intermarriage and mixed living areas. Pet theories, still much in vogue, that urban blacks must exercise their political aspirations in homeland legislative assemblies are not practically possible.

● Traditional power structures in the homelands are anathema to young, educated blacks (almost half the black population is under 15 years old and getting better educated by the day). Forcing urban blacks into homeland political structures is, a best, sterile, at worst, dangerous.

● Urban black participation in homeland elections has been minimal in the past 10 years. In 14 elections up to 1978 the urban vote made up nine percent of the poll. On the other hand, involvement in urban civic affairs has increased.

● By the end of 1980 the average poll in urban community council elections evened out to about 40 percent (but the test of urban black civic authorities remains the September/October elections under the increased power structure. Soweto's poll in its first community council elections in 1978 was only 6 percent).

Dr de Klerk was even freer with his pen in a recent political column.

Piece by piece he demolished the political theories the Government has repeated in the same breath as "urban blacks" — that decentralisation would divert the flow from the main areas, that swift transport systems would enable blacks to live in homelands and commute to work in white areas, that by extending the borders of homelands certain urban townships would be swallowed into these territories. Even the most optimistic proponents of this theory acknowledge that it would not work for the largest black concentrations in the PWV.

All these "old solutions" were tired and unacceptable, Dr de Klerk said.

Plan for blacks

By Peter Sullivan,
Political Correspondent

On the second day of the recent no-confidence debate the Prime Minister announced a special Cabinet committee to look ihto the problems of urban black constitutional development — the one aspect of National Party ideology even its proponents cannot explain.

Immediately criticised because its terms of reference were so narrow, the new committee has the enormous task of draftinga new National Party plan for all non-homeland black people.

The Prime Minister did not give it narrow terms of reference but he made it clear that the committee wouldapprach the problem of black political rights within the framework of National Party principles, which already specifically exclude a fourth chamber i the new Parliament.

Mr Botha did add tha the inquiry should be seen as the beginning of a process to give "legitimate accommodation" to black aspirations.

The appointment of the Cabinet committee marks a shift from the days whethe Department of Co-operation and Development had sole say in matters affecting blacks.

The committee's chairman is Mr Chris Heunis, the Minister of Constitutional Development. With him o the committee are: Dr Piet Koornhof, Minister Co-operation and Development, Mr Pik Botha, Minister of Foreign Affairs, M F W de Klerk, Minister of Internal Affairs, Mr Louis Le Grange, Minister of Law and Orde, Dr Gerrit Viljoen, Minister of National Education, and Mr Kobie Coetsee, Minister of Justice.

Hansard Q. 61. 124 -125

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Controlled squatting

*2. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

(1) Whether any Administration Boards other than those mentioned in his reply to Question No. 1 on 12 February 1982 have adopted schemes of controlled squatting since then; if so, (a) which Boards and (b) how many families are involved;

(2) what is the (a) extent and (b) nature of the services provided to date in the area of each Board that has adopted such schemes?

The DEPUTY MINISTER OF CO-OPERATION:

(1) No.

(a) and (b) Fall away.

(2) Only rudimentary services are provided to such an extent that the needs of the communities concerned are catered for.

Mrs. H. SUZMAN: Mr. Speaker, arising out of the reply given by the hon. the Deputy Minister, does he know what crisis situation has now developed at Guguletu?

The DEPUTY MINISTER OF CO-OPERATION: Mr. Speaker, we are perfectly aware of the crisis situation that has developed, and are taking all possible steps to combat that situation. [Interjections.]

BUSINESS BAROMETER

Townships need more funding

17/2/83 Star

Nafcoc

More funds should be provided by the Government for the provision of essential community services in the townships, such as roads, electricity and sanitation, Mr S M Motsuenyane, president of the National African Federated Chamber of Commerce (Nafcoc), said in Johannesburg yesterday.

Addressing an "Investment Strategy 1983" conference on black housing, Mr Motsuenyane said part of the infrastructural costs could be shared by homeawners in the developed areas.

"This is done in Kenya where the government is responsible for only one percent of the housing development projects and 99 percent of the work is undertaken by private developers."

Land should be made available on a freehold basis to black township developers to build and sell houses to blacks. South projects should be financed by building societies and banks, while the Government should only build low cost homes for the poor.

As far as the present Government policy is concerned it did not appear as if blacks would ever be allowed to live in the white residential areas, he said.

"And in this respect outright ownership of property must be granted to all residents of black townships who can afford to purchase land and build their own homes. The existing 99 years leasehold system is only second best to freehold."

Turning to laws preventing black businessmen from trading freely, Mr Motsuenyane said that wherever possible should they be lifted.

"The black business community's major role is to help recycle profits and investments into the black townships which are being continuously siphoned out of these areas by big business.

"We have much to learn from the African countries, as well as from the independent national states created by South Africa itself." — Sapa.

● See page 14

D. Dispatch 21/2/83

Duncan: apartheid stays with changes

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PORT ELIZABETH — Better conditions being encouraged by the government for urban Africans and improvements in labour legislation should not be seen as a move to do away with the apartheid system in South Africa, Mrs Sheena Duncan, Black Sash national president said here at the weekend.

At a regional conference of the Black Sash, Mrs Duncan, said all the improvements for the urban Africans were being done at the expense of the majority of Africans.

Mrs Duncan said the "euphoria about positive change should not be allowed to spread further through the white community"

It appeared the government was introducing legislation to reduce the number of Africans qualifying for Section 10 rights by half and that the plans to improve the life of this small percentage of the population was to create a prosperous group which excluded both the poor and those without urban rights, she said.

"Millions of rands has been spent on the electrification of Soweto which is a good thing physically for the people but not economically because the rate per unit in Soweto is higher than that in Johannesburg's northern suburbs." — DDC.

Township traders eager to hear Govt

By JOHN MOJAPELO
Pretoria Bureau

A SENIOR member of the Economic Planning Department of the Prime Minister's Office, Mr E J van Eck, is expected to spell out the Government's response to the recommendations by the National African Federated Chamber of Commerce (Nafcoc) concerning future opportunities for black traders in the country.

Mr Van Eck will be one of the main speakers at the inter-regional seminar of Nafcoc at Pilanesburg in Bophuthatswana on March 1 and 2.

Mr Gabriel Mokgoko, the co-ordinator and public relations manager of Nafcoc, said at the last inter-regional seminar of Nafcoc in Pietersburg last year that there were issues Nafcoc needed to examine to understand their impact on the development of business in South Africa.

"We made recommendations to the Government after the seminar and we are expecting Mr Van Eck to come and tell us what progress has been registered and the Government's response," Mr Mokgoko said.

He said Nafcoc was specifically interested in the Government's policy of regional development, as it affected black traders in the country.

Nafcoc has invited the chairman of the Decentralisation Board, Mr E G de Beer, to speak on the incentives for black manufacturers and informal sector in the decentralisation areas proposed by the Governbment.

"We are told of regional development schemes and decentralisation. We want to know what incentives are offered and what is the latest Government thinking on the issue," Mr Mokgoko said.

Blacks were ignorant about the system of negotiating tenders on Government contracts in black areas, he said.

The director of the Small Business Advisory Services, Mr I J Hetherington, has been invited to the seminar to speak on "tenders and Government contracts — how the local entrepreneur can benefit".

Mr B O Sibeko, the chairman of Nafcoc's counselling committee, is to deliver an address on the means and methods to be submitted to the Government on how to amend the new Factories Act to suit small manufacturers.

Mr S J J Lesolang, director of the oldest black company in the country, will speak on freehold title and free enterprise for blacks in the country.

"Mr Lesolang's company has been in existence from the early forties. We expect him to tell us what progress black traders have made so far," Mr Mokgoko said.

There will be four other speakers.

Strangled wife hearing

Mail Reporter

THE hearing in which Mr Jozsef Gyarmati, the 33-year-old Yugoslav fitter accused of strangling his 17-year-old beauty queen wife after she had told him he was

was found strangled in their modest home in Robertson Avenue, Ermelo, on January 5 after Mr Gyarmati had handed the baby and house keys to friends.

The magistrate, Mr M

Sarel's set for his US debut

SOUTH African rally champion Sarel van der Merwe will make his American debut in the Budweiser Miami Grand Prix, the second round of the International Motor Sport Association (IMSA) Camel GT series, in Miami on Sunday.

"Supervan" will share a Momo/Kreepy Kraulyn Porsche 935 "Moby Dick" with Italian Gianpiero Moretti.

Guaranteed prize money for the race is R183 750, with contingency and other sponsorship awards expected to push this up to R262 500.

Total prize money for the Camel GT series will exceed R2 100 000 and, at the end of the 15 race championship, a points fund of R262 500 will be split between the leading drivers.

Van der Merwe will drive in at least seven of the races this year and, when rally commitments keep him at home, he will be replaced by South Africa's Desiré Wilson, the world's leading woman racing driver.

Van der Merwe's agent, Arthur Abraham, said the race would provide seven-times South African rally champion with massive international exposure.

"I am sure he will do himself and South Africa proud.

"About 60 000 spectators are expected to line the streets for the race," he said. "But in addition it will be televised live on 205 network stations in the United States, and will be beamed to 11 countries through the Spanish international network.

"Supervan" said he had never before raced on a street circuit, and wanted to put in as much practice as possible.

"I have only seen diagrams of the layout, and it looks to be a tricky combination of ultra quick sections and very tight bends."

Van der Merwe added that he was optimistic about the

Influx control crackdown

CAPE Times 24/2/83

Political Staff

STATISTICS released in Parliament on pass arrests during 1982 indicate a massive crackdown in the government's implementation of influx control.

During 1982 more than 200 000 blacks were arrested on pass law offences.

This represents a 27 percent increase over the figure for 1981 and a staggering 90 percent increase over figures for 1980.

The latest statistics were disclosed by the Minister of Co-Operation and development, Dr Piet Koornhof, and the Minister of Law and Order, Mr Louis le Grange, in reply to questions in Parliament by Mrs Helen Suzman (PFP Houghton).

Dr Koornhof disclosed that during 1982 there were 112 646 blacks arrested under the pass laws by administration board officials while Mr Le Grange disclosed that the police had arrested 93 376 blacks under the pass laws.

Mrs Suzman reacted with shock to the disclosures.

"These shocking figures highlight the fact that while the government is talking reform for coloureds and Indians the exclusion of blacks from the constitutional proposals renders them completely vulnerable as far as discriminatory laws affecting them are concerned," she said.

"Whither Dr Koornhof's declaration of war on the dompas?"

PARTNERSHIP IN BUSINESS

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Scrap the ratios

FM 25/2/83

The black market has increasingly come to mean big business. So it is not surprising that the lifting of restrictions on white capital movement into black areas on a 49%-51% partnership basis has been welcomed by the business community. Checkers, OK and now Pick 'n Pay all have their sights firmly set on Soweto. Yet there is growing resentment about the development in the black community.

Prior to 1979, when many of the restrictions governing black businesses were eased, "black fronts" for "white money" were allegedly common, although illegal. Now policy changes permit white investment in black areas whereas previously it was taboo.

However, policy does specify that 51% of share capital in any partnership venture in a black urban area must be held by blacks with white investors holding the balance.

Clearly, pegging the white equity ratio was an attempt to placate small black traders' interests; they feared, and still do, being "swamped" by white entrepreneurs. In fact, many believe the new policy has achieved little other than to legalise "fronting" by black businessmen.

The reason is that although company equity might be structured on a 49%-51% basis, the share capital might be only R100, with the minority white partner providing additional loan finance worth millions of rands.

So National African Federated Chamber of Commerce's (Nafcoc) president Sam Motsuenyane's reaction is entirely predictable. Speaking largely for the small trader, he is adamant that there "should be no government prescription for the partnership relationship."

The real issue, it seems, is the presence of "white" capital in black areas — with no reciprocity. The solution is simple. If black areas are opened up to white capital, the CBDs and "white" suburbs should become available to black businessmen.

As Motsuenyane puts it: "Government should implement free trade zones which would be the beginning of the opening of both black and white areas to business of all races."

If government's intention in establishing the 49%-51% arrangement was to protect black traders, it has failed. If it was an attempt to overcome historical prejudices against white capital involvement in black areas, it has also been an unsuccessful exercise. So why not scrap a formula which appears to be a sham and could result in a worsening of relations between black and white businessmen?

Rambling but good

13/2

KOORNHOF'S 'PLACES OF UPLIFTMENT'

A service to blacks

AND THEY ARRESTED ONE PERSON EVERY 4,7 MINUTES LAST YEAR

By BARRY STREEK

WITHIN days of telling Parliament that the 14 administration boards in South Africa were "places of upliftment", Minister of Co-operation and Development Piet Koornhof disclosed that board officials had arrested one black person every 4,7 minutes of 1982 under the pass laws.

LAST WEEK he angrily denied that the administration boards were symbols of oppression.

THIS WEEK he said the boards had arrested 112 646 people for influx control and reference book offences last year.

That's an average of 308,6 people a day; or 12,85 people every hour — or one person every 4,7 minutes, night and day, non-stop for a year.

Dr Koornhof gave the two faces of the administration boards in parliamentary clashes with the PFP's veteran campaigner Helen Suzman, MP for Houghton.

Mrs Suzman had said that the administration boards were being attacked because they were symbols.

An angry Dr Koornhof replied that they were symbols to the banned African National Congress. Mrs Suzman, he said, was acting "as a spokesman for the ANC" in making these claims about the administration boards — a claim he was forced by the Speaker to withdraw.

He then went on to claim that the boards were not symbols to the ANC.

"Those places are places of upliftment where a service is delivered by black and white people to the public.

"That is what they are," the Minister said.

Then, replying this week to a question from Mrs Suzman, he disclosed what kind of service they were delivering.

In performing that service last year the administration boards broke all records for the number of arrests with their total of 112 646.

In previous years, the police were the main implementers of the pass laws; last year they were eclipsed by the board officials.

Together they arrested 206 022 people under the pass laws — or 23,58 people every hour. Or one person every 2½ minutes, day and night, throughout the year.

The boards have been in existence for barely 10 years, and they have been the targets of many bomb blasts, burning and stone-throwing.

In August 1976, two board offices in Port Elizabeth were attacked, one of them, in Mendi Road, New Brighton, being destroyed.

On August 10, 1976, the administration board offices in Cape Town were attacked by 500 schoolchildren.

During 1977, the administration board offices in Kwanobuhle, Uitenhage, were burned down and attempts were made to destroy two other Eastern Cape board offices in October of that year.

A bomb left in the New Brighton offices in March 1978 killed a woman and injured three more.

During 1980, the Eastern Cape board offices were again targets for attack. A petrol bomb was thrown into the Grahamstown offices; the office in Despatch was stoned, and four people were injured at Uitenhage when a crowd attacked the building.

In December 1981, an explosion damaged part of the offices in Duncan Village, East London.

Last year, the administration board offices at Sobantu, near Pietermaritzburg, were damaged in the wake of protests against increased rents.

This month a bomb at the administration board offices at Botchebella, near Bloemfontein, injured 76 people and killed one man.

The boards have also been involved in controversies of a different kind: The administration of their finances.

Over the years, a number of critical comments have been made by the Auditor-General about their accounts.

This year, for example, the West Rand board was told by the Auditor-General that its internal control measures "leave much to be desired", while the Northern Transvaal board was criticised for having an outstanding amount of R138 957 in "external accounts."

Accounting by the Southern Cape-Orange Free State board was "contrary to departmental directions" in respect of R82 450 for vehicles and equipment.

The same board also managed to increase liquor account costs from R70 895 to R2 532 592 in the 1981-82 financial year.

Whatever the deficiencies in financial administration, it is the source of funds which is more controversial.

The boards, according to PFP parliamentarian Nic Olivier, basically derive their income from pass law fines and profits on liquor sales.

He said that when the boards were established Dr Koornhof himself had said they would be more sympathetic in their dealings with blacks than, say, the Johannesburg City Council.

In truth, however, they were "a hopeless failure" and "in no single respect have the administration boards complied with the expectations with which the Minister set them.

"On the contrary, many of the administration boards are regarded by blacks not as the people who are there to help the blacks, but as the people to oppress the blacks.

"Basically, they are the people entrusted with the task of seeing to it that thousands of blacks are cast into jail every year."

He estimated that the profits from sorghum beer, made by the boards, amounted to R35,5-million and the profits from the liquor accounts amounted to R5,5-million — R41-million profit in a year.

Dr Olivier said: "If ever there was an example of Marxist socialism, then it is the fact that the State enters the liquor trade in order to use the profits it obtains, not in the social interests of the people who provide these profits, but in order to persecute these people."

Plan to split Zimbabwe claimed

Argus Africa
News Service

HARARE. — Zimbabwean dissidents have abducted 20 children from a school in south-east Matabeleland and taken them across the border into Botswana.

A government spokesman said the children were taken from a school near Kezi, close to the Botswana border, on Saturday.

Captured dissidents interviewed last week by Zimbabwean journalists described a training camp at Pikwe in Botswana, allegedly set up by former guerrillas from Mr Joshua Nkomo's Zipra forces.

TRANSIT CAMP

The camp, they claimed, was used for training dissidents and as a transit camp for those rebels taken to South Africa for further military training.

They had said the camp was known to the Zapu heirarchy, and that recruits had come via the party's offices in Bulawayo.

The Zimbabwe Director of Information, Mr Justin Nyoka, has meanwhile disclosed that captured dissidents have spoken of a plan to split the country and form a secessionist state in Matabeleland where Mr Nkomo draws most of his support.

ARMS CACHES

The spokesman also reported that dissidents operating in the same area as the abduction set fire to construction equipment worth R75 000 at a mine.

They assaulted an employee at another mine later accusing him of being a "sell-out."

The spokesman added that a number of arms caches had been uncovered in the Filabusi district, following information given by senior officials of Mr Nkomo's Zapu party who were arrested in the mining town of Gwanda last week.

Student concern at UCT decision

ARGUS 3/3/83

Education Reporter

THE SRC of the University of Cape Town has called on the University Council to reconsider a decision to restrict them from holding meetings to discuss issues relating to allegations against staff or administration.

The SRC claims it cannot abide by the decision as it infringes its obligation to represent student interests.

The university administration recently agreed to the establishment of a committee of inquiry to investigate any complaints against members of staff and administration. This would be appointed by the Vice-Chancellor on an ad hoc basis.

Ignored

Mr Anton Richman, SRC president, said these decisions completely ignored students' objections which had been submitted to the council.

"We opposed the fact that there is no assurance of any student representation on the committee of inquiry and the fact that the findings of the committee will not be made public.

"If students are not represented on the committee, and if its findings are confidential, we will be put in a situation where legitimate student grievances are lost in the university bureaucracy.

"Fair man"

"The SRC is now prohibited from holding meetings of the student body, if and when such matters arise, and the student press is prohibited from publicising such issues until the vice-chancellor is happy for us to do so.

"While we are sure that the current vice-chancellor is a very fair man, we feel it necessary to jealously guard our right to consult at any time with our constituency, the student body, in order to discuss issues, to gauge student feeling and to receive a mandate for action.

"This rule prevents us from doing so and puts us in an untenable position because a situation could easily arise where we would be obliged to go against this rule," he said.

Member

The vice-chancellor and principal of the University, Dr Stuart Saunders, who is also a member of the university council, said the matter was still under discussion in the university.

"There is no attempt by anyone to block the expression of legitimate student grievances.

"But it is necessary to ensure that neither the staff nor the students can be subject to unjust and unsubstantiated public accusations before they are properly tested.

"The university is committed to freedom of speech and expression and to fair play."

Juluka fans on their feet

By TONY JACKMAN

JULUKA could probably fill the Good Hope Centre with thousands of ecstatic people for nights on end — even without Steve Kekana and Harari on the same bill.

The band — fronted by Johnny Clegg and Sipho Mchunu — have become high fashion since their entry into the British sin-

DUNDEE BUTCHERY
STATION ROAD, WYNBERG

Fear on rights of black wives

ARGUS 3/3/83

Political Staff

MRS Helen Suzman today warned that the Government could be contemplating introducing harsh aspects of the controversial Orderly Movement and Settlement of Black Persons Bill piecemeal by amending existing legislation.

The warning followed a "baffling" reply by Dr Piet Koornhof, Minister of Co-operation and Development, to a question asked by Mrs Suzman MP (PFP Houghton) in the Assembly yesterday.

Mrs Suzman asked whether Dr Koornhof intended introducing legislation to counter the court decisions in the Komani and Rikhoto cases which gave wives of contract workers rights to live in so-called "white South Africa".

REPLY

Dr Koornhof replied: "Legislation will be introduced during the current session to ensure orderly settlement in terms of, inter alia, the availability of work and residence, will take place."

In an interview, Mrs Suzman said the Government should realise the people coming to the towns "are not criminals, they are refugees from poverty".

Mrs Suzman found the reply baffling and hoped Dr Koornhof was not contemplating introducing the strict influx control provisions of the Orderly Movement and Settlement of Black Persons Bill piecemeal.

WAITING

"We must wait and see what he is contemplating. The Minister must take cognisance of the fact that the provisions of the Bill are totally unacceptable," she said.

Mrs Suzman said she hoped that the legislation "did not attempt the impossible of trying to stem the process of urbanisation brought on by poverty in the rual areas".

USA killer storm

to be met by members of the Citizen Force in order to qualify for such transfer, if so, what other requirements;

(3) whether he will make a statement on the matter?

The MINISTER OF DEFENCE (Reply laid upon the Table with leave of House):

(1) In order to be considered for transfer to the Active Citizen Force Reserve on 1 January 1983, members of the Citizen Force and commandos must have—

(a) Completed the 10 years' service prescribed in Sections 21 and 35 of the Defence Act, 1957.

(b) Completed the 240 days' service prescribed in Sections 22(3)(B) and 44(3) of the Defence Act, 1957, before 31 December 1982, unless the Minister of a person acting on his authority has ordered an exception in terms of Sections 22(19) and 44(8) of the Act. The 240 days are calculated as follows:

(i) One day for every day of service rendered in terms of the aforementioned Sections:

(ii) One day for each day of service rendered in terms of Section 92*ter* (2) of the Act to a maximum of thirty days and 50 per cent of the number of days in excess of thirty days;

(iii) 20 days for every year before 1977 wherein the member was not called up;

(iv) 30 days for every year since 1977 wherein the member was not called up.

No credit is granted for years wherein the member did not render service on account of deferment granted by an Exemption Board.

(2) As a special concession, members who had completed at least four periods of border duty, each of not less than 60 days' duration, and of which the last period may have commenced before 31 December 1982 and ended thereafter, have been transferred to the Active Citizen Force Reserve, irrespective of whether they had completed the ten year service period or not.

(3) Except for those members that had completed at least four periods of border duty in less than ten years, only those members of the Citizen Force and commandos who had commenced with national service in 1973 or earlier qualify for transfer on to the Active Citizen Force Reserve with effect from 1 January 1983.

Unrest in Western Cape: interdepartmental committee

*13. Dr. A. L. BORAINE asked the Minister of Foreign Affairs and Information:

Whether officials of his Department were members of an interdepartmental committee formed to counter unrest in the Western Cape in 1980; if so, what steps did the committee take to counter such unrest?

The MINISTER OF FOREIGN AFFAIRS AND INFORMATION:

Yes. The contribution by officials of the Department of Foreign Affairs and Information consisted mainly in compiling correct information to counter false and inciting propaganda.

Dr A. L. BORAINE: Mr. Speaker, arising out of the reply given by the hon the Minister, could he tell us whether his officials were in any way responsible for the anonymous pamphlets that were distributed in certain townships at that time?

The MINISTER: Mr. Speaker, the information collected by them could have gone into those pamphlets, and I made a statement at that time—a statement which I made quite openly—in which I said that whenever the Government considered it essential, for the sake of peace and order, it would distribute pamphlets of that nature. I can add that we have done it in the past and that we will do it again in future. [Interjections.]

Dr. A. L. BORAINE: Mr. Speaker, further arsing out of the reply given by the hon. the Minister, could he tell us whether officials of his department were in any way responsible for the pamphlet *Campus News* which was issued and purported to come from Nusas but was distributed anonymously?

The MINISTER: Mr. Speaker, I do not have the facts in connection with that publication. Should the hon. member table that question I shall endeavour to reply to it.

72-hour restriction

*14. Dr. A. L. BORAINE asked the Minister of Co-operation and Development:

Whether the 72-hour restriction in terms of section 10(1) of the Blacks (Urban Areas) Consolidation Act, No. 25 of 1945, applies to Blacks from (a) Transkei, (b) Ciskei, (c) Bophuthatswana, (d) Venda and (e) KwaZulu?

The DEPUTY MINISTER OF DEVELOPMENT AND OF LAND AFFAIRS: Subject to the provisions of section 13 of the Blacks (Urban Areas) Consolidation Act, 1945, the provisions of section 10 of the said Act are now still applicable.

Dr. A. L. BORAINE: Arising out of the hon. the Deputy Minister's reply, can he tell us whether citizens of other independent States such as Germany or Australia or any other Western country are subject to a similar restriction?

The DEPUTY MINISTER: No.

Dr. A. L. BORAINE: Mr. Speaker, arising further from the hon. the Deputy Minister's reply, can he tell us what the difference is then between an independent Black State such as Transkei and any other independent State? Is it because the one happens to be Black and the other White?

The DEPUTY MINISTER: Mr. Speaker, it is not because certain people are Black or certain people are White. This arrangement has arisen because of certain agreements between South Africa and certain of the Black States.

*15. Mr. E. K. MOORCROFT—Reply standing over.

Military service: postponement/exemption

*16. Mr. F. J. LE ROUX asked the Minister of Manpower:†

(1) Whether he or any person or body authorized by him granted postponement of or exemption from military service earlier this year to an officer of the President Steyn Regiment whose name has been furnished to the Minister's Department for the purposes of his reply; if so, (a) why and (b) for what period was postponement or exemption granted;

(2) whether the person concerned had applied for such postponement or exemption; if so, on what date;

(3) whether he will furnish the person's name to the House?

†The MINISTER OF CO-OPERATION AND DEVELOPMENT (for the Minister of Manpower):

(1) Yes. Deferment of military service was granted by the Regional Exemption Board at Potchefstroom.

(a) The Exemption Board is an autonomous body which operates within the framework of powers conferred upon it by the Defence Act, 1957. All applications for deferment or exemption from military service are

Koornhof's 'places of upliftment' ensure that:

Pass laws 2½ days

Boycott strike minutes

By BARRY STREEK

Cape Herald 5/3/83

● LAST WEEK he angrily denied that the administration boards, were symbols of oppression.

● THIS WEEK he said the boards had arrested 112 646 people for influx control and reference book offences last year.

That's an average of 308,6 people a day; or 12,85 people every hour — or one person every 4,7 minutes, night and day, non-stop for a year.

Dr Koornhof gave the two faces of the administration boards in parliamentary clashes with the PFP's veteran campaigner Helen Suzman, MP for Houghton.

SYMBOLS

Mrs Suzman had said that the administration boards were being attacked because they were symbols.

An angry Dr Koornhof replied that they were symbols to the banned African National Congress. Mrs Suzman, he said, was acting "as a spokesman for the ANC" in making these claims about the administration boards — a claim he was forced by the Speaker to withdraw.

He then went on to claim that the boards were not symbols to the ANC.

"Those places are places of upliftment where a service is delivered by black and white people to the public."

"That is what they are," the Minister said.

Then, replying this week to a question from Mrs Suzman, he disclosed what kind of service they were delivering.

RECORDS

In performing that service last year the administration boards broke all records for the number of arrests with their total of 112 646.

In previous years, the police were the main implementers of the pass laws; last year they were eclipsed by the board officials.

Together they arrested 206 022 people under the pass laws — or 23,58 people every hour. Or one person every 2½ minutes, day and night, throughout the year.

The boards have been in existence for barely 10 years, and they have been the targets of many bomb blasts, burning and stone-throwing.

In August 1976, two board offices in Port Elizabeth were attacked, one of them, in Mendi road, New Brighton, being destroyed.

On August 10, 1976, the administration board offices in Cape Town were attacked by 500 schoolchildren.

During 1977, the administration board offices in Kwanobuhle, Uitenhage, were burned down and attempts were made to destroy two other Eastern Cape board offices in October of that year.

BOMB

A bomb left in the New Brighton offices in March 1978 killed a woman and injured three more.

During 1980, the Eastern Cape board offices were again targets for attack. A petrol bomb was thrown into the Grahamstown offices; the office in Despatch was stoned, and four people were injured at Uitenhage when a crowd attacked the building.

In December 1981, an explosion damaged part of the offices in Duncan Village, East London.

Last year, the administration board offices at Sobantu, near Pietermaritzburg, were damaged in the wake of protests against increased rents.

This month a bomb at the administration board offices at Botchebella, near Bloemfontein, injured 76 people and killed one man.

The boards have also been involved in a controversy of a different kind: the administration of their finances.

Over the years, a number of critical comments have been made by the Auditor-General about their accounts.

This year, for example, the West Rand board was told by the Auditor-General that its internal control measures "leave much to be desired", while the Northern Transvaal board was criticised for having an outstanding amount of R138 957 in "external accounts."

Accounting by the Southern Cape-Orange Free State board was "contrary to departmental directions" in respect of R82 450 for vehicles and equipment.

The same board also managed to increase liquor account costs from R70 895 to R2 532 592 in the 1981-82 financial year.

SOURCE

Whatever the deficiencies in financial administration, it is the source of funds which is more controversial.

The boards, according to PFP parliamentarian Nic Olivier, basically derive their income from pass law fines and profits on liquor sales. He said that when the boards were established Dr Koornhof himself had said they would be more sympathetic in their dealings with blacks than, say, the Johannesburg City Council.

In truth, however, they were "a hopeless failure" and "in no single respect have the administration boards complied with the expectations with which the Minister set them.

JAIL

"On the contrary, many of the administration boards are regarded by blacks not as the people who are there to help the blacks, but as the people to oppress the blacks.

"Basically, they are the people entrusted with the task of seeing to it that thousands of blacks are cast into jail every year."

WITHIN days of telling Parliament that the 14 administration boards in South Africa were "places of upliftment", Minister of Co-operation and Development Piet Koornhof disclosed that these board officials had arrested one black person every 4,7 minutes of 1982 under the pass laws.

S. Express 6/3/83 p6

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Bill is aimed at the blacks — Sash

By JEAN LE MAY
Political Reporter

THE proposed amendment to the Trespass Act, which will raise possible penalties from R50 to R2 000, would be used to control the movement of blacks pending enactment of the Orderly Movement of Black Persons Bill.

This was said this week by Mrs Sheena Duncan, national president of the Black Sash.



● Mrs Sheena Duncan ... tightening control

The Orderly Movement Bill has been referred to a parliamentary Select Committee.

Mrs Duncan said: "The Government is obviously planning to legislate 'sideways' in its determination to tighten control on blacks."

"Although convictions for trespass have halved — from 20 000 in 1978/9 to 10 000 in 1981 — the Government has apparently decided to clamp down on blacks by means of the Trespass Act, which in itself is not racially based but which is almost always applied only in the case of blacks."

Mrs Duncan described how, speaking to a gathering of black women recently, she had asked how many had been arrested for trespass — and almost every woman in the room put up her hand.

The Black Sash had always considered that the Trespass Act and the curfew provisions of the Blacks (Urban Areas) Act were seen by the Government as part of the 'pass laws', she added.

Mrs Duncan said hundreds of people in squatters' camps in the Cape and in peri-urban areas on small-holdings near Johannesburg had been arrested under the Trespass Act during the past few weeks.

There was a furore in Parliament recently when the Minister of Law and Order, Mr Louis Le Grange, said in reply to a question that arrests under the pass laws had almost doubled in the past two years, from 108 000 in 1980 to 206 000 in 1982.

Mr Piet Koornhof, the Minister of Co-operation and Development, was not available for comment.

Family housing units

190. Mr. A. SAVAGE asked the Minister of Co-operation and Development:

(a) How many new family housing units for Blacks in White urban areas were built by each Administration Board in each of the latest specified five years for which figures are available and (b) what was the expenditure in each of these years on (i) such housing and (ii) infrastructural services for such housing?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(a) The figures in respect of each administration board for the last five years are not readily available but the total number of houses erected during the last five financial years is as follows:

1977/'78	5 284
1978/'79	9 154
1979/'80	9 945
1980/'81	3 465
1981/'82	4 674
Total	32 522

(b)

1977/'78	R12 432 622
1978/'79	R40 986 698
1979/'80	R58 989 834
1980/'81	R47 019 135
1981/'82	R59 567 330

Note: Separate amounts in respect of housing and infrastructure are not readily available but on average the costs of the two components are more or less the same.

(339) Hansard
Blacks (Urban Areas) Consolidation Act
Q. Col. 576 9/3/83

*17. Mr. M. A. TARR asked the Minister of Co-operation and Development:

Whether he proposes to introduce during the current session of Parliament legislation amending the Blacks (Urban Areas) Consolidation Act, No. 25 of 1945, as referred to in his reply to Question No. 30 on 2 March 1983?

†The MINISTER OF CO-OPERATION AND DEVELOPMENT:

The amendment of the Act in regard to sporting events envisaged in the reply to Question 30 of 2 March 1983, will be introduced during the current session of Parliament.

LOCAL GOVERNMENT FM 11.3.83

The Croeser option

339

The Parliamentary select committee on the Constitution hopes to finish drafting a new Black Communities Development Bill (BCDB) before the Easter recess. Co-operation and Development Minister Piet Koornhof could then introduce the measure in mid-April.

Publication of the Bill should give a clear indication of how government intends the new "autonomous" black local authorities to be financed. Last week's announcement of a mass sell-off of State-owned houses indicates that Pretoria is coming to terms with a permanent black presence in urban areas.

The *FM* understands the new Bill could go a long way towards clearing up government's attitude towards black land ownership. Opposition to individual freehold title remains strong but it is probable government will agree to the transfer of public land, currently owned by the administration boards, to black local authorities.

The mechanism could be that the BCDB would provide for the transfer of public land from administration boards to the Minister. He could then, depending on circumstances, decide to transfer land to the newly-structured township councils.

But there are doubts whether property taxation, and the development of profitable business areas, would be sufficient to make black town councils financially viable. If they remain divorced from the rest of the urban milieu, the prospect recedes further.

The infrastructure supporting an urban community is tied to the needs and capabilities of the industrial, commercial and residential sectors. Black townships lack both industrial and commercial bases. They are, and for the foreseeable future will be, largely residential.

How, in fact, black local authorities should be financed is an open debate. Strong support is emerging for the so-called Croeser option. This advocates a system of metropolitan financing and is based on the recognition of the fact that a sound financial base must be related to the entire urban community.

Gerhard Croeser, chief of public finance at the Department of Finance, suggests the establishment of combined local government organisations to provide "hard services" to urban communities of all population groups. These bodies would be established in the eight development regions, and in some of the 42 sub-regions of the National Physical Development Plan, and be known as joint services committees (JSCs).

Their function would be the planning and co-ordination of land usage, water supply, sewerage, electricity supply, fire protection services and urban transport. They would provide and operate the services and have powers of taxation and financing. Also, they would determine bulk tariffs, collect revenues, and have borrowing powers, on their own behalf and as agents for their local authority members.

Municipal services demand huge capital outlays and large borrowers like the JSCs would have better status in the capital market and obtain cheaper rates than constituent local authorities.

First World standards of service would not necessarily be the objective. An acceptable minimum standard for the whole community would aimed for and communities or authorities demanding higher standards would have to pay for them from their own resources.

The greatest beneficiary from a programme to provide minimum standards for all would, in the short to medium-term, obviously be black residential zones where an enormous backlog has developed. This should not require a lowering of standards in other areas.

Members of JSCs would be nominated by constituent local authorities on a basis related to their financial contributions weighted by factors like availability of additional revenue and use of specific services.

JSC revenue would come from tariffs levied on:

- ☐ Trading services (water, power, sewerage), where tariffs should be pitched to produce a trading profit;
- ☐ Economic services (libraries, caravan parks, licensing), with tariffs based on full cost allocation;
- ☐ Subsidised services (zoos, halls, museums, fire protection), where it is not possible to recover full costs. Deficits would be covered from normal revenue; and
- ☐ Community services (traffic, street lighting, roads and stormwater drains), which are provided by local authorities without any reimbursive tariffs being levied. Costs should be financed from normal revenue and subsidies, where applicable.

Financial sources Croeser has in mind are:

- ☐ A levy on all business enterprises, industries and service industries. In practice this would replace existing trade licensing and could be structured as a local turnover tax. It would probably be possible to limit this to a few tenths of a percentage point on the turnover of the previous year. The scale would have minimum levels and upper cut-off points to prevent aggravation of the cascade effect of the tax; and
- ☐ A tax on the wages of all employees in the JSC area. It would be collected from employers and its wide coverage would ensure a substantial yield at a low scale. The proceeds could be used to pay for urban transport in its broadest sense.

Croeser says that while he realises such a tax "will possibly increase the bias which our tax system may already have against the creation of job opportunities — something I don't agree with — I think it would nevertheless be wise to counter this imbalance by creating a third tax."

He calls this source an "investment levy" — a relatively unsophisticated tax which would be levied mainly on basic improvements and production equipment of business enterprises. The rationale for the tax is that improvements, which are not taxed in all the provinces or are taxed on a differentiated basis, will in future be taxed.

The attraction of the new taxes, says Croeser, is that even if the burden is passed on to consumers, no harm would be done, consumers stand to gain most from the workings of a JSC.



Koornhof ... road ahead for urban blacks?

(339) Hansard Q. 61. 642
SABRA
14/3/83

313 Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

Whether any Administration Boards made donations to SABRA in 1982; if so, (a) which Boards and (b) what amount was donated by each such Board?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(a) Administration boards made no donations to SABRA in 1982.

(b) Nil.

The Star Monday

Forced removals continue — report

By Jon Qwelane

Mass removals of entire communities — especially in Natal — have not come to an end despite official assurances to the contrary, according to the Natal-based Association for Rural Advancement.

In its latest bulletin, the association says that as 1983 progresses "there is mounting evidence not of a relaxation in the removals programme for Natal, but of a renewed determination on the part of local commissioners and administration board officials to push ahead with black spot removals in particular, and to clamp down more tightly on the presence of black residents on white and Indian-owned land in the countryside".

The association argued that expediency, not compassion, explained a lull in removals.

Main reasons for the lull were financial and political, but it appeared to be reaching its end, because four months ago 44 households settled on the isolated Scheepersrust farm near Oliviershoek Pass were given until last month to vacate their land.

All the land occupied by the families was registered in the name of the Mahon Church, because the 1913 Land Act prevented the original black purchasers — all members of the church — from registering it themselves.

The church was now evicting all the families, alleging pressure from the Drakensberg Administration Board.

Three months ago officials visited two adjoining black spots in the Estcourt district, Cornfields and Thembalihle — population about 10 000 — to announce that the long-threatened removal of both communities would soon begin.

In January this year the chief of Matiwane's Kop, a freehold farm north of Ladysmith with a population of more than 12 500, received a verbal message from the local commissioner that officials would soon be coming out to re-issue expropriation orders and also to re-number all houses.

†Indicates translated version.

339 ~~306~~

For oral reply:

~~205~~ Hansard

Trespass Q. 61. 682

16/3/83

†1. Mrs H. SUZMAN asked the Minister of Co-operation and Development:

How many Black persons were (a) arrested by officials of his Department for, and (b) convicted of, trespass in 1982?

†The DEPUTY MINISTER OF DEVELOPMENT AND OF LAND AFFAIRS:

(a) No members of Black Communities were arrested for trespass by officials of the Department of Co-operation and Development in 1982.

(b) Contravention of the Trespass Act, 1959 are tried by magistrates courts only. The information in respect of the magistrates courts under the control of the Department of Co-operation and Development is as follows:

Court	Number of convictions
Moutse ...	None
Soshanguve	393
Verulam ..	Figure not readily available and impossible to determine owing to limited time and the large number of cases during 1982

URBAN BLACKS

Time for freehold

FM 18/3/83

339

Government sometimes does the right thing. Certainly, its decision to sell 500 000 State-owned houses, mainly to existing black tenants, is one of its wiser decisions.

As is often the case in SA, the effect of wisdom is partly undermined by Pretoria's inability to break ideological chains. Blacks will be able to buy the houses they are now renting — but not the ground on which they stand.

A house without land might seem a contradiction in terms. Not, unfortunately, in SA. A black, meaning in this case an indigenous African, can own a house in an urban area. He may not have freehold title to land. That is Pretoria's present ideological stance.

So urban blacks may temporarily park their houses on administration board land. In this context, "temporarily" has a fairly wide definition — 99 years under lease.

Pretoria can hardly complain if urban blacks treat the big housing sell-off with suspicion. Government has previously given urban blacks leasehold rights — only to remove them for ideological reasons in the late Sixties. Could it happen again? That will be the fear.

It is time for government to muster its courage and give urban blacks freehold ownership of land. The practical effect would be little different from 99-year leasehold. The psychological and political effects could be immense.

Hansard

Q. 359 Social workers
Q. 201. 797 25/3/83

*6. Dr. M. S. BARNARD asked the Minister of Co-operation and Development:

(1) Whether Black social workers are free to transfer from one Administration Board to another; if not, (a) why not and (b) what procedure is to be followed in order to make a transfer of this nature;

(2) whether he will make a statement on the matter?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) No.

(a) The Black Affairs Administration Act, 1971, does not make provision for the transfer of personnel from one board to another. The administration boards are autonomous bodies in their own right. An employee who wishes to join another board is free to resign and to apply for a vacant post on the establishment of the other board. This frequently happens in cases where senior positions are advertised within the boards and the media.

(b) Falls away.

(2) No.

CAPE TIMES 25/3/83 339

Boards to lose liquor outlets

Political Correspondent

ADMINISTRATION boards are to lose their lucrative liquor licences in black areas — which in some cases provide a large proportion of the boards' income.

The government yesterday accepted a recommendation from the Competition Board that the administration boards' role in the supply and distribution of liquor in black residential areas should be phased out.

The Minister of Trade and Industries, Dr



Dawie de Villiers, said yesterday that urgent attention was being given to finding alternative sources of income for the boards.

The implementation of decisions which would affect the actions of administration boards, including the production and distribution of sorghum beer, was being discussed with the Department of Co-operation and Development, Dr De Villiers said.

Drakensberg Administration Board

(b) Yes. Northern Cape Administration Board
Eastern Cape Administration Board
Orange Vaal Administration Board
Port Natal Administration Board

(2) Highveld Administration Board—416 houses
Northern Cape Administration Board—486 houses
Eastern Cape Administration Board—1 068 houses
Southern O.F.S. Administration Board—450 houses
Orange Vaal Administration Board—1 910 houses
Port Natal Administration Board—99 houses
East Rand Administration Board—2 925 houses
West Rand Administration Board—348 houses
Western Cape Administration Board—600 units

(3) (a) Eastern Transvaal Administration Board—1
Northern Cape Administration Board—1
Eastern Cape Administration Board—3
Orange Vaal Administration Board—2
East Rand Administration Board—6
West Rand Administration Board—8

(b) As far as the housing units are concerned it is not possible to quantify the reply in terms of units as a number of factors including the contribution by the private sector affect the position. However, a sum of R117 million in respect of the 1983-'84 financial year is to be made available for Black housing schemes (services included) in the administration board areas. Of this amount approximately R60 million is for ongoing projects and R57 million for new projects. Of the latter amount approximately 70% is tentatively being made available for self-build schemes.

339 Hansard
Administration Boards: housing projects
Q. 61. 901 — 903 30/3/83
412. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

(1) Whether any Administration Boards (a) requested and (b) were granted additional funds for housing projects in the 1981-'82 financial year; if so, which Boards in each case;

(2) how many of the housing units in the various Administration Board areas for which funds were allocated in the 1981-'82 financial year have been completed to date;

(3) how many (a) new projects and (b) housing units are planned in each Administration Board area in respect of funds allocated for the 1982-'83 financial year?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) (a) Yes. Northern Cape Administration Board
Eastern Cape Administration Board
Orange Vaal Administration Board
Port Natal Administration Board

Workers requisitioned by Administration Boards

396. Dr. A. L. BORAINE asked the Minister of Co-operation and Development:

(1) How many workers were requisitioned from (a) Lebowa, (b) Gazankulu, (c) Qwaqwa, (d) KaNgwane, (e) KwaZulu (f) KwaNdebele, (g) Venda, (h) Bophuthatswana, (i) Ciskei and (j) Transkei by each specified Administration Board in 1982;

(2) how many such workers in each Administration Board area were (a) commuters and (b) migrants?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) Administration Board: West Rand

(a) Lebowa	25 942
(b) Gazankulu	13 110
(c) Qwaqwa	4 526
(d) KaNgwane	1 871
(e) KwaZulu	37 269
(f) KwaNdebele	1 789
(g) Venda	12 536
(h) Bophuthatswana	16 667
(i) Ciskei	3 555
(j) Transkei	27 835
Total	145 100

(2) (a) Commuters 0
(b) Migrants 145 100

(1) Administration Board: East Rand

(a) Lebowa	39 766
(b) Gazankulu	11 230
(c) Qwaqwa	7 737
(d) KaNgwane	6 286
(e) KwaZulu	18 023
(f) KwaNdebele	13 424
(g) Venda	6 714
(h) Bophuthatswana	6 596
(i) Ciskei	3 063
(j) Transkei	15 868
Total	128 707

(2) (a) Commuters 0
(b) Migrants 128 707

(1) Administration Board: Central Transvaal

(a) Lebowa	28 350
(b) Gazankulu	6 323
(c) Qwaqwa	1 849
(d) KaNgwane	3 616
(e) KwaZulu	3 170
(f) KwaNdebele	8 463
(g) Venda	2 672
(h) Bophuthatswana	75 652
(i) Ciskei	557
(j) Transkei	16 965
Total	147 617

(2) (a) Commuters 75 234
(b) Migrants 72 383

(1) Administration Board: Eastern Transvaal

(a) Lebowa	2 061
(b) Gazankulu	4 026
(c) Qwaqwa	64
(d) KaNgwane	11 220
(e) KwaZulu	1 581
(f) KwaNdebele	55
(g) Venda	368
(h) Bophuthatswana	51
(i) Ciskei	15
(j) Transkei	125
Total	19 584

(2) (a) Commuters 6 043
(b) Migrants 13 541

(1) Administration Board: Northern Transvaal:

(a) Lebowa	63 164
(b) Gazankulu	22 450
(c) Qwaqwa	423
(d) KaNgwane	797
(e) KwaZulu	970
(f) KwaNdebele	8 083
(g) Venda	14 943
(h) Bophuthatswana	3 455
(i) Ciskei	152
(j) Transkei	1 732
Total	116 169

(2) (a) Commuters 36 905
(b) Migrants 79 264

(1) Administration Board: Highveld

(a) Lebowa	36 440
(b) Gazankulu	5 685
(c) Qwaqwa	4 252
(d) KaNgwane	9 440
(e) KwaZulu	6 906
(f) KwaNdebele	10 351
(g) Venda	1 302
(h) Bophuthatswana	2 766
(i) Ciskei	447
(j) Transkei	5 203
Total	82 792

(2) (a) Commuters 77 678
(b) Migrants 5 114

(1) Administration Board: Western Transvaal

(a) Lebowa	371
(b) Gazankulu	125
(c) Qwaqwa	380
(d) KaNgwane	115
(e) KwaZulu	190
(f) KwaNdebele	21
(g) Venda	38
(h) Bophuthatswana	43 867
(i) Ciskei	212
(j) Transkei	5 026
Total	50 345

FM 15/4/83

A LOGICAL MOVE

News that government may be considering moving influx control enforcement to the Department of Internal Affairs has caused some surprise among politicians. However, the *FM* was told that talk of such a move was circulating among parliamentarians some weeks ago.

The PFP's Nic Olivier, himself a member of the Select Committee on the Constitution, says he had heard the talk. However, he had "somehow" missed Piet Riekert's evidence referring to a new Bill to transfer influx control to Internal Affairs (see accompanying story).

Olivier confirmed that there was certainly no such Bill before Parliament. And the *FM* understands that the proposed Bill most likely to contain such a measure, the Orderly Movement and Settlement of Black Persons Bill, has not yet come before the select committee for consideration.

It may be, of course, that Riekert knows something about the Bill's proposed contents that has not yet been revealed to the full committee.

Olivier points out, however, that the transfer of authority would be logical. Government wants the Department of Co-operation and Development to be regarded as a service department for the black population — something that cannot be achieved if it is constantly responsible for locking up, and endorsing out, large numbers of people.

Internal Affairs is, of course, responsible for immigration control — and people from the independent homelands could be regarded as falling under this part of its responsibilities.

INFLUX CONTROL FM 15/4/83 ~~206~~ ~~339~~ 339

An 'internal' affair

Administration of influx control and the pass laws may soon be moved from the Department of Co-operation and Development to Internal Affairs. This could be a major step towards dismantling the old "Bantu Affairs" empire.

That the move is being contemplated is clear from the second and third reports of the Select Committee on the Constitution, tabled in Parliament this week. A senior administration board witness before the committee referred directly to new legislation providing for Internal Affairs to take over influx control responsibilities.

The select committee, of which Constitutional Affairs Minister Chris Heunis is chairman, is trying to recast the second and third of the three "Koornhof" Bills introduced in Parliament last year — the Black Communities Development Bill, and the Orderly Movement and Settlement of Black Persons Bill. The first of the trilogy, the Black Local Authorities Bill, has since become law.

On January 13 this year, the select committee heard evidence from the board of chairmen and chief directors of administration boards, represented by Piet Riekert, a former economic adviser to the PM, J M van Rooyen, John Knoetze of Wrab, and D C Ganz.

From their evidence it is clear they believe administration boards are going to be around for a long time to come, although Knoetze speaks of a process of "creative withdrawal" from the larger black cities Management functions such as town planning and the development of community facilities are in the process of being transferred to "autonomous" black loca authorities.

During the process of "creative withdrawal," administration boards will continue to perform services for local authorities on an agency basis, especially in the provision of management staff for municipalities. In the case of Soweto, says Knoetze, 1 800 black Wrab officials have been transferred to the "new" local authority, while 100 white officials have been seconded.

Knoetze believes that administration boards should continue to be the owners of the housing stock. They should also be the main providers of housing — especially for the lower-income groups. Temporary residents — squatters and migrant workers in hostels — are the responsibility of the State and the administration board is the extension of the State, says Knoetze. In the transitional period, as black local authorities move to maturity, the administration board should continue to prop up township life.

Economic price

The boards should retain control over the manufacture and distribution of liquor in the townships, although they are willing to sell off on-consumption and retail outlets to black businessmen "at an economic price."

Asked by Justice Minister Kobie Coetsee to elaborate on the agency role of administration boards, Piet Riekert said the boards already managed labour bureaus as agents of the Department of Manpower — "and where the new Bill provides that influx control will henceforth be administered by the Department of Internal Affairs, we are also agents of that department." He added that boards act as agents for the Department of Health and for the police.

Coetsee questioned whether it would not be appropriate for administration boards to administer unpopular legislation — to take the heat off newly elected black local authorities. Speaking for the board of chairmen, C H Kotze said influx control was the most sensitive issue in the politics of human relations, and something which could bedevil "any matter."

"It is a matter which is currently dealt with by the administration boards on behalf of the Department of Co-operation and Development. We regard this as a very sensitive function, something that is closely linked to the spirit of man," he said.

"Let us imagine, for example, that I, as an Afrikaner, should be responsible for the control over the influx of Afrikaners to Pretoria. That would be a real mess. I would not be able to do it because for me it would be too emotional an issue. In my opinion, influx control is something the black man cannot handle.

"Because administration boards regard themselves as human relations agents who wish to improve relations between people in this country, we would like to suggest that this unpopular job be performed by someone else, and by this we mean other government departments."

He added: "We don't dispute the need for influx control. It is necessary. I know I am sticking my neck out, but we feel that until such time as influx control can be exercised in another way, we shall just have to accept that administration boards, being geared for the job, and their officials trained for it ... we are the best people to carry out this sensitive task in a manner that is least offensive."



Koornhof ... losing influx enforcement?

Urban blacks not healthy, says professor

By Pamela Kleinot

The diet of blacks in Southern Africa had deteriorated in the past 50 years, Professor Charles Isaacson, head of the department of anatomical pathology at the University of the Witwatersrand, said last night in his inaugural lecture entitled "Are Urban Blacks Healthy ?"

"They certainly do not eat nearly enough vegetables and fruit — substances which, experimentally, protect animals from many varieties of cancer," the professor said.

Cancer of the oesophagus, which was rare among blacks 30 years ago, had increased significantly, he said. Whereas only 12 cases were recorded at Baragwanath Hospital in 1955, between 250 and 300 had been reported there annually in the past few years.

He said the cause of this cancer could probably be attributed to certain protective substances lacking in the diet.

The professor said that urban blacks were not particularly healthy. There had been certain areas of improvement but urgent attention should be given to the ravages of malnutrition, particularly kwashiorkor, which exacted a heavy toll on blacks.

He added that:

- Gastro-enteritis and pneumonia were major killers of children.
- Rheumatic heart disease — associated with overcrowding and low socio-economic status — was still a scourge among blacks.
- Tuberculosis was one of the biggest killers of blacks, claiming about 20 000 lives each year.

Professor Isaacson said TB and rheumatic heart disease would be eliminated only when socio-economic conditions among blacks were improved.

The professor said South Africa was a "researcher's dream" for studying the causes and mechanisms of disease in different racial groups.

He referred to hypertension (high blood pressure), which was the commonest cause of death in blacks after violence, and said it seemed that rural blacks developed this when they moved to an urban environment.

Among other comments, Professor Isaacson said:

- There had been a significant increase in the number of blacks dying from heart attacks. Only one died in 1959 compared with 14 in 1976.

"The urban black is now developing an affluent middle-class group which smokes heavily, can afford to eat saturated fats in beef and cheese, does little exercise and frequently suffers from high blood pressure."

He added that nearly half the heart attack deaths were the result of high blood pressure.

High blood pressure, which was much less frequent in rural areas, generally killed young people by kidney failure or stroke.

"Urbanisation and Westernisation increase the incidence of high blood pressure among blacks," he said.

- Alcoholic liver disease was the biggest social disease and making Western-type liquor freely available to blacks in 1963 had produced a "medical catastrophe".
- Cancer of the liver — which was linked to the hepatitis-B virus — was probably the commonest cancer in Africa. Most cases seen at Baragwanath Hospital involved migrant labourers from rural areas.
- There was an epidemic of cancer of the cervix in black women. This was associated with frequent intercourse starting at a young age with multiple partners.

339 Hansard Q.61.
Black towns 22/4/83 1063

*12. Mr. H. D. K. VAN DER MERWE asked the Minister of Co-operation and Development:†

How many Black towns are situated in the Republic, excluding the independent Black states and national states?

†The DEPUTY MINISTER OF CO-OPERATION AND DEVELOPMENT:

299 Black townships.

When the Black town at Swartklip has been completed, there will be 300.

Rights of workers 'not recognised'

AKGAS 25/4/83 339

Labour Reporter

CONTRACT workers entitled to permanent residence in urban areas increasingly had to go to the courts to establish their legal rights, according to the president of the Black Sash, Mrs Sheena Duncan.

This was because the administration boards refused to recognise these rights, she said.

Referring to a Supreme Court decision last week which granted rights to Mr Mdandweni Elliot Mthiya, a Cape Town contract worker, Mrs Duncan said most people were being denied their legal rights by the administration boards.

Mr Mthiya, a general worker at Chicks Scrap Metal, told the court he had been continuously employed with the company since January 1967.

Entitled

Mrs Duncan said workers who began their employment before April 1, 1968, when labour regulations made it compulsory for migrant workers to renew their contracts in the homelands, should be automatically entitled to urban rights after 10 years with one employer.

Last week's case was different from the Rikhoto and Booi cases where the Supreme Court ruled that their annual return to the homelands could not be regarded as a break in continuous employment, Mrs Duncan said.

However, others have welcomed the judgment and have urged the administration boards not to ignore the ruling.

A General Workers' Union spokesman said the union had "hundreds of workers who had worked for 10 years for one employer."

"A large number of workers have already applied for permanent rights but the administration board has refused to implement the Rikhoto judgement," the spokesman said.

Many more

An African Food and Canning Workers' Union spokesman said the union welcomed the judgment but was concerned that workers should have to go to court to establish their rights.

Last year the Cape Division of the Supreme Court ruled that an AFCWU member, Mr Stanford Booi, who had worked for Fattis and Monis for more than 10 years, was entitled to urban rights. The union plans to take the cases of another eight workers to court, although they say there are "many more" in the same position.

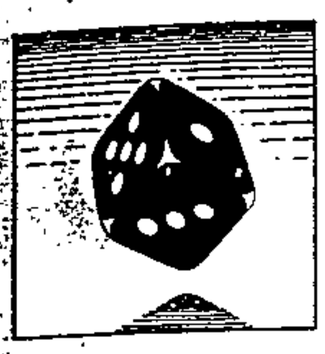
Mr Ken Andrew, PFP spokesman on black affairs in the Western Cape, said he hoped the Department of Co-operation and Development would acknowledge the "correctness" of Supreme Court judgments and grant the same rights to workers who qualified without them having to go to court.



Mrs Sheena Duncan

BLACK BUSINESS

One step forward, two back



If there is one thing that characterises the difference between Soweto and other large cities in Africa, it is the paucity of shops and absence of a multitude of small traders.

To anyone who listened to Prime Minister P W Botha at the Carlton Conference and Minister Piet Koornhof a year later, this must seem strange indeed.

For both these political heavyweights gave the impression that the way ahead for the black entrepreneur would be stripped of hindrance and red tape. The white business community stood anxious to help. It subscribed millions to the Small Business Development Corporation.

Why, then, have so few blacks grasped the offered opportunities? And why, in a community such as Soweto, estimated to be around 2m strong with an annual disposable income of R650m, are there only just over 2 000 licensed businesses with only a few of them operating in the manufacturing sector?

The simple answer is that, while a number of restrictions were lifted during the Seventies and, while there has certainly been a gradual elimination of some of the obstacles, the major hurdles remain.

At the core is the Group Areas Act — an endless source of resentment among the business community. One of the few Sowetans successful in business is Richard Maponya. He explains why this Act is such a thorn in the side. "Entrepreneurs respond to opportunities in the marketplace. However, the Group Areas Act denies that possibility as blacks are not able to trade where they see these opportunities.

Black businessmen face problems unknown to their white counterparts. If government is serious about encouraging black business, many of the hurdles must go — quickly.

"We are restricted not only from operating in CBDs, where around 80% of black disposable income is spent, but also in other black townships." Residents of townships have preference over outsiders, explains Maponya, regardless of the level of expertise they offer.

Limiting numbers

Another major stumbling block is that no two similar trading licences will be granted within a certain radius in the township. This limits the number of shops that can be established and, of course, works to the advantage of established interests in black areas, which now fiercely defend the *status quo*.

Another aspect to Group Areas is the discretionary power it places in the hands of the local administative boards.

If an entrepreneur wants a business site he has to go cap in hand to his local superintendent, because the granting of all trading sites is at the discretion of the local administrative body. The superintendent takes the application to the local community council, which then decides whether the applicant is suitable.

The criteria for qualification are never fully spelt out, so subjective assessments of applicants can easily creep in. This, as free market pundit Leon Louw points out, gives incredible power to a few individuals. Most of these are no doubt dedicated and honest officials. But for the unscrupulous, it is a fertile ground for exploitation.

Business sites in white areas change hands almost as fast as it takes two parties to strike a deal. Not so when the transaction is in the hands of bureaucrats, as is the case in black townships. The procedure is lengthy, tiresome and bound with red tape. Applicants can wait as long as two years for finality over premises.

Makana Tshabalala, who has had to battle with bureaucracies for almost five years to get a new food project off the ground, highlights another problem. "Bureaucrats do not have the same attitudes as entrepreneurs. They do not see the market gaps and potentials. They are, therefore, usually unable to assess business opportunities as effectively."

Tshabalala's tale is one of hard slog, disappointment and endless delays. Struck by the idea of opening a fast food outlet in Soweto, Tshabalala set about finding a suitable site. That took time. But once found and secured, the next hurdle was finance. He needed around R30 000.

Believing his idea to be a good one ("How can one fail to draw customers in a fast food outlet in Soweto when, to date, it can only boast one Kentucky Fried Chicken and one Captain Dorego, both of which have long queues outside?"), he approached the IDC. There, he claims, he was shunted from one office to another. Like most blacks in the townships, he had no security to offer because of the restrictive property laws.

Banks were no more helpful, he claims. He then found a white partner and a bank expressed some interest. But as soon as the partnership fell through he again faced closed doors.

John Holloway, GM of business development, Standard Bank, says that the bank's Small Business Unit, geared to cater for black businessmen, has shifted from assessing risk only in terms of security and appli-



Entrepreneur Maponya . . . success despite the hurdles



Tshabalala . . . Soweto's elder statesman of business

FM 29/4/83 7559



NTA's Michaels . . . providing a social service

cants' track record to that of including the viability of the project as well. He admits that banks will not forgo security totally but claims that the new system does ease the financing problem. Standard, he says, has made a significant number of loans to blacks but finds viability a problem.

The next door Tshabalala knocked on was that of the SBDC. This, too, proved sticky initially, but eventually it brought forth far more than the initial R30 000 and the enthusiasm of staffers of the SBDC.

While Tshabalala's plight is typical, he is not the average black businessman. He is well-educated, articulate, mixes with the white business community and, consequently, knows people who can help him pull strings. Most aspiring entrepreneurs are not that lucky.

His view of the present system is predictable. The legal restrictions on movement must go; freehold is essential for security, and Soweto needs more venture capital. He believes financial institutions give too little, with too many strings attached.

The absence of Soweto traders is not the fault of the black man, he stresses. The entrepreneurial spirit is there. This, argues Tshabalala, is borne out by the fact that a few black businessmen have grown up and survived in spite of the tremendous burdens placed on them.

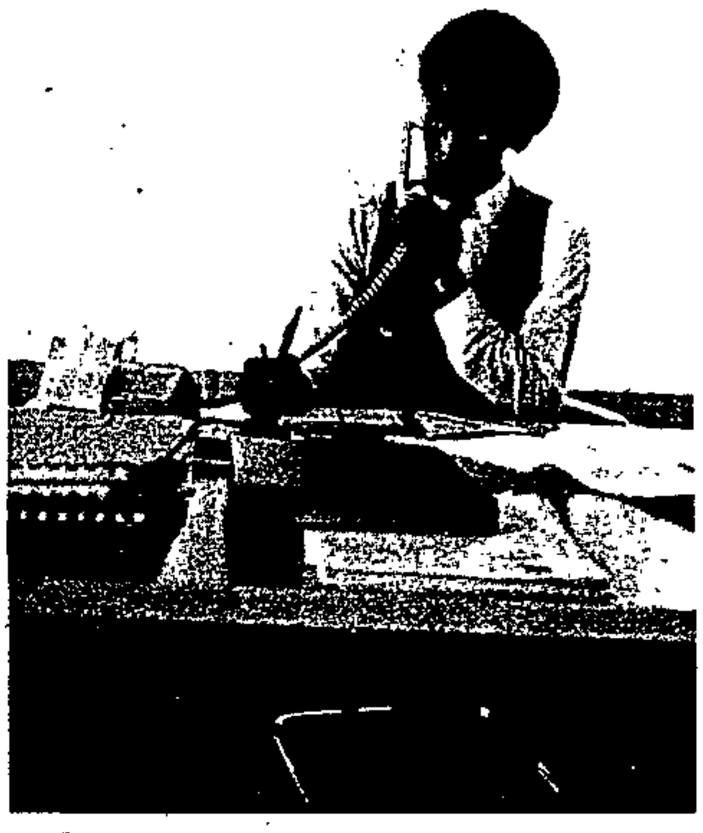
Businessmen Eric Mafuna and Lucky Michaels have also done their fair share of picking their way through the regulated minefield. Chairman of the National Tavern Association (NTA), Michaels faces additional problems. Shebeeners are still illegal operators in spite of the three-year-old promise from government that they are soon to be legalised. Police raids continue, even though, for the past year, more than 60 shebeeners have been on the shortlist for legalisation.

Shebeeners, before they can be granted liquor authorities, have to have their premises rezoned for business, as most operate out of residential properties. The zoning authorities are the relevant community councils. Rezoning notices were placed outside shebeeners' homes close on a year ago but nothing has happened yet.

The legalisation of shebeens could highlight other problems arising from petty restrictions. What will happen to the law that prohibits the transport of more than 9 *l* of liquor across township boundaries? Will shebeeners, who in the past have had limited access to capital, have to comply with Liquor Act regulations that stipulate separate toilets and similar conditions? If so, it could place required facilities well out of the reach of many taverners.

The reason for government's procrastination on the legalisation issue is anything but clear. The only pointer is the fact that liquor sales from Wrab's off-sales and beer halls are a major source of the board's revenue.

Yet Soweto alone has as many as 4 000 taverns, most of them efficiently run businesses that provide a social service. Prohibition has caused shebeeners all sorts of problems. But clearly these numbers indicate that a core of black business initiative has survived.



Trader Mafuna . . . on his own in the CBD

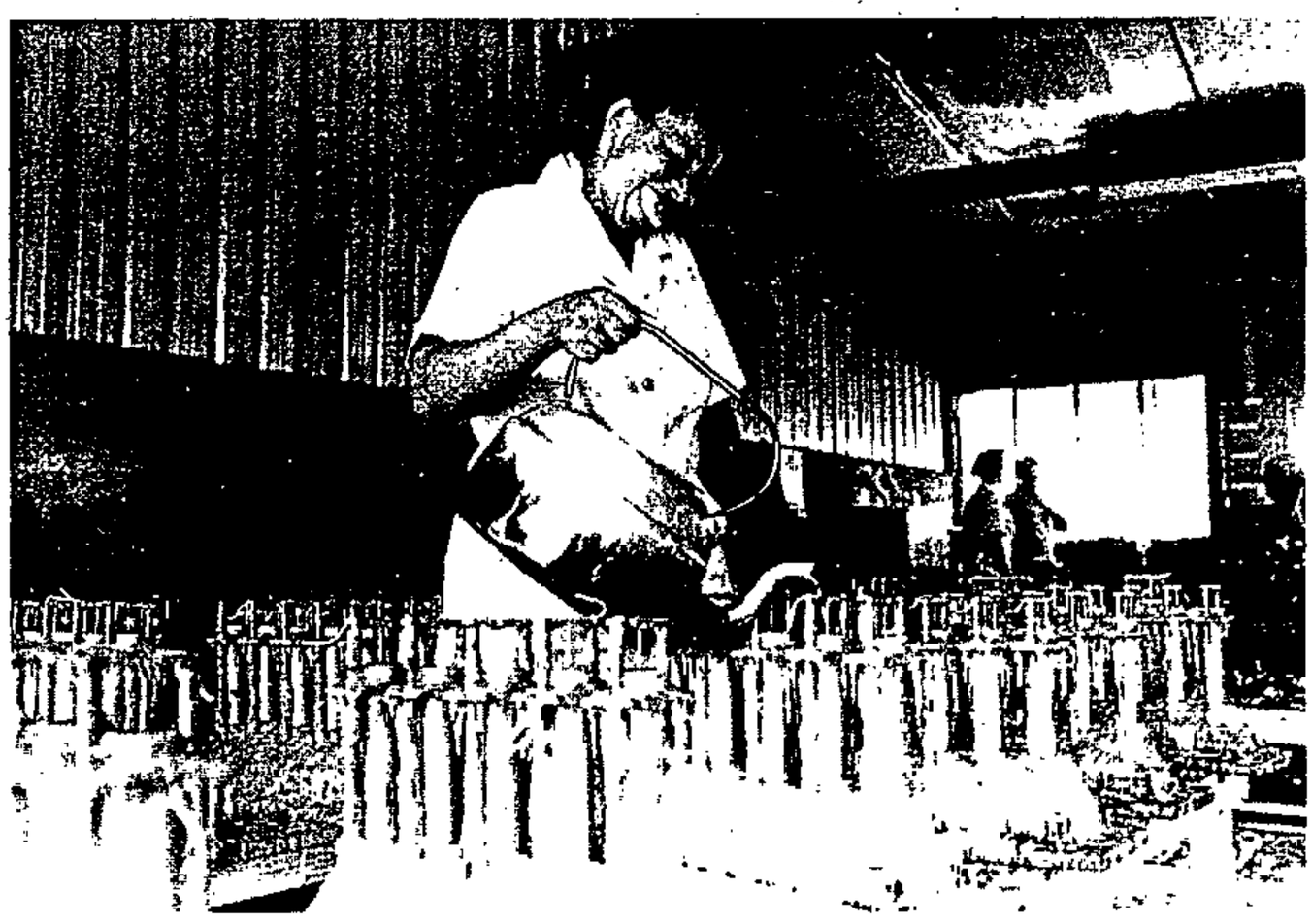
But even being completely legal in Soweto has difficulties. The regulations and standards for business which have to be met are most often styled beyond the means and needs of the fledgling trader. Hawkers are not welcome as they often threaten existing traders. Licences, when granted, have numerous conditions attached. Backyard operators and illegal hawkers can be stopped by the authorities when peddling or transporting their wares and have goods and vehicles impounded.

Illegals, obviously, are also denied access to conventional sources of capital and insurance of their assets. However, the SBDC has recently established a small loan fund, targeted at the backyard operator, with a maximum of R2 000 and an interest rate of 1% per month.

This is in line with its commitment to the informal sector which it believes holds potential for growth. The SBDC — which has assisted more than 900 entrepreneurs of all races at a cost of R43,7m — says that while the programme is still in the experimental phase there is already strong demand countrywide.

Some black businessmen are capable of bigger things. They slip through the township net, setting up operations within the CBD, fronted by a white who signs the lease.

Now under fire are black taxi operators. The Johannesburg Transportation Board has decided no longer to register kombis as taxis, quite likely to protect Putco and the railways. This [illegible]



Candlemaking . . . part of the informal sector?

denying them access to insurance markets.

Clearly, if government is serious about encouraging black business, such cornerstones of separate development as the Group Areas Act and the ban on property rights for blacks must go. Also, the image of petty restrictions

such as finance, would most likely take care of themselves. And a thriving trading community will emerge surprisingly quickly in the townships. Until that happens, whatever government might do will amount to no more than tinkering [illegible]

INFLUX CONTROL FM 29/4/83 339

Tell it to the judge

Last week's Cape Supreme Court judgment granting a migrant, Mdandweni Mthiya, the right of permanent urban residence is another blow against the black administration boards' attempts to override strictly legal interpretations of Section 10 of the Urban Areas Act.

In terms of Section 10(1)(b) a black employee can attain this right if he has worked for one employer for 10 years "continuously" or has "lawfully resided" in a prescribed area for 15 years.

Mthiya applied for Section 10 rights on the basis that he had fulfilled both conditions. The Western Cape Administration Board (WCAB) contested this, saying the worker had broken employment and residence through being on yearly contracts with Chick's Scrap Metals, and because on three occasions he had spent extended periods in the Transkei. The WCAB further argued that Mthiya had been unemployed in the Transkei during the period he was not in the Cape. Justice Tebbut rejected the board's claims (see *Current Affairs*).

In the light of the judgments in the case of Mehlolo Rikhoto (vs the East Rand Administration Board), and of Stanford Booi (in the Cape), a pattern is emerging. The administration boards have consistently argued that the annual contract system represents a break in employment. The Supreme Court, in these cases, has rejected this. And Justice Tebbut has taken the issue further.

According to the judge, the wording of the Urban Areas Act does not support the various boards' contention that an employee-employer contract is broken by the annual "call-in" requirement. If that were so, it "would render the exemption (from the 72-hour curfew requirement) nugatory and meaningless and could not have been within the contemplation of the legislature."

Since the boards have consistently refused to comment on whether they even agree that a principle has been established, they are in effect telling each applicant to "tell it to the judge" — meaning, in what could be hundreds of cases, costly appeals to the Supreme Court from the Commissioners' Courts, where these rights are routinely rejected.

The fact that the boards appear willing to fight each Section 10 application "on merit" is a position that might ultimately have to be decided in the Appellate Division. In the meantime, it is difficult not to see it as anything but a stalling device pending fresh legislation which might dispense with Section 10 rights altogether for future applicants.

In the form in which it has so far appeared, the Orderly Movement and Settlement of Black Persons Bill does exactly this. Hence the furore over its terms, and its referral to a parliamentary select committee.

But government's strategy *vis-à-vis* migrants has a further, and sinister, component. In recent months evidence has emerged that the responsibility for enforcing influx control is to be shifted from the Ministry of Co-operation and Development and its agents (the administration boards and community councils) to that of the Interior.

It is feared that such a move could mean that blacks who work on contract and are citizens of independent homelands will be dealt with under the Aliens Act (1937), and the Admission of Persons to the Republic Act (1972). They will, in other words, be regarded as foreigners, and their contracts as temporary work permits.

The Urban Areas Act could then have significance only for persons who already have Section 10 rights. Their spouses and descendants will be permanently locked out of the common economic area — unless labour requirements dictate otherwise.

Since migrants generally support their families whether they live with them, or in one or another homeland, the reason for such a radical curtailment of urbanisation can only be ideological.

The Urban Areas Act allows blacks into prescribed areas for more than 72 hours by exemption only. But these exemptions have been ever more boldly defined by the Supreme Court. It is, surely, time for government to start paying more than lip-service to the inevitability of black urbanisation, and plan accordingly.

Jails, fines, bulldozers and bureaucratic obstructionism cannot halt the process.

First meeting on urban blacks

ARGUS 4/5/83 339

Political Correspondent

THE FIRST meeting of the Cabinet committee on urban blacks outside the independent or self-governing black states has given attention to ways in which forums can be created for consulting black leaders.

This was confirmed today by the Minister of Constitutional Development, Mr Chris Heunis.

The committee met in Cape Town yesterday. It consists of seven Ministers and was appointed in February.

Mr Heunis said that the viewpoint of the committee was that leaders of the independent states, the self-governing states and community leaders in urban and rural areas must be consulted on relevant subjects and existing bottle-necks.

Yesterday the committee discussed an agenda and the procedure for the consultation of black leaders.

The Minister invited people who had proposals in this regard to liaise with the secretariat of the Cabinet committee.

He said the announcement of the Government's guidelines for a new constitutional dispensation for white, coloured and Indian did not mean that blacks were being excluded from the process of constitutional development.

The Government's viewpoint was that constitutional development for blacks should take place along a different way than that of the other groups and that the negotiation process with black leaders must be continued. They were included in the negotation process and yesterday's meeting was an indication of this.

Proposals for the committee's work methods were still being worked out.

Drink this sorghum beer and you drink

SHAKE SHAKE SHOCK

Shut the beerhalls says Motlana

By LEN KALANE

JO'BURG — Doctors have called on admin boards to stop selling sorghum beer until there has been an inquiry.

Reacting to the news that sorgum malt has been found to contain "unacceptably high" levels of toxin, Dr Nthatho Motlana said:

"It is scandalous that the Government continues to allow the boards to sell sorghum beer."

He called for all beerhalls to be shut down.

Dr Essop Jassat, chairman of the Transvaal Indian Congress, said the findings were "deeply disturbing".

He called on the Government to stop selling sorghum beer until there has been an inquiry.

His call was echoed by Dr A B Asvat, Azapo's health spokesman, who said: "This startling finding gives rise to tremendous public concern. It is imperative that an inquiry be set up immediately.

"In the meantime people should stop buying the beer."

Don't drink the stuff, says Azapo

CP Reporter

CAPE TOWN — Sorghum beer, drunk by millions of blacks, has been found to contain "unacceptably high" levels of toxins (poisons) — including a cancer-linked substance — that are a "real danger to health".

These shock findings were reported by the National Institute of Nutritional Diseases in Cape Town.

In Parliament

In a report tabled in Parliament last week, the institute said that 17 out of 28 samples of industrial malt – used by administration boards to brew 250 million litres of sorghum beer a year – were contaminated with the cancer-linked substance, Aflatoxin B1.

The report said that the malt manufactured by one company was "fairly regularly" contaminated with a fungus that produces Aflatoxin and that the contamination occurred "now and then" in the malt made by two other unnamed companies.

There are only three major manufacturers of industrial malt. They are Nola Industries, a subsidiary of the giant Federale Volksbeleggings group, which is understood to have 80 percent of the market; Jabula Foods, owned by Premier Milling; and Nutritional Foods, partly owned by Anglo American Industrial Corporation.

The Institute for Nutritional Research said it was so disturbed by its finding that "it is essential urgent attention be given to reduce malt contamination drastically".

The institute also said its investigations had revealed the presence of other toxins in high concentrations which could not be tested. It said the toxin levels were "unacceptably high" and posed a "real danger to health".

During 1981/82, administration boards sold 700 000 litres of sorghum beer every day – 253,5-million litres during the year.

SEXY SCHOOLGIRLS GET AN ULTIMATUM Page 2

Hansard
(339) Q. 60 123 7/5/83

Black towns

774. Mr. H. D. K. VAN DER MERWE asked the Minister of Co-operation and Development:†

How many Black towns in the Republic, excluding the independent Black states and national states, are situated in (a) the Transvaal, (b) Natal, (c) the Orange Free State and (d) the Cape Province?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(a) Transvaal	93
(b) Natal	26
(c) OFS	78
(d) Cape Province (including Walvis Bay)	102
	299

Newspaper Press Union: agreements

797. Mr. D. J. DALLING asked the Minister of Education and Training:

Whether any agreements between him, his Department or any departmental agency under his jurisdiction and the Newspaper Press Union are in existence; if so, (a) how many and (b) what is the subject matter of each such agreement?

The MINISTER OF EDUCATION AND TRAINING:

No.

(339) Hansard
Occupational therapists 7/5/83
Q-Q1-1234 - 1236
Dr M S BARNARD asked the Minister of Co-operation and Development:

(1) Whether Black occupational therapists are free to transfer from one Administration Board to another; if not, (a) why not and (b) what procedure is to be followed in order to make a transfer of this nature;

(2) whether he will make a statement on the matter?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

In reply to this question the Honourable Member is referred to the reply given in respect of Question 6 of 25 March 1983.

Occupational therapists

762. Dr. M. S. BARNARD asked the Minister of Co-operation and Development:

Whether any bursaries are made available by his Department to Black (a) male and (b) female occupational therapists; if not, why not; if so, (i) how many, and (ii) for what amount, in each case?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

No bursaries have yet been granted by the Department of Co-operation and Development for the training of occupational therapists. Facilities, however, exist for the in-service training of occupational therapists at the Garankuwa Hospital.

Occupational therapists

770. Dr. M. S. BARNARD asked the Minister of Health and Welfare:

Whether any occupational therapists (a) joined, (b) retired from and (c) resigned from the service of his Department in 1982; if so, (i) how many in each case and (ii) what reasons were given for the resignations?

The MINISTER OF HEALTH AND WELFARE:

Yes;

(i) (a) 18.

(b) 0.

(c) 14.

(ii) no reasons were furnished

Occupational therapists

772. Dr. M. S. BARNARD asked the Minister of Health and Welfare:

(1) How many posts for occupational therapists in his Department (a) were vacant and (b) had been filled as at 1 November 1979, 1980, 1981 and 1982, respectively;

(2) whether any such posts lapsed in any of these years; if so, how many in each such year?

The MINISTER OF HEALTH AND WELFARE:

		1979	1980	1981	1982
(1)	(a)	17	21	28	40
	(b)	74	70	71	64

(2) No.

Occupational therapists

773. Dr. M. S. BARNARD asked the Minister of Health and Welfare:

(1) Whether any posts for occupational therapists are subsidized by his Department; if so, how many such posts (a) were vacant and (b) had been filled as at 1 November 1979, 1980, 1981 and 1982, respectively;

(2) whether any such posts lapsed in any of these years; if so, how many in each such year?

The MINISTER OF HEALTH AND WELFARE:

Professional staff, such as occupational therapists, in the employ of subsidized institutions are not subsidized separately but expenditure in regard to such staff is taken into account for subsidy purposes. For this reason statistics are not available:

(1)(a) and (b) and (2) fall away

Board beer 'not toxic'

By SOPHIE TEMA

DOCTORS who researched the incidence of fungi and fungal poisons in sorghum malt say the beer, brewed and sold by administration boards, is safe for human consumption because the boards do not use the type of malt which has been found to be contaminated.

The National Institute for Nutritional Diseases, which conducted a comprehensive investigation into the fungal contamination of sorghum malt, said yesterday that industrial malt used by administration boards was 99% safe for consumption.

The report tabled in Parliament last week revealed that 17 samples of industrial malt out of 28 tested for carcinogen aflatoxin B were positive.

Carcinogen aflatoxin B is believed to be a cancer-linked substance.

Asked to comment on the findings, a spokesman for the West Rand Administration Board (Wrab) said yesterday that a statement would be released as soon as investigations had been completed.

He said, however: "Our malt and beer are certainly laboratory processed and tested to ensure that they do not have adverse effects on consumers."

Researchers who conducted the investigation told the Rand Daily Mail from Cape Town yesterday: "We did quite comprehensive research and the finding is that the levels of fungal contamination in some of the smaller malt-houses are unacceptably high and pose a real health danger.

"We know, for instance, that malt used by the administration boards for brewing beer is safe although they, too, sometimes have problems other than fungal toxins.

"The larger commercial maltsters generally produce a product free of fungus or toxin, but infections do occur on occasions."

RDM 339

MIGRANT black workers are sometimes seen as less militant than workers with city rights ... after all, they have much more to lose by striking. 16/5/83

Not so, according to some research figures on black attitudes quoted last week by Professor Lawrence Schlemmer, of Natal University.

His research — conducted in Natal — does suggest that migrants in that area are less sympathetic to the ANC than blacks with city rights.

But it also showed they were far more willing to consider a sustained "political" strike than those with city rights.

And perhaps his key finding was that, when asked how the economy should be run under a black government, an overwhelming majority of those with city rights opted for private enterprise ... but around half the migrants opted for a socialist system, backing government ownership of business.

Prof Schlemmer found that the most dissaffected blacks were those in the cities who could not find settled housing.

Some black unions won't be surprised by these findings ... they have often claimed that migrants are their most active members.

Migrant workers to face another crucial test in court this week



LABOUR WEEK
By
Steven
Friedman

THIS week will provide another crucial test for migrant workers' rights.

On Friday, the Appeal Court will hear the East Rand Administration Board's appeal against the Witwatersrand Supreme Court's celebrated Rikhoto decision.

This established the right of migrants who have worked 10 years or more for the same employer to permanent city rights . . . and so struck a mighty blow at a cornerstone of influx control.

It may be recalled that this right is enshrined in Section 10 of the Black Urban Areas Act, but that a 1968 regulation effectively removed it by forcing migrants to break their contract each year . . . so ensuring that they could never work continuously for one employer for 10 years.

The regulation effectively stopped the permanent influx of black migrants to the cities dead in its tracks, so an Appeal Court decision upholding the Rikhoto decision would deal a damaging blow to Verwoerdian apartheid.

But it is not yet clear that migrants will win this right if the court finds against Erab.

Dr Piet Koornhof threatened last year to introduce legislation to override the Rikhoto judgment, and the Government could decide to do this if Erab's appeal is rejected.

The issue would then be whether supporters of reform could persuade the Government not to override so basic a change as this one.

□ □ □ □

THE effect of the recession on the union movement is the subject of many theories.

Now a perspective from a unionist has appeared in the SA Labour Bulletin.

Writing in his personal capacity, Mr David Lewis, of the General Workers Union, makes the controversial suggestion that it is just as easy — if not easier — for unions to recruit *unorganised* workers in a recession as in a boom.

Among the points he makes is that black unemployment is so high — even during booms — that the extra threat of joblessness in a recession does not have the same effect on workers as in other industrial countries.

Where unions are hit, he argues, is in trying to maintain their position in factories they have already organised.

This becomes difficult in the face of retrenchments, tougher employer stances on wages and the like.

So, Mr Lewis argues, the less efficient emerging unions will not disappear during the recession. They will be quite able to claim a rising membership by simply embarking on mass recruiting campaigns.

More substantial unions will not show so great a jump in members, because they will be busy consolidating membership.

The catch is that mass union membership easily gained in a recession is easily lost unless unions can follow through with thorough organisation, and the unions who consolidate will emerge stronger in the long run.

But, in a swipe at some "community" unions, Mr Lewis says unions who opt for mass "paper" membership without thoroughly organising these workers will discredit unionism among workers they recruit and then disappoint.

Whether unions can recruit easily at present is a moot point.

But it is certainly true that unions who consolidate now are likely to emerge far stronger than those who go on mass recruiting campaigns.

Court rulings will affect dompas laws

TWO CRUCIAL Supreme Court decisions concerning the rights of thousands of migrant workers in urban areas, and whether citizens of independent homelands are liable for prosecution for pass law offences, will be decided in the South African law courts this week.

By MONO BADELA

On Friday, the Appeal Court will hear the East Rand Administration Board's appeal against the Witwatersrand Supreme Court's celebrated Rikhoto decision.

And in Grahamstown a case which could have a "far-reaching consequences" in determining whether citizens of the "independent" homelands can be convicted of pass law offences, came before the Supreme Court in review last week.

The Rikhoto decision established the rights of migrants who have worked 10 years or more for the same employer to permanent city rights, and so struck a mighty blow at a cornerstone of the influx control system.

This right is enshrined in Section Ten of the Black Urban Areas Act, but that a 1968 regulation effectively removed by forcing migrants to break their contract each year, ensuring that they could never work continously for one employer for ten years.

The 1968 regulations effectively stopped the permanent flow of blacks from the homelands to the big cities. So an Appeal Court decision favouring the Rikhoto decision would be a crushing blow to the Government's influx control system.

The pass law offence case was referred by the Port Elizabeth Commissioner, who questioned whether four accused — convicted and fined for not being in possession of their reference books — could be prosecuted if they were Ciskeian citizens.

Mr Justice Mullins and Mr Justice Jennett reserved decision on whether to hear or review, pointing out that the original charge sheet did not mention whether the accused were Xhosa or Ciskeian citizens.

Mr Richard Quinn, who will contest the convictions if the case is reviewed, stated that charge sheets received indicated that the accused were Xhosas. The Transkei and the Ciskei Acts implied that all Xhosas were citizens of one of these states.

He said it was to be doubted that a citizen of an "independent state" could be convicted of a pass law offence.

The accused who were fined up to R10 in February are Mr Ntso Kolomngqamisa, Mr Patrick Njokweni, Mr Wilson Bóoi and Mr Siphiwo Mahlulo.

URBAN BLACKS

ARGUS 19/5/83 006 339

Feared law controls destiny of thousan

HUGH ROBERTON, Political Staff, spells out influx legislation

IT is known as the Blacks (Urban Areas) Consolidation Act of 1945. To make it more efficient, it was amended in 1946 and 1947 and three times in 1952, again in 1953, 1955 and 1956, three times in 1957, and then each year from 1961 to 1966, followed by further amendements in 1968 and 1970 and annual amendments from 1974 to 1981.

Today it is one of the most watertight pieces of legislation. It is the central instrument whereby the Government controls the influx of blacks to "white" South Africa. Its provisions define what is a "legal" black and an "illegal" black, and by application often who has food to eat and who has none.

It is used to arrest an average of one black person every two-and-a-half minutes, day and night, or some 206 000 people a year. It ensures that South Africa has the highest ratio of prisoners to overall population in the world.

And the Act is at the centre of the confrontation between blacks who took to squatting opposite the old Kakaza Trading Centre (KTC) near Guguletu, and the Western Cape Administration Board, the police and the Department of Co-operation and Development.

Eye of the needle

Section 10(i) of the Act is the nitty gritty. Its four sub-sections — (a), (b), (c) and (d) — comprise the eye of the needle through which so far about 125 000 blacks have become "legal" residents of Langa, Nyanga and Guguletu.

The "first class" legals, or those who qualify under Section 10(1)(a), are those who can "produce proof in the manner prescribed" that they have "since birth, resided continuously in the area". In effect, they are required to prove that they were born here and have lived here ever since.

The "second class legals", those who qualify under Section 10(i)(b), are contract workers who must have worked continuously for one employer in the area for at least ten years or for more than one employer for at least 15 years.

This section, almost miraculously, has produced a loophole on which the destiny of about 12 000 blacks in the Peninsula now hangs by a tenuous thread.

In an attempt to stop more blacks from qualifying as legal residents under this clause, the Department of Co-operation and Development proclaimed a regulation whereby contract workers were required to return to their "homeland" once a year to renew their employment contracts.

But in three separate rulings the Supreme Court has rejected the Government's argument that by returning to the homelands these workers have broken their contracts and that they thus do not qualify as having worked or lived "continuously" in the area.

The court has found, instead, that the annual enforced migrations to the homelands do not constitute an acceptable break in employment or residence.

So far hundreds of blacks have applied for Section 10(i)(b) status on the strength of these judgments. There are thought to be 12 000 who technically could do so. But the Western Cape Administration Board is refusing to grant them this status until appeals lodged against the Supreme Court judgments have been heard.

Harassment

Section 10(i)(c) legality is accorded to the wives, unmarried daughters and sons under the age of 18 of those who qualify under sub-sections (a) and (b).

And Section 10(i)(d) accords temporary legality to certain contract workers who obtain permission from the manager of a labour bureau to reside in the area for a set period.

For the "illegals" — the Government puts their number at some 42 000, but some estimates put the total at well over 80 000 — it is an offence to be in the Cape Town area for longer than 72 hours.

But the Blacks (Urban Areas) Consolidation Act is not the only measure used to deny blacks "legality" in Cape Town. Another is the Government's coloured labour preference policy, whereby an employer is prohibited from giving a job to a black — and thus qualifying him for "legal" status — if the Government believes there are coloured people who can fill the post.

Each year hundreds of applications from Cape Town businessmen wanting to employ blacks are turned down. And many employers simply ignore the regulation. In 1981, for instance, 727 Western Cape employers who gave jobs to blacks without permission paid fines totalling R126 685.

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ARGUS 19/5/83 359

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HUGH ROBERTON, Political Staff, spells out influx legislation

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Each year hundreds of applications from Cape Town businessmen wanting to employ blacks are turned down. And many employers simply ignore the regulation. In 1981, for instance, 727 Western Cape employers who gave jobs to blacks without permission paid fines totalling R126 685.

Even if a black person can get a job legally, the Government has yet another law to determine his "legality". It has the resounding title of the Administration of Persons to the Republic Regulation Act of 1972, and it is being used with increasing frequency to deport blacks from the Western Cape.

In effect, this Act allows for the deportation of "foreigners". And since a whole compendium of other laws make all blacks citizens of one or another "homeland", all blacks are legally "foreigners". Technically, they can be deported under any one of the myriad sections of the Act.

But those "deported" — bus loads of them leave every week — often return to Cape Town within days, the fines, costs and inconvenience being the preferred the alternatives to the hardships in the homelands.

CAPE TIMES 21/5/83

Govt's 'fierce dogs, arson'

Staff Reporter

THE government's response to increased black urbanization had been "legalized arson, ferocious dogs and harassment and imprisonment of men, women and children", Dr J T Sonnenberg, PFP MPC, said in the Provincial Council on Thursday.

Dr Sonnenberg, the opposition spokesman on health, said during the no-confidence debate that 38 percent of blacks had been urbanized by 1980. However, by the end of the century, this figure was expected to reach 75 percent.

The government had dealt with this problem in a "typically makeshift" fashion, bearing in mind that it was escalating all the time.

At the KTC squatter camp, they had responded with tear-smoke and searchlights.

"The battle for KTC may be over, and the authorities may feel they have achieved something," he said. "In truth they have achieved nothing. The same scenario will recur with a few changes in the cast at a different venue before very long."



Dr J T Sonnenberg

Mr H A Smit, NP MPC, said greater numbers of blacks were streaming to the Cape than the economy or number of houses could carry.

'Protected'

People "who had a right to be here" had to be protected from the effects of people streaming to the area, he said. There were already 10 000 unemployed coloured people in the Cape. "Do you want to make this problem worse?".

How could the government use valuable ground to provide housing for these large numbers of people? The problem would become even worse if contract workers were allowed to bring wives to the Cape, he said.

The movement of people would lead to depopulation of the homelands, a greater need for housing in the Cape, pressure on schools and health services. In short, permanent black residents would be worse off, he said.

Soweto—30 September 1982.

Stilfontein—16 September 1982.

Wakkerstroom—14 September 1982.

Administration Boards: pension fund

851. Mr. K. M. ANDREW asked the Minister of Co-operation and Development:

(1) Whether the negotiations with Administration Boards on the institution of a pension fund for temporary employees, as referred to in his reply to Question No. 23 on 4 May 1983, have been completed; if so, when were they completed; if not,

(2) whether the Administration Boards have been asked to investigate and report on this matter; if so, on what date or dates were they so asked;

(3) whether any Administration Boards have (a) completed their investigations and (b) reported on them to his Department; if so, which Administration Boards (i) have done so and (ii) have yet to do so;

(4) whether any Administration Boards are in favour of such pension scheme; if so, which Administration Boards?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) No.

(2) Yes. On 19 November 1982.

(3) (a) Yes.

(b) All but one, namely the Port Natal Administration, have already reported back.

(4) Yes. West Rand Administration Board, Southern OFS Administration Board, Western Cape Administration Board, Western Transvaal Administration Board, Eastern Cape Administration Board, Central Transvaal Administration Board.

The remainder are not in principle against such a scheme but have reservations on the financial aspects in view of their individual financial positions. The matter is, however, being further investigated.

Big jump in pass law convictions

Political Staff

PASS law convictions have increased by a massive 31 percent in spite of Government protestations of improving the lot of blacks and the declaration of war on the "dompass" by the Minister of Co-operation and Development, Dr Piet Koornhof.

Replying in written replies to questions asked in Parliament by Mrs Helen Suzman, Dr Koornhof said influx control convictions in the major centres had increased from 75 176 in 1981 to 98 508 last year.

DECREASES

The highest number were in Johannesburg where convictions increased from 20 265 to 29 940 with the figure for the West Rand reaching 17 086 and the East Rand 26 966.

The number of convictions decreased in two areas.

In the Cape Peninsula the figure was down from 10 178 to 9 393 and in Durban there was a decrease of almost 50 percent to 259.

Port Elizabeth had the least number of convictions — 272 (up from the 42 of 1981).

EVENING POST, MONDAY, MAY 30, 1983

Crisis in Govt's black administrative machine

339

Post Correspondent

JOHANNESBURG — Two Government departments that administer the day-to-day lives of millions of blacks have been hit by a staff crisis.

They are the Department of Co-operation and Development and the Department of Education and Training. Their staff losses are higher than in any other Government department.

In evidence to the Select Committee on Public Accounts, the departments have disclosed growing countrywide personnel shortages in key positions.

The Progressive Federal Party MP and committee member, Mr Harry Schwarz, described the position as "disturbing" — especially because both departments are important in the sensitive area of race relations.

He demanded to know why the staff shortages had been allowed to develop.

The director-general of Co-operation and Development, Mr R J Raath, said four of the six posts of administrative assistants in the audit section were continually vacant, the post of accountant and assistant accountant were temporarily filled, and all four of the administrative assistant posts in the accounting section were vacant.

In the eight commissioners' offices, where officials had to handle financial transactions, the situation was little better.

At the Witwatersrand offices, there were 658 approved posts, but only 288 were filled. A further 204 were temporarily filled, but 166 were vacant.

Mr Raath said there were 150 vacancies in the Western Transvaal office, 104 vacancies in Natal, 29 in the northern areas, 17 in the Western Cape, 49 in the Eastern Cape and 56 vacancies in the Free State.

He also said there was a large changeover of personnel, which detrimentally affected training.

The problem was finding qualified people.

"At present, we must use people who do not have suitable legal qualifications and this leads to all sorts of problems and also to unfavourable criticism," Mr Raath said.

Despite salary improvements, there had been no improvement in recruting matriculants interested in a career.

The director-general of the Department of Education and Training, Dr A B Fourie, reported that half the posts in the financial section of his department were vacant.

As a result legal claims could become prescribed because there were no officials to deal with the files.

The department was also unable to deal with all the incoming mail immediately and there had once been 18 000 unanswered letters.

Dr Fourie said the quantity of unanswered mail fluctuated, "but it is impossible for me to give an exact figure".

He also said the number of vacancies in administrative sections amounted to 50% and although the department was seeking blacks for these posts "they are just not available".

The department was unhappy that 700 of the 40 000 teachers employed were not being paid, but it was hoped that through decentralisation this situation would be relieved.

In his evidence, Mr Raath said one of the reasons for the staff crisis could be "this concentration of blacks in working conditions which are not too pleasant".

Ruling favours contract workers

CAPE TIMES 31/5/83 206 339

By PHILLIP VAN NIEKERK
Labour Reporter

IN A MAJOR test case paving the way for thousands of contract workers to live in the cities with their families, the Bloemfontein Appeal Court yesterday granted permanent city residence rights to a contract worker, Mr Mehlolo Tom Rikhoto, who had worked for one employer for longer than 10 years.

The denial of these rights to contract workers has been one of the cornerstones of the system of influx control since 1968, when a government regulation made it virtually impossible for contract workers to gain the right to live permanently in the cities.

Lawyers, trade unionists and civil-rights groups yesterday welcomed the decision. They agreed that it established the rights of all contract workers in a similar position as Mr Rikhoto to live in the cities with their families, choose where they want to work, change jobs freely and move from city to city.

The court held that Mr Rikhoto qualified for permanent residence rights in the urban areas even though as a contract worker he had been employed on yearly contracts.

It decided unanimously to reject with costs an appeal by the East Rand Administration Board against a judgment in the Rand Supreme Court in September, 1981, granting Mr Rikhoto the right to live in the cities.

In terms of the Blacks (Urban Areas) Consolidation Act, contract workers are entitled to permanent residence in the cities — Section 10 (i) (b) rights — if they have worked for one employer continuously for 10 years or for several employers for 15 years.

The 1968 regulation, which requires contract workers to return to the

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CAPE TIMES 31/5/83 (A)

From page 1

homelands and sign yearly contracts, has been used by the authorities to argue that contract workers could not work "continuously" for one employer for longer than a year.

Thousands involved

There are unofficially about 12 000 contract workers in Cape Town — which has a relatively small contract-worker population — and tens of thousands more throughout the country who could qualify on the same basis as Mr Rikhoto.

Both the General Workers' Union and the African Food and Canning Workers' Union, who have large contract-worker memberships, warned that there would be an angry response from workers if the government tried to nullify the ruling by changing the legislation.

Dr Piet Koornhof, Minister of Co-operation and Development, who was not available for comment yesterday, threatened at the Cape Nationalist congress in East London in October last year to introduce legislation overriding the decision.

And in its present form, the proposed Orderly Movement and Settlement of Black Persons Bill will take these rights away.

There is also concern that the various administration boards, including the Western Cape Administration Board (WCAB), could simply refuse to apply the ruling.

There have been two similar cases in the Cape Supreme Court — the Booi and Mthiya cases — where contract workers have won permanent city rights. Each time the WCAB argued that they could not apply the rulings as they were waiting for the outcome of the Rikhoto case.

The Black Sash has more than 800 applications pending, with the WCAB, while the GWU, the AFCWU and several major employers have also lodged hundreds of applications.

The Argus Tuesday May 31 1983

Ruling affects thousands

Argus Correspondent

JOHANNESBURG. — The way has been opened for tens of thousands of blacks, regarded until now as migrant workers, to live permanently with their families in South Africa's cities.

This follows a watershed decision yesterday in which the Appeal Court ruled that a Germiston engineering firm worker, Mr Mehlolo Tom Rikhoto, could live in an urban area.

The decision, a unanimous finding by Mr Justice van Heerden and four other Appeal Court judges, will apply throughout the country and could affect tens of thousands of black workers and their famlilies.

OBLIGED

Mr Rikhoto, working for the same employer for 10 years, has been obliged by a 1968 regulation to return to the black rural areas each year to renew his contract.

Officials felt because workers were obliged to leave their employers to renew their contracts each year, they had not worked continuously for one employer and were not exempted under Section 10 (1) (b) of the Black Urban Areas Act.

The Act allows any migrant, who has worked continuously for one employer for 10 years or for several employers for 15 years, to obtain city rights.

HOLIDAY

In the 1981 Rand Supreme Court hearing Mr Rikhoto's employer said he regarded Mr Rikhoto's forced return to the rural areas each year as an annual holiday because he regarded him as a permanent employee.

Rejecting with costs an appeal by the East Rand Administration Board against the Rand Supreme Court's ruling, the Appeal Court found that Mr Rikhoto had indeed worked for a single employer for 10 years.

FAMILIES

The court noted that it was the intention of Mr Rikhoto and his employers that he remain in his employers' service.

Mrs Helen Suzman of the Progressive Federal Party said today the ruling would give black workers the right to have their families with them.

"It required the courts to make this decision, which in a normal, democratic country is taken for granted."

"In 1947 the Fagan Commission recommended that five years in the cities should be considered as a qualification for permanence. This was rejected when the National Party came to power.

SHORTAGE

"With the shortage of accommodation — about 35 000 families are on the waiting-list in Johannesburg — the judgment is going to be difficult to implement."

Mrs Suzman said she hoped a remark by the Minister of Co-operation and Development, Dr Piet Koornhof, that he might circumvent the Rikhoto ruling, would not be translated into action.

Dr Koornhof was not available for comment.

Black Sash urges migrant workers to press for rights

Thousands to demand permanent residence

Star 1/6/83

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Staff Reporters

Thousands of migrant workers in South Africa's urban areas are expected to press the Government urgently for permanent residential rights.

And tens of thousands of workers have had the way cleared for them to seek these residential rights by Monday's Appeal Court decision which upheld the right of a Germiston migrant labourer to live permanently in the city with his family.

Employers are also expected to make applications on behalf of thousands of their migrant employees to provide them with permanent accommodation.

The national president of the Black Sash, Mrs Sheena Duncan, said today that the hundreds of cases being handled by their Transvaal and Cape offices would be advised to press ahead for permanent residence rights.

In September 1981, a Rand Supreme Court judge found in favour of Mr Mehlolo Tom Rikhoto in a case against the East Rand Administration Board. Erab subsequently appealed against this decision but it has now been upheld by the Appeal Court.

Mrs Duncan said that, in the past two years, administration boards had stalled efforts to obtain residential rights for migrant workers but now any attempts to frustrate the Rikhoto judgement could mean contempt of court.

But she said she feared that Government bureaucracy could still frustrate the law.

The relative Act provides for resident status for those who have worked 10 continuous years for one employer or have resided lawfully in a city for 15 continuous years.

In a statement issued at the weekend, the Transvaal chairman of the Black Sash, Mrs Jill Wentzel, urged migrant workers whose residential rights had been violated to report to Black Sash offices.

In the light of Monday's judgement administration boards had no choice but to enter stamps qualifying certain workers to residential rights, Mrs Wentzel said in the statement.

The judgment had underscored that even the ideology of apartheid had to bow to the law, the statement added.

The Minister of Co-operation and Development, Dr Piet Koornhof, was not available for comment today but it is understood that his department will study the decision before commenting.

In the House of Assembly the Opposition today called on the Government not to try to circumvent the Appeal Court's decision on urban black migrant workers.

Mr Ken Andrew, one of the Opposition's chief spokesmen on urban black affairs, said he trusted that the administration boards would implement the decision without delay and would not try to frustrate the attempts of urban blacks to claim rights to which they were entitled.

At the Cape provincial congress of the National Party in East London in October last year Dr Koornhof indicated that the Government would consider legislation to circumvent a previous court decision on the same lines but there has been no indication of this during the present session of Parliament.

WEDNESDAY, JUNE 1, 1983 SOWETAN Telephone 836-5723

REGISTER NOW

Black Sash warns migrant workers to act before Govt changes pass law

THOUSANDS OF BLACK migrant workers who have worked in the cities for ten continuous years for one employer or lawfully lived in a prescribed area for 15 years are being urged by the Black Sash to register their 10 (1) (b) qualifications immediately.

In a statement, the chairman of the Transvaal region of the Black Sash, Mrs Jill Wentzel, urged migrant workers to go as from today to the nearest Labour Bureau office and claim their Section 10 (1) (b) rights quickly before the government legislates to close the loophole.

By MONO BADELA

The urgent appeal by the Black Sash is a sequel to the historic



employer for 10 years or for several employers for 15 years to obtain city rights.

Commenting on the judgment the Black Sash stated that from today administration board officials had no choice but to stamp the Section 10 (1) (b) qualification on the

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NOW

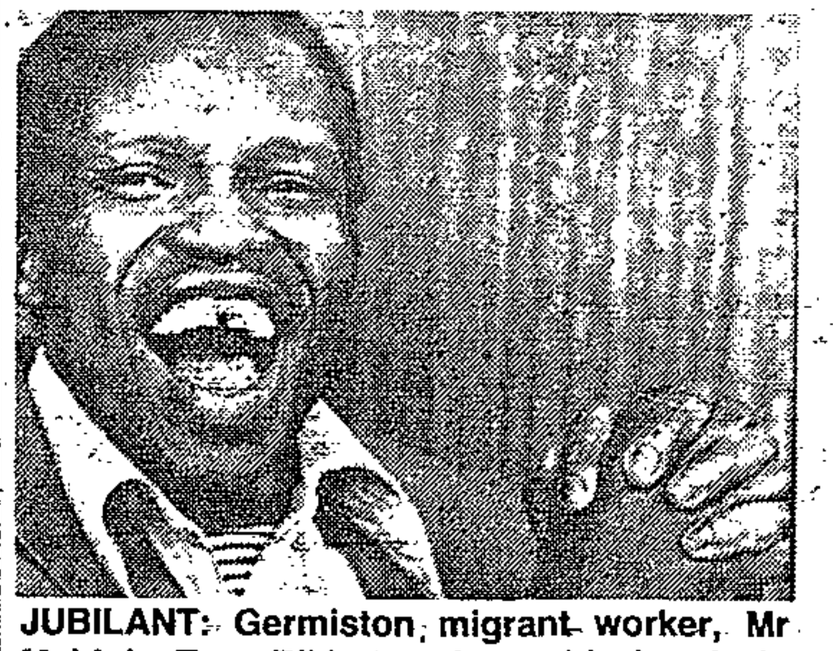
Black Sash migrant work act befor changes pas

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By MONO BADELA

The urgent appeal by the Black Sash is a sequel to the historic Appeal Court ruling which gave tens of thousands of migrant workers a right to live permanently with their families in the big cities.



JUBILANT: Germiston migrant worker, Mr Mehlolo Tom Rikhoto, clasps his hands in victory. His Appeal Court judgment heralds a new era for countless black migrant workers in the cities.

In a landmark judgment the Appeal Court ruled this week that a Germiston engineering worker, Mr Mehlolo Tom Rikhoto, was entitled to city rights under Section 10 (1) (b) of the Urban Areas Act.

The Appeal Court rejected with costs an appeal by the East Rand Administration Board (Erab) against a September 1981 Rand Supreme Court judgment upholding Mr Rikhoto's right to live in the cities. This means that the precedent set by the Rand Supreme Court judgment now applies throughout the country.

The court held that Mr Rikhoto earned city rights by working for one employer for more than 10 years, even though he had been forced by the 1968 ruling to return to the black rural areas each year to renew his contract. Section 10 (1) (b) allows any migrant who has worked "continuously" for one employer for 10 years or for several employers for 15 years to obtain city rights.

Commenting on the judgment the Black Sash stated that from today administration board officials had no choice but to stamp the Section 10 (1) (b) qualification on the Reference Books of all migrant workers who have worked continuously for 10 years for one employer. "If they fail to do so they will be acting unlawfully," the statement added.

Mrs Jill Wentzel of the Black Sash said if this was unlawfully refused then workers should report immediately to the offices of the Black Sash. "Recent statements by the Minister of Development and Co-operation Dr Piet Koornhof indicate that the Government intends closing up avenues to people to qualify to live in urban areas and the Black Sash anticipates legislation which will do away with the possibility of contract workers to qualify in the future," she warned.

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GREY PHILLIPS

Experts laud pass law judgment

THE Appeal Court judgment on the Rikhoto pass law case has been hailed by legal experts, politicians, trade unionists, and community leaders as "a breakthrough" and "very enlightened".

Commenting on the judgment, Professor John Dugard of the University of Witwatersrand said: "It is probably the most important decision of our Appeal Court in many years. It certainly will improve the quality and the security of the lives of many blacks who have worked in our cities for over 10 years."

"One hopes the Government will not interfere with this decision and that the administration boards will carry it out properly. In the past, administration boards have often refused to implement enlightened court decisions and one can only appeal to the boards on this occasion to give effect to the Rikhoto decision."

INFLUX

Official Opposition in Parliament also hailed the Appeal Court's upholding of the Rikhoto judgment as a major breakthrough for black rights which, if implemented, would be a significant step towards dismantling influx control.

"This ruling places the final approval of the courts on the sanctity of family life," Mr Nic Olivier, a nominated MP and expert on black rights said yesterday.

"It is significant that our courts in recent years have adopted an increasingly humane approach in the interpretation of the law which contrasts sharply with its application by the Government and administration boards," Mr Olivier said.

Mrs Helen Suzman welcomed the Appeal Court ruling and called on the Government to accept it. "It is sincerely hoped that the Government in no way attempts to circumvent the decision."

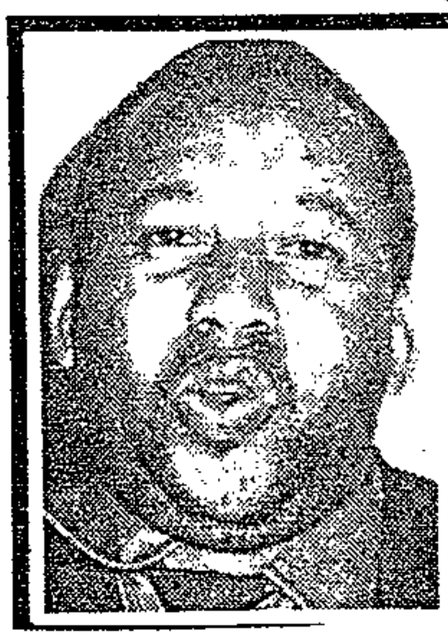
PRIVILEGE

She said the ruling would bring many privileges, "which in any normal country would be considered a natural right — namely for a man to live with his wife and children and be able to obtain a long lease in an urban township."

The national organiser of the South African Allied Workers' Union (Saawu), Mr Herbert Barnabas, said the renewal of work contracts should not mean termination of their services with the employer. "We regard the decision of the Appeal Court as a progressive step. The appeal by the East Rand Administration Board is a sign that it was set up to further the aims of separate development.

"We have long been complaining about the malpractices of this board that has deposited people's monies in institutions like the South African Bureau of Racial Affairs. The appeal against a court decision was another way of wasting money. We hope however that Erab will accept the situation and allow Mr Rikhoto and others to live permanently with their families and work in the area.

"There are hundreds of our members who we feel are entitled to Section 10 (1) (b) rights by virtue of them having worked in South Africa for more than ten years," Mr Barnabas said.



Stories by MONO BADELA

Workers urged to claim rights

Own Correspondent

JOHANNESBURG. — The Black Sash yesterday urged all contract workers who qualify for permanent city rights in terms of a landmark Appeal Court judgment last week to go immediately to their nearest labour offices to claim their rights.

But because it is not yet clear whether the government will enforce the court's decision, it also urged all workers whose rights were "unlawfully refused them" to report to the Black Sash advice office.

Migrants who have worked continuously for one employer in the cities for 10 years or have lived legally in them for 15 years qualify in terms of the judgment.

The Black Sash also urged the government to implement the court judgment without delay.

The statement comes in the wake of Tuesday's Appeal Court decision to uphold the right of a Germiston migrant worker, Mr Mehlolo Tom Rikhoto, to live permanently in the cities with his family.

Lawyers say the judgment has opened the way for thousands of migrants who have been in cities for years without being able to claim these rights to now do so.

However, the government has not yet responded to the judgment and, until it instructs administration boards to apply it, officials may resist demands by migrants for these rights.

In its statement the Sash urged all migrants who have worked for one employer for 10 continuous years or who have lived lawfully in a city for 15 years to claim their rights under Section 10 (1) (b) of the Black Urban Areas Act.

"If this is unlawfully refused them, they should report immediately to the Black Sash," the statement said.

The statement also urged those who qualify, to claim their rights "without delay" because it fears threatened government moves to tighten influx control in line with Dr Piet Koornhof's Orderly Movement of Black Persons bill.

'No right'

"We reiterate that officials have no right to refuse to grant rights to all migrants who have worked for 10 years for one employer or have lived lawfully in a prescribed area for 15 years," the statement said.

It added that the authorities had not adhered to judgments by the lower court establishing these rights and had been turning away migrants who applied for them.

"Now the appeal has been upheld they have no further excuse to do so."

The statement hailed the judgment saying that it "underscores that even the ideology of apartheid must bow down to the law", adding that "rationality and compassion has triumphed in the courts and more families will now be able to be reunited".

Govt steps back from Rikhoto decision

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Star 2/6/83



Dr Koornhof

Political Staff

CAPE TOWN — The Government, facing wide-ranging consequences for itself and the country, has refused to take a stand on the important Appeal Court decision to allow migrant workers and their families to live permanently in urban areas.

After initial silence from Government circles, Dr Piet Koornhof last night issued a statement saying the Rikhoto versus East Rand Administration Board judgment had far-reaching implications.

The decision is likely to be a main feature of investigation by the recently appointed Cabinet committee studying the constitutional position of non-homeland blacks.

Dr Koornhof said the Government was giving urgent attention to the case. "As it is a matter with far-reaching implications and because the judgment must be studied carefully an announcement will be made after careful consideration."

National Party policy has been substantially to reduce the number of blacks in so-called "white" South Africa and the judgment seriously undermines this policy.

Mrs Helen Suzman, Opposition spokesman on black affairs, said today it would be unforgiveable if administration board officials used bureaucratic devices to frustrate the Appeal Court's decision on a basic human right.

The ruling in the Rikhoto case has opened the door for the families of black migrant workers to join them in the cities — if these employees have worked for the same employer for 10 consecutive years.

However fears have been expressed that the administration boards will block this bureaucratically. Mrs Suzman said she would be pressing the Minister not to prevaricate when his department vote came up for debate next week.

By then the Minister would have had time to study the judgment and its implications, Mrs Suzman said, and she would seek an unequivocal announcement from him that he would not attempt to interfere.

Administration boards countrywide are expecting to be inundatedwith thousands of applications for residential rights.

Erab's chief director, Mr F Marx, said his board was still awaiting guidelines from Pretoria.

Employers have welcomed the Appeal Court decision.

Some companies describe it as a means of creating a more stable workforce.

The personnel director of AECI, Mr S A Anderson, said a number of its employees qualified and they would be advised on steps to obtain the section 10 (1) (b) rights.

Migrants: WCAB 'waiting

By PHILLIP VAN NIEKERK
Labour Reporter

THE Western Cape Administration Board (WCAB) has delayed implementing the Rikhoto Appeal Court decision until it has studied the judgment.

(The Rikhoto decision opens the way for tens of thousands of migrant workers to live with their families in the cities.)

The delay was severely criticized in Cape Town yesterday and several trade unions warned of possible labour unrest if the government attempted to override the judgment.

'Far-reaching'

Dr Piet Koornhof, the Minister of Co-operation and Development, said last night that the matter, which had "far-reaching implications", was receiving his "urgent attention".

The Appeal Court in Bloemfontein granted Mr Mehlolo Rikhoto, a Germiston contract worker, the right to permanent residence in the cities because he had worked one employer for more than 10 years.

The decision has been seen as destroying one of the foundations of the government's policy of influx control.

It is understood that more than 1 000 applications for permanent rights in Cape Town have been lodged with the WCAB already.

Several migrant workers who went to the WCAB offices in Langa yesterday to get their passbooks endorsed for permanent residence were turned away. They said officials denied knowledge of the judgment.

Mr Gert du Preez, the chief liaison officer for the WCAB, said the board still had to study the full judgment and were awaiting a directive from the Department of Co-operation and Development.

However, a spokesman for the East Rand Administration Board (ERAB), which contested the Rikhoto case, said it would have no choice but to grant permanent residence rights to those whose circumstances were similar to Mr Rikhoto.

The Black Sash has made an urgent appeal to all people who have worked as contract workers for more than 10 years, or have been "legally" in the area for 15 years, to consult the Athlone Advice Office or to demand their rights at WCAB offices.

There is widespread fear that the government could be contemplating an amendment to the legislation to cover the loophole which the the Rikhoto case has opened.

Mrs Sheena Duncan, the national director of the Black Sash, said the WCAB should follow the example of the ERAB.

Mr Ken Andrew, the PFP MP for Gardens and spokesman on black affairs in the Western Cape, said it was the duty of the department to issue the necessary instructions immediately as "tens of thousands" of people were affected.

● Leading article, page 12

NP moves to resist govt on migrants

CAPE TIMES 3/6/83

Political Staff

THERE are moves afoot in the National Party caucus to resist any bid by the government to circumvent the historic Appeal Court ruling on migrant workers, according to informed sources.

Although strong rumours that the government has already prepared legislation which would effectively nullify the landmark judgment could not be confirmed yesterday, a small but influential group of National Party MPs who have long advocated a "normalization" of so-called illegal blacks at present in the cities are preparing to resist such attempts.

All the Minister of Co-Operation and Development, Dr Piet Koornhof, has been prepared to say on the judgment so far is that the government is giving its "urgent attention" to the matter and that an announcement would be made only after thorough consideration.

Dilemma

However, it became clear yesterday that the government is facing a major dilemma in dealing with an Appeal Court ruling which if implemented would open the way for tens of thousands of migrant workers to live permanently in the urban areas with their families.

If the government abides by the judgment, it would effectively nullify a 1968 regulation which blocks the majority of migrant workers from qualifying for permanent status in the cities regardless of how long they have lived and worked there, thus disqualifying them from the coveted Section 10 (1) (b) rights.

This would be a major blow to the government's influx control policy.

Advice

If, on the other hand, the government were to circumvent the Appeal Court ruling in the case Rikhoto vs the East Rand Administration Board by amending the Black (urban areas) Consolidation Act of 1945, it would go against the advice of some of its most influential advisers.

The claim of migrant workers to these rights was endorsed in the key Riekert Report in 1978 which recommended that the presence of blacks in the urban areas should be regulated by the availability of employment and housing.

A government bid to circumvent the Rikhoto ruling would also fly in the face of the recommendations of the Grosskopf Committee which was set-up to rescue Dr Koornhof's ill-fated "new deal" legislation for urban blacks launched in October 1980.

Residence rights

The Grosskopf Committee recommended that contract workers who had worked in the city for five years should qualify for permanent residence rights.

At the National Party's Cape congress in East London last year, Dr Koornhof indicated that the government was planning to amend existing legislation to circumvent the Komani and Rikhoto rulings.

The matter was not raised at the NP caucus meeting on Wednesday but is likely to be discussed at next week's meeting.

Star 3/6/83

Unions give warning on rights of migrants

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By Tony Davis,
Labour Reporter

Trade unions have warned that they will take legal action if the Government or administration boards fail to grant urban residence rights to qualified migrant workers.

Union federations and individual unions have come out strongly in support of the Appeal Court decision on Monday rejecting the East Rand Administration Board's appeal against the Rikhoto judgment.

The general secretary of the Council of Unions of South Africa, Mr Phiroshaw Camay, said the judgment struck at the cornerstone of the apartheid policy and Cusa would seek legal injunctions if the authorities tried to circumvent the decision.

"If Dr Piet Koornhof (the Minister of Co-operation and Development) tries to ignore the decision and push legislation through which attempts to regain control over urban black workers, it will force the labour movement to take action," Mr Camay said.

A senior member of the Federation of South African Trade Unions said its affiliates had already committed themselves to the campaign of registering qualified migrant workers.

The general secretary of the Commercial, Catering and Allied Workers Union, Mrs Emma Mashinini, said Ccwusa would help its members to get urban residence rights and expected support from employers.

Mr Arthur Grobbelaar, general secretary of the Trade Union Council of South Africa, said the Appeal Court decision would go a long way towards alleviating some of the problems migrant workers have had to bear.

The general secretary of the South African Allied Workers Union, Mr Sam Kikine, said members were being instructed to approach administration boards for their residence stamp.

But, he said, they were being turned away. Similar complaints have also been made by Fosatu members.

● Migrant workers who have been employed continuously for more than 10 years by one employer, or lived lawfully in an urban area for more than 15 years, are entitled to urban residence rights. These rights were granted to Mr Mehlolo Tom Rikhoto, a Germiston migrant worker, in a 1981 case against Erab.

UNIONS WARN BOARDS

Sowetan 3/6/83 3



MOVING HOUSE: Mrs Edith houses situated at the Salv Helping her are Juliet

IN THE wake of several migrant workers having obtained Section 10 (1) (B) rights, the Black Sash and leading trade unions have threatened legal action against administration boards for turning away many more.

By LEN MASEKO and JOSHUA RABOROKO

The president of Black Sash, Mrs Sheena Duncan, whose Johannesburg offices were yesterday flooded by scores of migrant workers seeking clarity following the Appeal Court's decision to grant Mr Tom Rikhotso the right to live with his family in an urban area, said they would submit three test cases to their lawyers.

The Federation of South African Trade Unions (Fosatu), the Council of Unions of South Africa (Cusa), the South African Allied Workers' Union (Saawu) and Inkatha have also entered the fray, with the unions threatening legal action as well.

A spokesman for the Legal Resource Centre in Johannesburg has also expressed willingness to take up cases concerning migrant workers who have worked for one company for more than 10 years.

The spokesman also said that Mr Rikhotso, whose case was a "big test," had been granted rights to stay with his family within the East Rand Administration Board's area of jurisdiction.

The support for the legalisation of migrant workers staying in urban areas, many of whom have lived apart from their families for many years, gained momentum late yesterday with several employers welcoming the Appeal Court decision and also expressing the desire to assist their workers.

In the meantime, confusion reigned as scores of migrant workers seeking city rights were turned away at the West Rand Administration Board's offices in Johannesburg yesterday.

Disappointed, they flooded the offices of Black Sash with the hope of enlisting the organisation's help. The organisation's offices were a hive of activity as officials interviewed the workers.

"If the Government is now prepared to accept urbanisation in South Africa and allows poverty and starvation in the homelands to persist, then the situation will explode.

"We appeal to the Government to leave things as they are — let them allow the implementation of the Appeal Court rule," Mrs Duncan said.

In a statement Cusa said it would explore the possibility of seeking legal injunctions if Government officials tried to circumvent the Rikhotso decision, or if the administration boards attempted to frustrate the efforts of migrant workers trying to claim the rights they were entitled to.

"If Minister Koornhof tries to ignore the decision, and tries to push legislation through which attempts to regain control over urban black workers, it will force the labour movement to take action," the statement added.

Fosatu's president, Mr Chris Dlamini, said they welcomed the decision by the Appeal Court, but said that if the Government pursued the issue of depriving blacks of their rights then "we shall be forced to seek legal advice."

He said his unions had repeatedly voiced total rejection of the Government's influx control laws and that the plight of migrant workers in South Africa would be discussed at the union's central committee meeting this month. "We abhor these laws," he said.

In the East Rand, an Erab spokesman said the board would "definitely" issue the Section 10 (1) (B) stamp if the applicants worked for the same employer during the stipulated period. "I can assure those concerned that there will be no problems, as long as rules are adhered to," he added.

He said several blacks had already obtained their qualifications at various Erab offices.

However, five migrant workers told The **SOWETAN** yesterday that they were made to sign forms at the Edenvale offices, and told to report back on July 4. "We were told that we will get our qualifications on that date," they said.

The Department of Co-operation said in Pretoria yesterday that it had taken notice of the Rikhotso court ruling. It was therefore important the people should go to the administration board's offices in the area of jurisdiction to apply for Section 10 rights.

But, the spokesman said, they should be able to produce the necessary documents to prove that they had been in the urban areas for the stipulated period.

The documents will then be sent to the reference bureau where they would be processed.

See pic on page 2.



UNIONS WARN BOARDS

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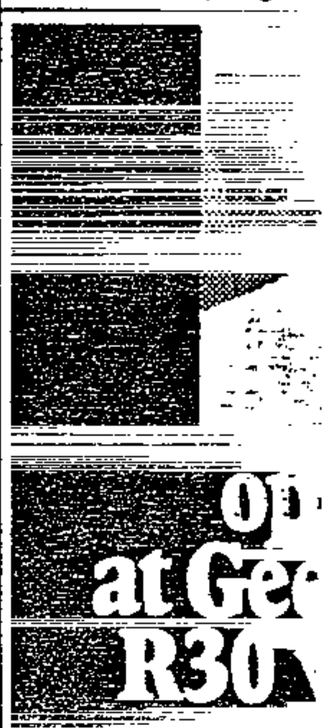
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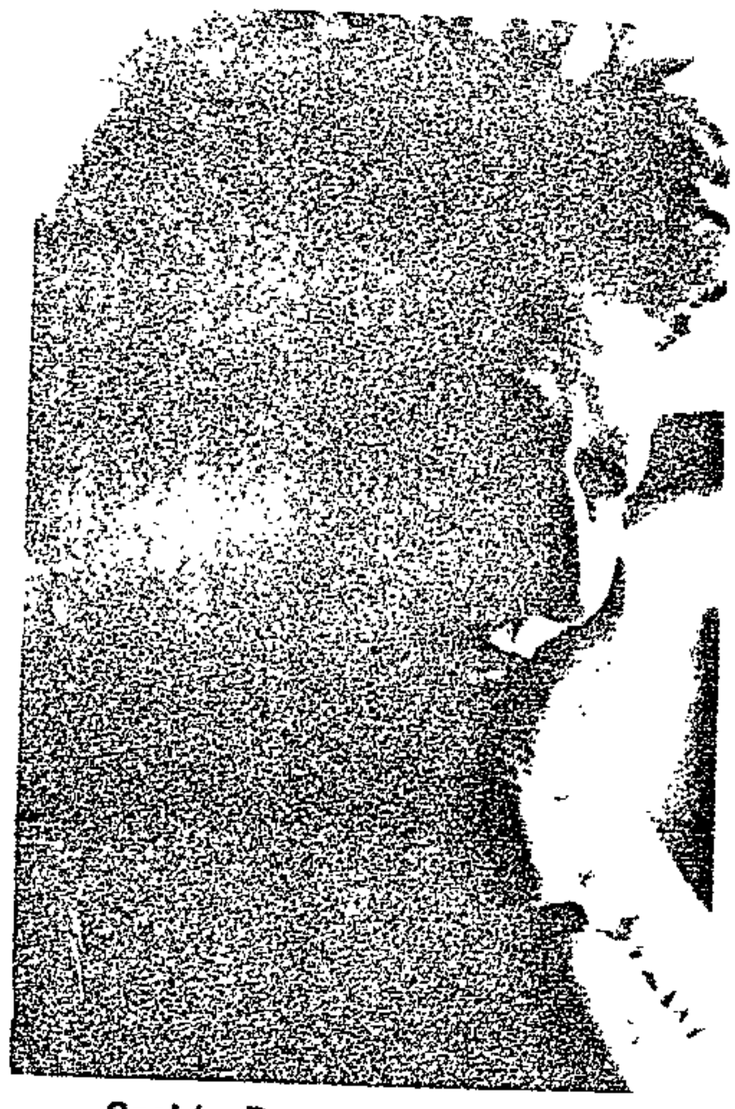


MIGRANTS FM 3/6/83

Landmark decision

Influx control in SA is in a state of confusion following this week's judgment by the Appeal Court in the Rikhoto case. On the face of it, the court's decision seems to entitle thousands of migrant workers to residential rights in white areas. But government may not be content to leave things there.

Moves are already underway to take full advantage of the judgment. Employers



Sash's Duncan ... urging migrants to apply for rights

have been urged by Black Sash chairman Sheena Duncan "to send employees who have worked for them for 10 years to pass offices with a letter certifying the dates of their employment so that they may claim their Section 10 (1) (b) rights" — in terms of the Blacks (Urban Areas) Consolidation Act.

Duncan says: "Literally tens of thousands" of migrant labourers — who have worked for one employer "continuously" for 10 years (or, in terms of Section 10 (1) (b), for several employers for a total of 15 years) are now entitled to such rights. The court's decision was welcomed by civil rights groups and the official opposition.

Government may, however, have other ideas. According to one report, Pretoria is understood to be "considering steps to restore the situation to where it was before the court judgments." This would be consistent with Co-operation and Development Minister Piet Koornhof's announcement to the Cape National Party conference last October when he said government is considering countering the effects of court decisions on influx control laws.

Koornhof referred specifically to the 1980 Komani judgment which ruled, in terms of Section 10 (1) (c) of the Act, that the wives (and children) of legally resident blacks could live with their husbands in a "prescribed" areas.

Koornhof's threat, which was in line with government's "shelving" of the Grosskopf committee's Riekert Commission-inspired proposals on urban blacks — regarded as moderate — leads Duncan to warn that "this may well be the last opportunity for (black) people from rural areas to acquire urban residence." She adds: "The Black Sash feels it is in the interests of stability that loyal workers should not be denied this opportunity."

Migrants who might qualify for rights have already had to wait nearly two years to have their situation legalised "because of the authorities' refusal to pay attention to the Supreme Court ruling" says Duncan. Similar charges of bureaucratic obstruction were made in relation to the Komani ruling.

The appellant in the Rikhoto case, the East Rand Administration Board (Erab), appealed against the September 1981 Rand Supreme Court judgment in favour of Rikhoto.

The nub of the case, and Erab's main contention, was that because migrants are obliged to take leave of their place of employment each year in order to renew their contracts in the homelands, they could never be said to have worked "continuously" for an employer for more than a year at a time.

Erab's argument on annually renewable contracts was in terms of a 1968 Regulation of the Black Labour Act. The Appeal Court, however, interpreted Rikhoto's period of service with his Germiston employer as indeed "continuous." Mr Justice van Heerden and four other judges dismissed, with costs, Erab's appeal. Rikhoto's case was defended by the Legal Resources Centre which argued that the board's labour officer was not obliged to send a contract worker back to the homelands each year.

The Centre has about 60 such cases on file. These applicants, and hundreds who approached the Black Sash on similar grounds, can presumably now obtain city rights endorsements at a pass office — until, and unless, government acts to tighten black entry to the cities.

Responding the court's finding, West Rand Administration Board (Wrab) chairman, John Knoetze, told the *FM* that the decision "obviously has far-reaching implications." He would not elaborate, however, until Wrab had fully studied the judgment. The Department of Co-operation and Development was also not prepared to comment.

Technically, the decision also means that many more blacks now qualify for housing in urban areas. The housing shortage category was officially put at 160 000 units two years ago. Further, the migrants who qualify for urban rights and who have approved accommodation, will be entitled (in terms of Komani) to have their families live with them. They are also entitled to seek employment in other urban areas.

Migrants rush for urban residency

Labour Reporter

Scores of migrant workers have thronged to the offices of the East and West Rand administration boards during the past few days applying for urban residence status.

Wrab chairman Mr John Knoetze said yesterday the board had received applications at all of its offices but the procedure was a long one.

"We are studying the implications of the Appeal Court judgement and will make it work. We are having no problem dealing with the numbers of people who have come in," Mr Knoetze said.

Applications had to be examined and inquiries made to confirm employment records.

GIVING

At the Erab offices in Germiston yesterday, the board's labour officer, Mr Scholtz Kruger, stamped the permit book of Mr Mehlolo Tom Rikhoto giving him urban residence status.

The Rikhoto judgment in the Rand Supreme Court about two years ago was upheld on Monday by the Appeal Court which turned down an appeal by Erab against the judgment.

Erab's chief director Mr F Marx said the issue was a delicate one and the board was still examining implications of the Appeal Court decision.

Trade unions and Black Sash have asked the boards to proceed with the granting of residence rights or face legal action. Fears have been expressed that bureaucratic measures could stifle applications pending further Government action on the issue.



Plucky Tom wins the big one for black migrants

The man who made it possible for thousands of migrant workers to get city rights said he was going to slaughter an ox to thank his gods.

Mr Mehlolo Tom Rikhoto (35), who was born in Retabe, Tzaneen, but has lived in Germiston since 1970, became South Africa's first migrant worker to be granted permanent residency on Thursday.

How does he feel about the Appeal Court judgment? "I feel great, not only for myself but for the thousands of other migrant workers who will be allowed to live in urban areas.

"The next time I go home I am going to slaughter an ox to say a big thank you to my gods", a beaming Mr Rikhoto said.

He said he had found living alone away from his wife and children "very bad" as "I get up at 5 am, wash, then prepare breakfast for myself, something my wife could have done".

Mr Rikhoto said he went to his work at an engineering company in his old car and, although he sometimes went by taxi, his car was more reliable.

He said he spent his spare time at work cleaning his car. "Other people play soccer during lunch time but I am not a soccer fan. So I spend most of my time washing my car to make sure it is always clean.

"I am so fond of my car I spend most weekends cleaning it, because if your car is clean you don't get stopped by traffic cops all the time," Mr Rikhoto said.

His other hobby was gardening and if he was not doing that or cleaning his car, he liked to read the Bible.

"I am a member of the new Christian Church in Zion in Alexandra and attend church regularly. I believe that it was through prayer that I managed to acquire city rights.

"Church members and I prayed hard during the East Rand Board's appeal against the Supreme Court judgment that I be given city rights. I am happy God answered our prayers."

Mr Rikhoto said he was brought up by his father with his two sisters and two brothers because his mother died in 1952 when he was four.

His wife did not work in Tzaneen because she was expecting their fifth child. Even if she wanted to work, there was no work available and at home no fields could be ploughed because of the drought.

Black Sash had helped him in his fight for permanent residency. "I could not do it alone as I left school in Standard 4 because my father had no money. Even with my limited education I was still able to read that these people called the Black Sash would help, so I went to them.

"They are the people who arranged lawyers so I could take the board to court. I am so happy we won the case."

Now he has city rights he will bring his wife Rosina and their four children to live in Katlehong while they wait for the house he has applied for.

Synagog

These youngsters are prepar for Yeoville Synagogue's 60 anniversary this weekend. Th will form a guard of honour f the diamond jubilee festivities.

Yeoville Synagogue is the se ond oldest synagogue in Joh nesburg. Mr Mannie Kot chairman of the Yeoville S

Flowers kill mossies quickly

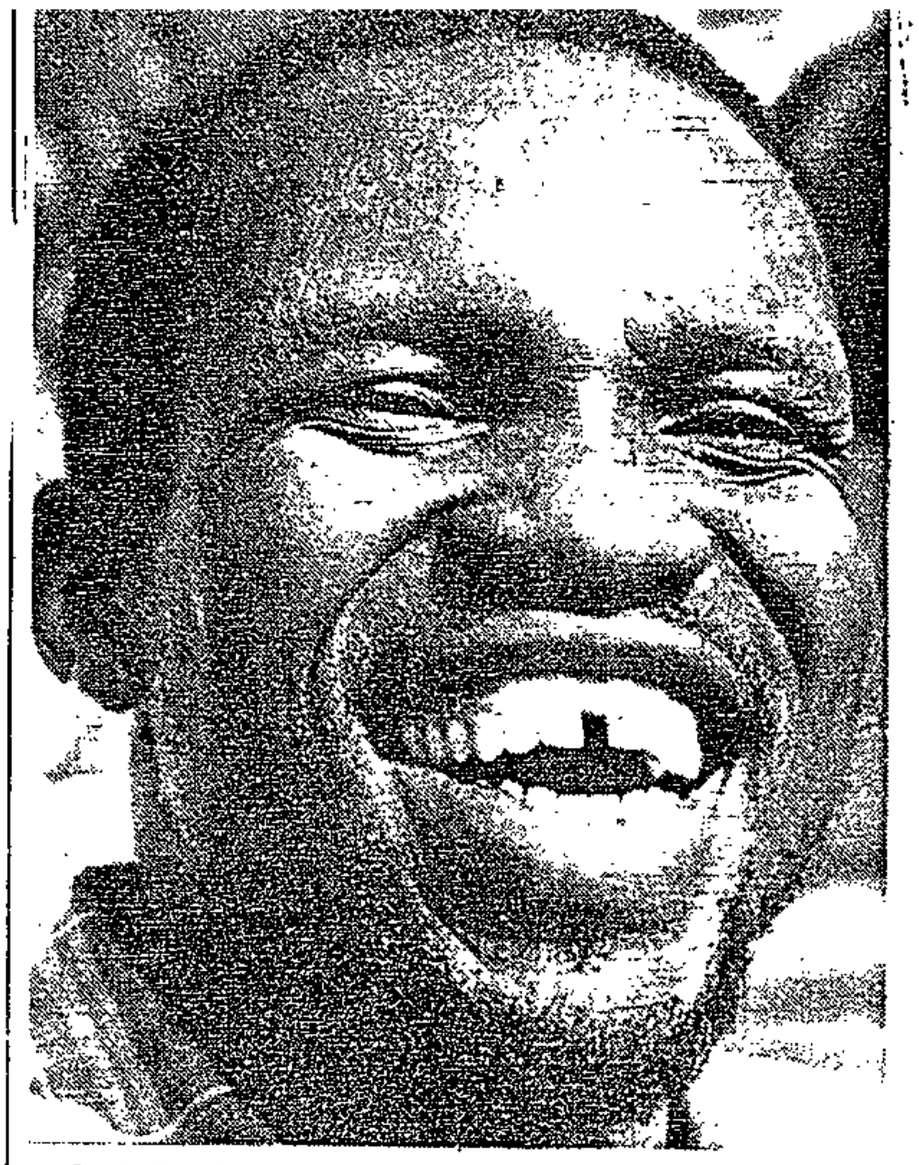
The Star's
Foreign News Service

OTTAWA—Sunflowers, mari-

Mr John Arnason and Mr Bernard Philogene are researching the discovery that thousands of plants contain a natural defence

The natural chemical compounds can destroy insects by boring holes in them. One compound is lethal to mosquito lar-

'Faint optimism' in mercy appeals



A DELIGHTED Mr Mehlolo Tom Rikhoto after the news of his victory in the highest court in the land.

Ecstasy of a man who made history

w/c Argus 4/6/83

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Weekend Argus Correspondent

DURBAN. — A joyous Mr Mehlolo Tom Rikhoto — the migrant worker who made history this week when he won permanent residence rights in the urban area where he is a contract worker — will be househunting this weekend.

The Appeal Court judgment handed down in Bloemfontein in Mr Rikhoto's favour has brought him one step closer to realising his dream of 13 years: a four-roomed house with electricity and running water where he and his family can live together without fear of a police pass raid.

Mr Rikhoto had the precious 10 I(B) stamp entered into his passbook within three days of his court victory.

Now he can begin looking for a house in Natalspruit, the township outside Germiston where he works in an engineering factory, and bring his wife Rosina and their four children to live with him.

When the 35-year-old migrant worker set out, in 1981, to get his permanent residence rights he did not realise that his quest would affect a wide cross section of South Africans, from the humblest labourer to nationalist Cabinet Ministers.

"I just remember my boss telling me in 1970 when I started working for him that after 10 years I would be able to get permanent residence rights," Mr Rikhoto said this week during an interview at the factory where he works.

Mr Rikhoto's dogged pursuit of his case, assisted free of charge by the Legal Resources Centre in Johannesburg, has earned him the admiration of his fellow workers.

Contract workers queueing at the East Rand Administration Board hoping to get the same rights, hailed Mr Rikhoto as a hero and shook his hands on Thursday as he left the offices with his 10 I(B) stamp.

Rikhoto decision threatened

New law on migrants mooted

w/t Argus 4/6/83

206 339

Decision takes effect on Monday

By PETER MANN
Political Staff

THE CABINET will decide this week whether to introduce legislation to nullify the historic Appeal Court judgment allowing long-serving migrant workers permanent city residence.

News that the Government may act to stop black people escaping from a catch-22 situation built into the Black Urban Areas Consolidation Act was confirmed by a source in the Department of Co-operation and Development.

The source indicated that "unofficial" legislation aimed at upsetting the Appellate Division decision in a case brought by Germiston contract worker Mr Mehlolo Tom Rikhoto has been drawn up.

Highest level

"It is enjoying attention at the highest level. The Cabinet will have to decide whether they wish to implement legislation or not," he said.

That decision which, sources say, will be taken by the Cabinet this week could lead to a row within the National Party caucus.

It could also lead to a wave of labour unrest in South Africa if tens of thousands of black people who now stand on the brink of gaining the most basic of human rights — to live permanently in the place in which you work — see those rights removed again at the stroke of the National Party's legislative pen.

Any decision to nullify the judgment would be bitterly opposed by a small group of verligte nationalists in the party's caucus.

Prevent

They are said to be determined to fight an action to prevent the legislation, but will fall back to a second position of having it apply only for a limited period of time — probably until the Government can introduce its revamped version of the Orderly Movement and Settlement of Black Persons' Bill which is scheduled to happen next year.

The Cabinet meeting will be held on the day before the caucus meeting this week and it could presage yet another row in the ruling party.

In its decision this week the Appellate Division upheld a judgment of the Witwatersrand division of the Supreme Court which ordered the East Rand Administration Board to grant Section 10(i)(b) rights to Mr Rikhoto.

In terms of the Act Mr Rikhoto would only have qualified for his Section 10 rights, which have the effect of allowing him to live permanently in the area in which he works and also allow his wife and unmarried children under the age of 18 to live with him; had he worked for one employer "continuously for at least 10 years."

However, contract workers like Mr Rikhoto have to renew their contracts annually. The Government has decreed that to do so they have to return to their "homeland" to sign the contract.

The Government has always argued that this means that the employment of contract workers is not "continuous" and that they therefore do not qualify for Section 10 rights no matter how long they have worked for the same employer.

It is this view which has now been rejected, with costs, by the Appeal Court, the highest legal forum in the land.

Suspicion that the Government is considering passing legislation to nullify this judgment is heightened by the fact that Dr Koornhof, whose Department is responsible for administering the laws, indicated last year at the National Party congress in East London that the Government was planning amending legislation to nullify the judgment of the Witwatersrand division of the Supreme Court.

However, nothing was done at that time, because the Government had appealed against the decision. Now that they have lost the appeal the threat of legislation has arisen again.

Mr Nic Olivier, one of the PFP experts on black legislation said he hoped the Government would not "panic."

"The Government has, unfortunately, a sad record of constantly overriding court decisions. I hope the Government will resist any precipitate action and will not resort to panic reactions," Mr Olivier said.

HENRY LUDSKI,
Weekend Argus
Reporter

The Western Cape Administration Board will implement the Rikhoto Appeal Court judgment on Monday — giving thousands of Africans the right to live in the Western Cape.

In the major test case in Bloemfontein the court granted permanent residence rights to a contract worker, Mr Mehlolo Rikhoto, who had worked for the same employer for more than 10 years.

The judgment paves the way for contract workers in cities to have with their families with them. It has already been implemented by the East Rand Adminstration Board (ERAB), the board which contested the case, and is expected to be implemented nationally.

The liaison officer of the WCAB, Mr G T du Preez, said yesterday that about 914 applications for 10(1)B rights — which qualify contract workers who have worked in a particular urban area for more than 10 years — had been received.

It is believed that in the Western Cape alone more than 10 000 people could qualify.

Major changes to black govt out soon

From Page 1

municipalities.

Only those that were viable or could become viable, and "disposed over sources of revenue to ensure maximum services to their communities", would be accorded the new status.

Those communities which did not qualify for the new status might instead establish local committees, Dr Koornhof said.

This means an administration board — now to be called development board — will have jurisdiction over an area within which there will be one or more black municipalities, but also communities not regarded as "viable", and "white" residential, industrial, and farming areas.

A board retains all its functions and duties in its area — outside the specific black municipal areas — including the "dirty work" of black administration, such as influx control and operating labour bureaus.

Black municipalities' second major source of income — rates and taxes — apparently derives from a complex arrangement in respect of land and buildings.

The development board will lose its ownership of the land in an area declared a black municipality, but will still own the buildings on the land, except, obviously, those sold to black residents under the 99-year leasehold scheme or some other scheme.

Open land and undeveloped land will now belong to black municipalities, and residential land in municipal areas will apparently belong to the Minister. This appears to be a stratagem to cut off the boards from the affairs of muncipalities by establishing a direct link between the municipality and the Minister.

The municipality levies rates and taxes on all the buildings in its area (buildings technically standing on the Minister's land), whether these be board offices and workshops, board-owned houses occupied by tenants, or privately-owned homes and businesses.

Sources said while much of this was speculation, the final law — which would be promulgated later this year — should not be very different in some of its provisions.

Rikhoto case can't be ignored'



Dr Piet Koornhof

PARLIAMENT

THE APPEAL COURT decision in the Rikhoto case had social and economic implications which no responsible government could ignore, the Minister of Co-operation and Development, Dr Piet Koornhof, has said.



Mrs Helen Suzman

He told the Assembly the Appeal Court had based its judgment on the court's interpretation of existing legislation and its decision contradicted the accepted interpretation of the relevant section of the Act.

The accepted intention and interpretation of the legislator and those who applied the Act was that a contract worker (Section 10 (1)(d) cases) did not obtain rights of permanent residence in a white urban area.

Contradicted

The court judgment contradicted this intention and interpretation.

It implied that the Government was held to account in respect of people who had obtained rights and could now obtain rights in future.

Dr Koornhof said the select committee on the constitution was dealing with a Bill which proposed new criteria for obtaining rights and could lead to decisions in this regard. Residence and employment were among the criteria.

Mrs Helen Suzman (PFP Houghton) urged the Minister to say whether he intended doing anything by way of legislation in Parliament to circumvent the Appeal Court decision about urban rights for contract workers.

She asked Dr Koornhof during the debate whether he would abide by the court's decision on the Rikhoto case.

In effect the decision would enable contract workers to acquire permanent residential rights in urban areas under Section 10 (1) (b) of the Urban Areas Act. It would also enable their families to be with them in the cities.

Mrs Suzman said the Minister had stated that he would abide by the court's decision.

"What I want to know is: Will he instruct his officials in every one of the 14 administration board areas, clearly and unamibigously, that they must indeed do so," Mrs Suzman said.

Obstructive tactics had been used by officials after a previous Appeal Court judgment declaring ultra vires a regulation that had adversely affected the rights of wives and dependent children to live with husbands.

The Argus Tuesday June 7 1983

Call for inquiry into Langa court

A CALL has been made for an "urgent" inquiry into the functioning of commissioner's courts — "instruments of oppression, not of justice".

The call came from Mr Ken Andrew, PFP Gardens, during the debate on the Co-operation and Development vote.

Mr Andrew decried the courts as a "disgrace", and cited the Langa Commissioner's Court as an example.

He said a black person could not expect a fair trial if he appeared in the Langa Court.

According to figures for 1982, the court had handed out sentences of R250 000 in fines, or 684 years imprisonment, "for the crime of attempting to work and live together as a family" in the Peninsula.

Each person appearing in the court was dealt within an average of five minutes and 22 seconds.

This included them being called in, entering, hearing translation and leaving the court.

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players urn out Mambas

... Reporter

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...y — Back Page

Tempers flare in election run-up

LONDON — Tempers flared in the final phase of the British election campaign as opinion polls today gave Prime Minister Mrs Margaret Thatcher's Conservative Party an apparently unassailable lead for Thursday's vote.

Labour's education spokesman, Mr Neil Kinnock, sparked the latest row yesterday by saying it was a pity British servicemen had to die in last year's Falklands conflict to prove Mrs Thatcher had guts.

It aroused cries of "shame" and "rubbish" from a television studio audience and accusations of gutter politics from opponents.

Mr Kinnock was provoked by a Thatcher supporter shouting out she had displayed guts over the Falklands to retort: "It's a pity others had to leave theirs on the ground at Goose Green (Falklands) to prove it."

For the Conservatives, now up to 21 percentage points ahead of their nearest rivals, the polls point to a win of landslide proportions with more than 400 seats in a 650-seat House of Commons.

Mrs Thatcher, campaiging in London yesterday, warned her party workers against apathy.

She said she wanted a large majority to give her extra authority in dealings at home and overseas. — Sapa-Reuter

Facelift to system of black govt due any day

By JOHANN POTGIETER
Political Correspondent

CAPE TOWN — Far-reaching changes will be made within days to the system of administration governing the lives of millions of black South Africans.

And with the publication of the Black Communities Development Bill, the full significance of the plan for the election of the first autonomous black local authorities will become clear.

The Minister of Co-operation and Development, Dr Piet Koornhof, announced in Parliament yesterday that black people in 25 townships — including those of Port Elizabeth, Uitenhage, Grahamstown and Cradock — might hold elections later this year to institute full-blown local authorities.

In terms of the 1982 Black Local Authorities Act, this would technically end the community councils era for these townships.

Dr Koornhof added that another 84 towns would be considered for local authority status next year, with the rest to follow later.

Sources here said vital issues, such as the finance for these new black "city councils", and their precise relation to the administration boards and the Minister, were dealt with at length in the new Black Communities Development Bill. It would replace the Urban Areas Consolidation Act of 1945 — the cornerstone of apartheid legislation.

This is pure speculation at this stage, but it is understood full provision is made in the Bill — due to be tabled within days — for private enterprise township development.

It is understood that the issue of land ownership and the provision of finance for the new local authorities are closely related.

While the finer mechanics of the system are unclear, the Promotion of Local Government Affairs Bill (for whites, coloureds, and Asians) provides no contact points between the envisaged black local authorities and those of the other population groups.

The new black municipalities will apparently have two major sources of income: payments to them from a revolving fund controlled by the Minister; and rates and taxes levied on all buildings in their areas of jurisdiction.

A key to understanding the new system is the statement by Dr Koornhof that community councils would not automatically become

● Turn to Page 2

Still a cakewalk for PE granny

By IAN SMIT

THOUGH the road to Cape Town may still seem to stretch endlessly before her, Port Elizabeth's "Walking Granny", Mrs Marga Brass, is enjoying every step of the way.

Granny Brass is trekking on foot to Cape Town to collect money for a braai for the boys on the border.

She is still in tip-top condition, so much so that she is at present way ahead of her planned schedule.

Despite the early morning chill, Granny Brass set off from Humansdorp in high spirits today, having knocked 80 kilometres off her arduous 750-kilometre journey.

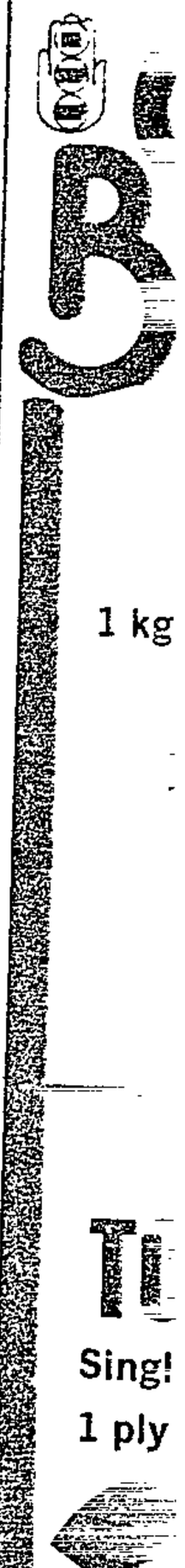
People have opened their hearts and purses to Granny Brass during the opening stages of her walk. In fact, she seems slightly overwhelmed by all the generous hospitality.

Motorists have turned their cars around on the road to give her donations and moral support.

Hotel owners along the route have welcomed her and her accompanying trio of military men and have treated them lavishly.

"The public's kindness has made the trip even easier than I had expected," she said. "I'm still raring to go."

Another ... towards ... the bo... borde... MARGA... ceives ... moral ... a Hu... hotelie... JONKE... HETTIE... another ... dorp...



uces fields to 'Sahara Desert' conditions

is to be seen and they have become virtual dustbowls.

The school's fixtures against Selborne College, which were due to be played in King William's Town last Saturday, had to be shifted to East London, and the venue of this weekend's matches against Kingswood College has been changed to Grahamstown.

"We still hold practices on the fields. The boys have perfected the art of holding their breaths before going into instant scrums to avoid the choking dust which rises in the still air, but matches are out at the moment," Mr Andrew said.

He said it did not appear that the roots of the grass had been destroyed, and he was hoping if the spring rains came the fields could be restored to their former state with the addition of a bit of top dressing and the planting of more grass seeds.

"At the moment we have no water available to even wet the ground to keep the dust down, never mind water the fields."

He said if the fields had recovered by next year, Kingswood would travel to King William's Town for the next two years to make up for Dale having to play in Grahamstown for two years in a row.

The situation was not as simple as regards the Selborne fixtures, which were played twice a year on a home and away basis.

"We can't expect them to come up to us twice next year," he said.

Rikhoto case: Govt checks how many are involved

Political Staff

CAPE TOWN — The Government is trying to establish how many more people would come to the cities before deciding what action to take on the Appeal Court's Rikhoto judgment.

This has been interpreted as signalling an attempt to thwart the court decision — but such an interpretation is not borne out by Dr Koornhof's statement in Parliament yesterday.

The issue is being discussed by the Cabinet today, but it is not known when the Government's plans will become clear.

Dr Koornhof told Parliament: "The Appeal Court based its ruling on its interpretation of the provisions of the law. That decision contradicts the accepted interpretation of the relevant section (of the Act) up to now.

"I do not want to comment on the judgment itself. The Govern ment and I respect our courts very highly.

"However, the ruling has certain social and economic implications which no responsible Government can ignore and to which the Government will have to address itself in everyone's interests."

Dr Koornhof said the select committee on the constitution was dealing with a Bill which proposed new criteria for obtaining rights.

Pending the finalisation of that Bill, the Government would now take interim steps by establishing "the facts with regard to numbers."

The Rikhoto judgment will have a profound effect on influx control — the cornerstone of separate development. A third of the 800 000 migrant workers could apply for urban rights — and give the Government a king-size headache.

Influx control ruling — Govt seeks a way out

By Anthony Duigan and Tony Davis

Influx control, the backbone of separate development, has a simple function — to control the movement, employment and residence of every black person outside the homelands through a bureaucracy empowered by a tangle of laws and regulations.

The present Government did not introduce the system but it refined and modernised it to a degree of unparalleled sophistication.

The main legislation which puts every black outside the homelands into a pigeonhole is the Blacks (Urban Areas) Consolidation Act 1945. Control is excercised under section 10 of this Act which states that no black shall remain for more than 72 hours in a "white" area unless he produces proof (a reference book) which shows that he or she:

- Has lived in the area legally since birth.
- Has worked continuously in the area for one employer for at least 10 years or has lived lawfully there for at least 15 years and never been employed outside the area and has not been sentenced to a fine of R500 or a jail sentence of six months.
- Is the wife, unmarried daughter or son, under the age of 18 years, of a black who falls under the above two sections.
- Has the special permission of a Government-appointed labour officer to remain in the area. In other words, migrant labourers are brought to work in "white" areas under this section with the understanding that they will never become permanent in the area.

Over the years officials have assiduously plugged any loopholes which allowed blacks to gain city rights if they did not qualify under the first two sections .

For instance, in 1968 a government regulation effectively stopped all migrant workers, irrespective of how long they worked for one employer or stayed in an urban area, from gaining the right to permanent residence in "white" South Africa.

Thus separate development was assured and no blacks from any homeland could become permanent residents of South Africa after 1968.

But a Supreme Court decision, upheld by the Appeal Court, could change this and has thrown influx contol into confusion.

Mr Tom Rikhoto, originally from Gazankulu, had worked for an East Rand engineering firm for more than 10 years and he went to the Supreme Court which asserted his right to be declared a permanent urban resident in terms of the relative section of the Blacks (Urban Areas) Consolidation Act.

When the Supreme Court handed down its judgment Mr Frans Marx, chief director of the East Rand Administration Board, under whose jurisdiction Mr Rikhoto fell, said it was a test case with profound implications for influx control.

Erab lost its appeal against the judgment and, last week, Mr Rikhoto finally had his reference book stamped to give him the right to live permanently in an urban area.

This has caused a rush of many blacks, with similar long service to a single employer, to secure their rights at administration board offices.

But, court ruling or not, many blacks now find themselves being frustrated by further bureaucratic delays as the Government looks for a way out.

According to reports, a third of the 800 000 migrant workers will qualify for urban rights which could double the black housing shortage within months.

Rikhoto ruling
CAPE Times 8/6/83
Govt marks time

Political Staff

THE government is marking time on the historic Appeal Court judgment on migrant workers' rights, in the face of mounting international pressure.

According to informed sources, the cabinet yesterday postponed a final decision on whether to pass retroactive legislation to nullify the court ruling in respect of those migrant workers who already qualify for urban rights in terms of Section 10(1)(b) of the Black (Urban Areas) Consolidation Act.

It is understood that while the cabinet is agreed that interim legislation should be introduced to nullify the ruling in terms of migrant workers who might qualify in future, there is a difference of opinion on whether steps should be retrospective.

The Minister of Co-operation and Development, Dr Piet Koornhof, indicated on Monday that a decision on retroactive steps would only be taken once the numbers involved had been established.

Meanwhile diplomatic sources said yesterday that the European Community was likely to deliver a strong demarche if the government overruled the Appeal Court ruling. The United States is also monitoring the situation.

● The New Republic Party yesterday urged the government not to circumvent the Rikhoto ruling and warned of enormous urban unrest if the ruling were not accepted.

Mr Pat Rogers (NRP King William's Town) cautioned the government not to pander to vociferous right-wing protest about the ruling.

Speaking during debate on the Co-operation and Development vote, Mr Rogers said legislation to circumvent the ruling would make a mockery of the country's proud tradition of an independent judiciary.

PARLIAMENT

'Drought forcing blacks to move'



Mr Errol Moorcroft

Parliamentary Staff

THE devastating drought in black homelands was forcing black people to move to towns and cities in increasing numbers to escape starvation, the Assembly has been told.

Mr Errol Moorcroft (PFP Albany) said the effect of the drought in the black homelands was "nothing less than a disaster of major proportions."

He appealed to the Minister of Co-operation and Development, Dr Piet Koornhof, to "face up to the realities of the situation and not to take evasive action behind clouds of teargas and rolls of barbed wire."

Speaking in the debate on the budget vote for Dr Koornhof's department, Mr Moorcroft said: "King Canute ordered the rising tide to recede and he failed. This honourable Minister is ordering the black tide from the homelands to return, but he too will fail."

Mr Moorcroft, the chief Oppositon spokesman on agriculture, said the Minister was underestimating the forces that drove people to leave the security of their homes to enter the "forbidden" white areas.

"A man might sit back passively and watch his crops wither and his cattle die, but when his children start dying then he will move. And he will move to wherever he thinks he has a chance of finding work to save his family."

Explosive

He said: "Sending these people back solves nothing — rather does it build up an explosive situation in the rural areas.

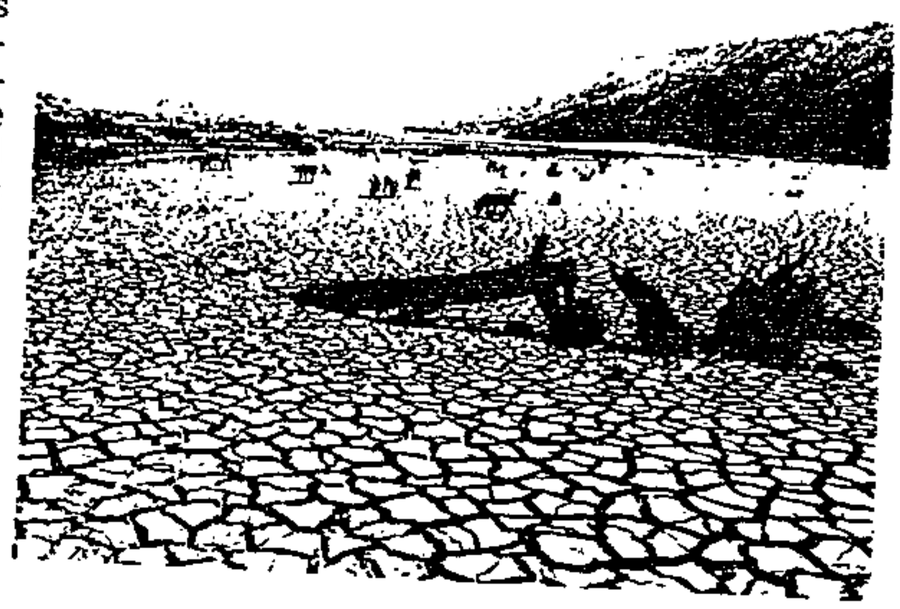
"it is my great fear that the spark of revolution in this country will not come from our teeming urban townships, but rather from the poverty-stricken homelands. And that spark will be carried into our cities by people who have nothing to lose."

Starvation

In a grim outline of drought conditions in the black homelands, Mr Moorcroft called on the Assembly to consider the following facts:

- This year alone more than 130 000 cattle had died of starvation and disease in the homelands:
- Transkei had calculated its loss of livestock at R100-million:
- Ciskei had lost 10 percent of its national herd since January this year. If so many had died before winter, at least another 20 percent of the territory's cattle would die during this winter.

Mr Moorcroft quoted the director of Transkei's veterinary services, Dr Carlos Santos, as saying the worst was still to come.



Dr Koornhof under siege

CONSERVATIVE Party speakers provoked the Minister of Co-operation and Development, Dr Piet Koornhof, to react angrily to what he called "personal" insults during the debate on his budget vote.

Early in the debate Mrs Helen Suzman (PFP Houghton) moved on behalf of her party that the Minister's salary be reduced.

The Conservative Party, when the debate resumed yesterday, introduced a motion calling for Dr Koornhof's salary, in excess of R54 000, to be deducted altogether from his department's budget.

BACKED OFF

While the PFP condemned the Minister for "inhuman treatment" of blacks in the Western Cape and the removal of blacks from "black spots" such as Driefontein, the CP argued that the Minister had backed off from removals and that consolidation of the black national states had come to a standstill.

Mr Casper Uys, CP Barberton, who moved that the Minister's salary be deducted, said Dr Koornhof was doing the greatest disservice to



Dr Piet Koornhof

When Mr Uys introduced the motion, Mr Horace van Rensburg, PFP Bryanston, told the Minister across the floor: "Never mind, there is always the Salvation Army."

Another Conservative Party speaker, Mr F van Staden, Koedoespoort, said that whites in urban areas were extremely dissatisfied with the influx of blacks which was being permitted by the Minister. Government policy was resulting in blacks taking over white areas.

Go-ahead for SWA council

THE Government has given the go-ahead for the proposed new State Council in South West Africa.

In a statement, the Prime Minister, Mr P W Botha, said the Administrator General of the territory, Dr Willie van Nie-

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Go-ahead for SWA council

THE Government has given the go-ahead for the proposed new State Council in South West Africa.

In a statement, the Prime Minister, Mr P W Botha, said the Administrator General of the territory, Dr Willie van Niekerk, had submitted a proposal for the establishment of such a council to the Government.

"The South African Government will not stand in the way of the proposed interim arrangement as the parties of South West themselves wish it to be put into effect in the period before independence."

Mr Botha stressed that "the interim arrangement should not hamper or jeopardise the current international negotiations which are of course proceeding."

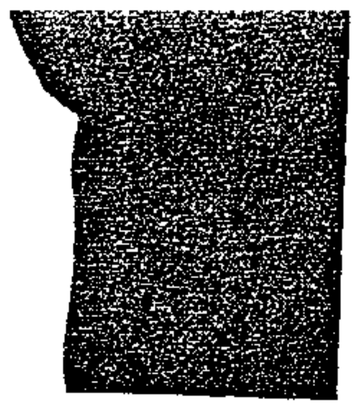
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Mr Casper Uys, CP Barberton, who moved that the Minister's salary be deducted, said Dr Koornhof was doing the greatest disservice to South Africa by establishing a city in the Western Cape that would accommodate more blacks than were presently living in the homeland of Kwandebele.



Dr Piet Koornhof

When Mr Uys introduced the motion, Mr Horace van Rensburg, PFP Bryanston, told the Minister across the floor: "Never mind, there is always the Salvation Army."

Another Conservative Party speaker, Mr F van Staden, Koedoespoort, said that whites in urban areas were extremely dissatisfied with the influx of blacks which was being permitted by the Minister. Government policy was resulting in blacks taking over white areas.

Mr van Staden also accused Dr Koornhof of being disloyal to the policy of former Prime Minister Dr Hendrik Verwoerd and moving away from separate development.

City slums report 'being considered'

THE MINISTER of Cooperation and Development, Dr Piet Koornhof, has announced that the report on the upgrading of urban slums in the Eastern Cape is in the final stages of consideration by the Government.

Dr Koornhof made this announcement during the debate on his budget vote yesterday.

In the same debate Mr Andrew Savage, PFP Walmer, pointed out that rural slums were worse than urban slums, the only merit of rural slums being that, from the Government's point of view, they were out of sight.

CONDITIONS

Dr Koornhof said that the Metropolitan Black Planning Council had been appointed in the Eastern Cape to improve the deplorable conditions in which thousands of blacks were living.

He called on the private sector and employers in particular to provide housing once basic services had been laid on.

He said that apart from general upgrading, development action was to be instigated in areas such as Kwadwesi, Kwamagxaki, the Red Location, Zwide shanty town, and Motherwell.

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Parliament and Politics

Rikhoto: PFP warns of June 16

Cape Times 9/6/83

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Political Staff

HOUSE OF ASSEMBLY. — Mrs Helen Suzman (PFP Houghton) yesterday warned the government against taking retroactive steps to circumvent the Appeal Court ruling on migrant workers' rights on the eve of the June 16 anniversary of the Soweto riots.

"I say it is madness. Leave it alone. June 16 is coming up soon and we don't want to enrage people."

Mr Frank le Roux (CP Brakpan) warned that if the government did not act speedily to take retroactive steps to neutralize the Appeal Court ruling on Mr Tom Rikhoto it would say farewell to the policy of apartheid which brought it to power.

The Minister of Co-operation and Development, Dr Piet Koornhof, refused to be drawn further on the Rikhoto issue and said the government would take final decision only once further studies had been conducted.

Interim steps

On Monday Dr Koornhof said that the government was considering interim steps to "rectify" the position for migrant workers who might qualify for Section 10(1)(b) rights in the future but indicated that retroactive legislation to block those who already qualified for urban rights would depend on the numbers involved.

Speaking during the closing stages of the debate on Dr Koornhof's vote yesterday Mrs Suzman said it was "bad enough" to circumvent the judgment for future people "but to attempt to do it retrospectively will be a disaster".

Dr Koornhof had said that the Appeal Court judgment was at odds with the interpretation of the law by all his officials.

"But eight judges disagree with him including five Appeal Court judges," Mrs Suzman said.

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What business says



With the exception of the Afrikaanse Handelsinstituut, the SA business community has generally welcomed the Rikhoto judgment. However, words of caution from some leading Afrikaans businessmen balanced the enthusiatic welcome given to the judgment by mainly English-speaking corporations.

Here are some of the corporate responses to the matter which the *FM* received just prior to Co-operation and Development Minister Piet Koornhof's indication in Parliament this week that action to counter the Rikhoto ruling is being contemplated.

Speaking at chairman **Gavin Relly's** request, Anglo American group industrial relations consultant, **Bobby Godsell**, said: "We very much welcome the Appellate Division's judgment as it returns us to the situation before 1968 when influx control acted as a regulator of urbanisation." (A 1968 Regulation of the Black Labour Act made migrants' work contracts annually renewable in their homelands. Its effect was that the permanent urban black population could grow only by natural increase.) "After the 1968 Regulation, which the court effectively struck down, influx control acted as a preventer of urbanisation.

"We would hope that government will respect this decision or, at any rate, not take precipitous action. That the process of urbanisation will impose a strain on urban infrastructure, we understand. There is a need for a co-ordinated government-business strategy to provide housing and jobs. We are looking to government for a positive lead. It is unrealistic to expect economic growth not to affect groups other than white, coloured and Indian."

Barlow Rand executive director, **David Brown**: "We hail the Court's decision as an important one to normalise the lives of thousands of black workers. And we hope that the authorities will not undermine the residential status obtained by black workers as a consequence of the decision.

"Group companies, as responsible employers, strive to have stable employment relationships with their employees. The contract labour system is not an aid to this. Consequently, as a measure that will improve the quality of life of many employees in the group it (the judgment) will also contribute to improved employment relationships."

Sanlam chief, **Fred du Plessis**, said he would rather not comment on the court ruling, but added: "We can ill-afford to have a haphazard influx situation as far as our metropolitan areas are concerned. From a practical point of view it is not in anyone's interests to have an uncertain situation and haphazard movement of people. No country can afford to have an uncontrollable influx to the cities, so government should clarify the situation."

Federale Volksbeleggings MD, **Johan Moolman**: "These people have been here for 10 years. There's no way we can wish them away. In the new dispensation the government committee responsible will have to address this question. I am gratified that the blacks concerned have worked for a long time. This is a positive aspect in the fight against unemployment. But I am quite sure there are other aspects I don't know about that will influence government. We need a more positive approach than a decade ago. In principle I have no argument against (the ruling)."

The Premier Group's **Tony Bloom**: "I am absolutely delighted. This landmark decision will alleviate the plight of thousands and is long overdue ... It would be a great pity if government sought to circumvent the Appeal Court ruling as it would undermine the concept of an independent judiciary."

Assocom said in a statement that its policy "... is that influx control *per se* should be progessively phased out and that the only criteria for 'permanent rights' should be employment and housing. This view was endorsed by the Riekert Commission. The Appeal Court judgment in this case therefore appears to be a step in this direction, but ... it is not clear how many employees will be involved. Whilst the availability of employment does not arise here, the problems of providing accommodation for the families ... concerned will be a major issue in many cases. If this not available, the disappointment caused might give rise to problems in the labour relations field." Assocom members are advised to assist employees affected in their applications for Section 10 rights.

AHI president, **Hennie Klerck**: "Although the AHI believes there may be dozens of humane reasons to reunite contractual workers with their families, we believe the realities of a massive influx of blacks to the metropolitan areas is totally impractical and nowhere in the Western world would any country be able to cope with such a situation. We foresee problem areas in housing, schools, health services, job opportunities ... and the homelands would lose most of their best people ... I believe it is in the best interests of blacks to avoid the chaos that would result from a loosening up of influx control ... The AHI calls upon the government to handle the situation with kid gloves ... so as not to jeopardise the policy we have embarked upon."

Afribank MD, **Moses Maubane**: "The fact that there is such legislation specifically to control blacks is to be regretted. As a black man I feel citizenship is a basic non-negotiable right. The legislation is a total mockery of basic rights. However, the court ruling in favour of certain rights for migrants is to be viewed with gratitude by fairminded people. The fact that government wants to challenge the decision makes hollow its claim to be serious about meaningful reform."

AECI personnel director, **Steve Anderson**: "The decision potentially affects a number of our employees. Steps are being taken to make these employees aware of it and to inform them that they can now apply for registration."

FCI president, **Rod Ironside**: "If the courts and law are to mean anything, government is obliged to carry through the decision. The FCI would expect the meaning of the judgment to be carried through in every legitimate case."

Ford's labour relations chief, **Fred Ferreira**: "The court's decision should stand and attempts should not be made to circumvent it ... The housing shortage should not be used for effecting legislation against the judgment." Ferreira drew attention to the active anti-SA disinvestment lobby in the US which largely bases its case on the Group Areas Act and the Orderly Movement Bill on blacks. He therefore "urges" government to withdraw this proposed legislation.

The **Urban Foundation** (UF) would prefer to study the judgment before making any "meaningful comment" but remarks that "it is impossible to question the judgment of an SA Appeal Court ..." The UF adds that the implications of the judgment are a "different kettle of fish ... "It is also pleasing to see that the East Rand Administration Board (which brought the appeal) has no objection or problems to register those that qualify. We trust that other boards will follow their example ..."

peal Court's Rikhoto judgment. The judgment basically entitles migrant workers who have served one employer continually for 10 years, or more than one for 15 years, to urban residential rights for themselves and their families.

Business reaction to the judgment (see following box) is generally favourable — in some cases enthusiastically so. International pressure is also building up for government to accept the implications of the decision. The judgment has already been welcomed by the US State Department and there is a possibility of a combined diplomatic protest by European Economic Community governments if Pretoria decides to nullify the decision.

There are indications that Co-operation and Development Minister Piet Koornhof may accept that those entitled to urban rights in terms of the judgment should not be deprived of their new entitlement. He may, however, introduce legislation to prevent others gaining urban residential rights on the same terms.

Under attack

Koornhof is already under attack by the Conservative Party, and the rightwing of his own party, for his decision to develop a major black residential area, to be called Khyalitsha, in the Western Cape. Politically the last thing he needs is to be accused of agreeing to further watering-down of influx control.

According to the Black Sash the Rikhoto judgment could affect tens of thousands of black workers. But no reliable figures are available on the number who could become entitled to urban residential rights.

A major government worry is that any large-scale extension of residential rights would worsen the already critical black housing shortage in the urban areas. This is what Koornhof meant when he referred to the "economic" implications of the judgment.



Rikhoto ... a migrant who shook government

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Brink of decision

According to political sources the Cabinet had not yet decided whether to introduce legislation nullifying the effect of the Ap-

appointed by the Minister of Justice were the Chairman and Deputy Chairman of the National Liquor Board and a senior official of the Department of Co-operation and Development.

No formal appointments were made as far as the privatization of the sorghum beer industry is concerned.

(c) The terms of reference of the Committee referred to above were to investigate the distribution of liquor in the metropolitan Black residential areas in the Republic with special emphasis, as to whether members of Black communities should be allowed in the liquor trade in such areas and if so, under what conditions and with what financial implications with due regard to established interests.

2) In so far as the sorghum beer industry is concerned no final report has been submitted and no indication of a final date or recommendation can be given. In respect of the liquor interests of boards the Committee submitted a report which indicated in general terms the phasing out of the administration boards liquor interests in the Black residential areas and that Black entrepreneurs should be given the right to obtain liquor licences in these areas. The recommendations of the Committee were submitted to the Cabinet who expressed general agreement therewith. The implementation of the Cabinet's decision is in progress and to date 60 licences have been granted to members of Black communities in the Black residential areas.

Dr. M. S. BARNARD: Mr. Speaker, arising from the hon. the Deputy Minister's reply, does he think it is correct that his department should sell a product that is a danger to life?

The DEPUTY MINISTER: Mr. Speaker, I am not prepared to express an opinion. If a Question is put to me, I am prepared to reply to it. However, at this stage I am not prepared to express any opinion.

(b) 45.

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Sorghum beer

*8. Dr. M. S. BARNARD asked the Minister of Co-operation and Development:

(1) Whether any Administration Boards have carried out any research into the toxin levels in the sorghum beer dispensed by them; if not, why not; if so, (a) what is the nature of the research and (b) what were the findings;

(2) whether any action has been taken as a result of these findings; if not, why not; if so, what action?

†The DEPUTY MINISTER OF CO-OPERATION:

(1) No. Research is carried out by the

CSIR Sorghum Beer Unit on behalf of the Sorghum Beer Industry. In recent sampling of sorghum malt from breweries, it was found that the Aflotoxin content of consignments is below the legal limits. The Sorghum Beer Unit will continue to monitor indefinitely.

(2) No, because in the light of the foregoing it is not necessary.

Dr. M. S. BARNARD: Mr. Speaker, arising out of the hon. the Deputy Minister's reply, I am sure he has read in the report I have that this high toxin level is a threat and a danger to life. Is he aware of this report that was made by the Medical Research Council and is he prepared to do anything about it?

The DEPUTY MINISTER: Mr. Speaker, I am not aware of that statement and if the hon. member wishes to have more information about this matter I suggest he tables a further question in this regard.

Dr. M. S. BARNARD: Mr. Speaker, arising further from the hon. the Deputy Minister's reply, I am referring to the statement from the report by the Medical Research Council which the hon. the Deputy Minister mentioned. In the same report which specifies the high level of toxins found, which the hon. the Deputy Minister mentioned, the statement is made that these constitute a danger to life. I ask again whether the department is doing anything about this?

The DEPUTY MINISTER: Mr. Speaker, I have nothing to add to what I have just said.

Sorghum beer

*9. Dr. M. S. BARNARD asked the Minister of Co-operation and Development:

Whether any of the Administration Boards produce their own sorghum malt for the brewing of sorghum beer; if so, (a) which Administration Boards and (b) what was the total amount earned from this source in 1982; if not, (i) where and (ii) from whom is the sorghum malt acquired?

†The DEPTUY MINISTER OF CO-OPERATION:

(a) Yes. Only the East Rand Administration Board produces a small quantity of sorghum malt from selected sorghum grain.

(b) No sorghum malt was produced for sale.

(i) and (ii) The main suppliers of sorghum malt to administration boards are:

— Nola Industries (Pty) Ltd, Randfontein
— New Clifton, Johannesburg.
— Jabula Foods, Springs.

Sorghum beer/liquor

*10. Dr. M. S. BARNARD asked the Minister of Co-operation and Development

(1) Whether a committee of inquiry has been instituted to investigate the privatization of the sorghum beer and liquor interests of the Addministration Boards; if so, (a) when was it appointed, (b) who are its members and (c) what are its terms of reference;

(2) whether this committee has submitted a report; if not, when is it anticipated that it will submit a report; if so, what were the findings?

The DEPUTY MINISTER OF CO OPERATION:

(1) (a) The question of the privatization or not of the sorghum beer interests of the administration boards is being investigated jointly by the Sorghum Beer Industry Development Committee, the Department of Co-operation and Development and the Department of Finance.

Concerning the liquor interests of administation boards a Committee of the National Liquor Board was charged on 23 August 1977 by the Minister of Justice to investigate this aspect

(b) The members of the Commitee

Rikhoto judgment

14. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

Whether instructions concerning the implementation of the Rikhoto judgment have been issued to officials of Administration Boards; if not, why not; if so, what instructions?

The DEPUTY MINISTER OF CO-OPERATION:

Yes. To receive all applications from persons who apparently qualify in terms of the Rikhoto judgment and to process such applications in conjunction with the Reference Bureau.

Rikhoto judgment

*15. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

Whether any Black persons qualifying for rights under section 10(1)(b) of the Blacks (Urban Areas) Consolidation Act, No. 25 of 1945, have had their reference books endorsed in accordance with the Rikhoto judgment; if so, how many as at the latest specified date for which figures are available?

The DEPUTY MINISTER OF CO-OPERATION:

Yes. 143 as at 8 June 1983.

Marriage certificates necessary, say officials

Fathers barred from joining children in camp

w/c Argus 11/6/83

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By LINDA VERGNANI
Weekend Argus Reporter

TWO women at Khayalitsha transit camp wept this week as they told how Administration Board officials had barred the fathers of their children from moving into the new township with them.

Mr J F L Gunter, director of the Western Cape Administration Board, said he did not know of the incidents but would investigate.

Earlier this week a spokesman for the board confirmed that officials were stopping anyone other than Khayelitsha residents and construction workers from entering the site. He said this followed complaints from the contractors that unauthorised people were interfering with their work.



HOLDING her two-year-old son Victor, Mrs Sarah Qampi sobs as she tells how her common-law husband has been barred by Administration Board officials from living with her.

Miss Sarah Qampi, who has been living with her common-law husband for 10 years and has three children by him, was very upset at the board's action.

Between sobs she said: "It's very sore to stay without your husband when you have children. Mr Basson (a board official) said the children's father cannot come here because I am not married to him. Who's going to feed the children if their father cannot come here?"

She said her common-law husband, who is the sole breadwinner for the family, had not even been allowed to visit her at the site. "He must come and see his children. They can't keep him away. Are they going to check all the men here to see if they are legally married?"

Mrs Patricia Nonqoza, who has seven children by her common-law husband Johannes Gwaba, said: "They don't want my husband to come here because we don't have a marriage certificate. But we have been together for 26 years."

Mrs Nonqoza said she had been given seven days to build a hut of her own but it would be impossible without her common-law husband's help. As he is a pensioner, the family is supported by the wages of two adult sons.

Mr Timo Bezuidenhoud, Chief Commissioner of the Department of Co-operation and Development in the Western Cape, said the people who had moved into the transit camp at Khayalitsha would be allocated sites on which to build their homes as soon as possible.

Lightning speed justice

PEOPLE accused of "pass-law" offences spend an average of three minutes each in the dock of the Langa Commissioner's Court, a monitored session has revealed.

In a 104-minute period, 36 cases were dealt with — an average of less than three minutes during which each accused is charged, asked to plead, evidence is heard and sentence is handed down.

Of the 36 cases, 24 people were fined a total of R1 330 (or an equivalent number of days in prison) while many of these and others convicted were cautioned. Four people had the charges against them withdrawn.

Mr Ken Andrew, the Progressive Federal Party MP for Gardens recently described the Commissioner's Courts as "disgraceful instruments of oppression where black people could not expect a fair trial".

He called for an urgent investigation of all commissioners' courts by the Hoexter Commission, presently studying the functioning of South Africa's courts.

Women

The accused during the session were charged almost exclusively with being in the Cape illegally, being unable to produce "passes" on demand or, in the case of women, being found in men's hostels.

The 36 people, 21 women and 15 men, faced a total of 52 charges, six of which were withdrawn. Of the remaining 46 charges, pleas of guilty were entered to 42.

Asked about the high incidence of guilty pleas, observers in the court explained that a plea of guilty was always accepted and this meant that the accused was released immediately after paying their fines.

People who entered pleas of not guilty were often remanded in custody for a number of days. Most preferred paying the money to spending the time in jail.

SHORTHAND

In a typical trial, the accused is called by the prosecutor who puts the charge to him in a kind of verbal shorthand. A charge under Section 10 (4) of the black (Urban Areas) Consolidation Act becomes merely "ten-four" while Section 15 (1) becomes "fifteen-one".

Similarly, a person found guilty of three charges and sentenced to R50 (50 days) on the first, R20 (or 20 days) on the second and R10 (or 10 days) on the third will hear "fifty-fifty on one, twenty-twenty on two and ten-ten on three" from the magistrate, Mr L van Wyk.

VERDICT

Even the practice of pronouncing a verdict seems to have been short-circuited, with Mr van Wyk moving straight from evidence into sentence.

Often confused offenders do not appear to realise they have already been sentenced and are still waiting in the dock when the next accused comes to take his or her place.

Mr Andrew also described the attitudes of the magistrates as "often hostile and sometimes abusive".

In separate incidents, Mr van Wyk told a woman accused of being in men's hostels that "the only way we'll keep you out of the men's hostels would be to post you somewhere".

To a man who explained that he had come to Cape Town to fetch his deceased brothers body for burial and on arrival had found that it had been sent to Transkei, he replied: "So now your brother's body is safe and sound in Transkei and your body is here in Cape Town. Why didn't you follow his body back to Transkei?"

Cape Times 16/6/83

Permits for 25 000

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Political Correspondent

HOUSE OF ASSEMBLY. — Nearly 25 000 black people from the Crossroads squatter camp have been given permission to stay in the Peninsula over the past five years.

The Minister of Cooperation and Development, Dr Piet Koornhof, told Mr Jan Hoon (CP Kuruman) yesterday that this had resulted from a series of decisions since January 1 1979 — taken to ensure that "difficult circumstances be stabilized and not get out of hand".

A total of 24 261 people, or about 4 246 families, had been allowed to stay in the Peninsula.

Special registration measures had ended on September 20 1982 after which black communities had again been subject to normal influx control measures, including prosecution.

Rikhoto: Ploy fear

Own Correspondent

JOHANNESBURG. — Mrs Helen Suzman of the Progressive Federal Party and Mrs Sheena Duncan of the Black Sash yesterday voiced fears that a "ploy" was being devised by the government to undermine the Rikhoto and Komani Appeal Court judgments.

They were responding to weekend reports in Nasionale Pers newspapers that "legislation to give effect to the Rikhoto judgment" would be introduced before the present parliamentary session ends on June 30.

There was no need to introduce legislation to give effect to the judgment, the women said.

Both the Minister of Co-operation and Development, Dr Piet Koornhof, and his deputy, Dr George de V Morrison, declined to comment on the reports.



Administration Board inspectors carry away the frame of a squatter shelter during a raid on the camp yesterday. The shelters were put on a bonfire and burnt, but after the inspectors had left, the squatters retrieved some of the branches from the fire.

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Study slates pass law courts

Labour Reporter

THE pass laws and the procedures applied in the commissioner's courts "undermine the general standards of criminal justice", an in-depth study published by the University of the Witwatersrand's Centre for Applied Legal Studies has found.

The study follows a recent row which arose after Mr Ken Andrew, PFP MP for Gardens, had told Parliament that the Langa Commissioner's Courts were "disgraceful instruments of oppression where black people could not expect a fair trial".

Conducted at the Johannesburg Commissioner's Courts by a researcher at the centre, Mr Ramarumo Monoma, the study reported a number of "disturbing" facts.

During the period in which Mr Monoma observed the Commissioner's Courts, only five of 2 380 acccused — 0,21 percent — had legal representation.

"From my observations I am satisfied that where the accused is represented, the standard of justice is substantially higher," he said.

Other observations by Mr Monoma of where he believed the standards of justice at the Commissioner's Courts did not meet those set by the Supreme Court and Magistrates Courts included that:

- State witnesses or arresting officers did not appear to attend the proceedings.
- It was not explained to most accused that they could be released on bail. Bail was also fixed at such a high level that most could not afford it.
- Where the accused was sentenced on two counts, the court did not order that the sentences run concurrently. The fact that the accused might have spent some time in jail as an awaiting-trial prisoner was also not taken into account for sentencing.
- The accused were often not strictly and accurately informed of the charges against them and certain major elements of the crime were never mentioned or proved.

In one case, a woman who told the court she was coloured pleaded guilty to a charge of failing to produce her reference book on demand — an offence which applies only to blacks. She was convicted on the strength of her plea.

- Most commissioners did not question the accused sufficiently.
- Neither the commissioner nor the prosecutor addressed the accused as Mr, Mrs or Miss. Sometimes only first names were used and sometimes only the case number.

Black people to vote in November election

(339) E. Post 22/6/83

By JOHANN POTGIETER
Political Corerspondent

CAPE TOWN - All black people over the age of 18 will have the right to vote in the black local authority elections that will be held in November the Minister of Co-operation and Development Dr Piet Koornhof, said today.

He gave this information at the first of what he proposed to be weekly press conferences, at which he would allow extensive questioning by the Press.

His main announcement today dealt with the Government's reaction to the Rikhoto judgment, but he also made the following announcements:

● The select committee on the constitution has agreed unanimously to the provisions of the Black Communities Development Bill, which is now with the Government's law advisors.

Some aspects of this would be contained in an "omnibus law" - which would also deal with the new provisions in the wake of the Rikhoto judgment - to be tabled within days.

● The Government has held talks with the two factions at Driefontein (where Mr Saul Mkhize was shot dead by police earlier this year).

The Cabinet was investigating the possibility of making alternative land available to these people, many of whom had long-standing freehold rights.

The alternative land would be as near as possible to their present site 20% of which would be affected by a dam due to be built there and would either border a national state, or would be inside a national state.

If these people did not want to be split up, the Minister said, then they would not be split.

● The Cabinet would decide at its meeting next Tuesday on the final consolidation of Kwandebele.

● The Cabinet committee dealing with the constitutional future of urban blacks was gathering information over a "wide front" and would meet for talks with a range of organisations after the present parliamentary session.

The spectrum of leaders it would consult would include those in the independent states, the national states, the urban areas and "a variety of leadership outside the national states" if possible.

● The controversial Orderly Movement and Settlement of Black Persons Bill would be dealt with during the recess, now that the select committee on the constitution had completed its work on the Black Communities Bill.

● The elections for black local authorities, in terms of last year's Black Local Authorities Bill, would be held in November and all persons over 18 would be included

Shergar's last foal is born

DUBLIN - The last of 42 foals sired by champion racehorse Shergar before it was kidnapped by armed gunmen four months ago, was born at the weekend.

The brown filly born to the mare River Lady at the Moyglare stud in County Kildare on Sunday was worth an estimated £250 000 (about R420 000) at birth.

Shergar, syndicated for £10 million (about R17 million) after winning the 1981 English and Irish Derbys, was offered for stud at £70 000 (about R115 500) a time.

Police are still investigating. — Sapa-Reuter

IMF for optimist

WASHINGTON — The Internation etary Fund (IMF) has unveiled it optimistic economic forecast in years, but warns that the current recovery could be aborted by undis government policies.

The fund, in its annual world ec outlook, was particularly critical huge budget deficits being run up U.S. a problem it said was among t critical issues facing global econon

It also said the worst of the glob crisis appeared to be over and t steps towards bringing the problen control had been taken.

The report was assembled by the staff and does not necessarily ca full backing of the IMF's 146 n countries or its executive board.

"While economic prospects are than for some time past, the fun cautions that great care will be ne

Reagan firmly opposed to new budget blueprint

WASHINGTON — President Reagan stood firm yesterday against an $859 billion (R933 billion) budget calling for higher taxes and slashing by half his proposed military buildup.

"I simply must oppose it vigorously," he said of the long-awaited compromise of negotiators for the Senate and House of Representatives.

But the Senate's chief budget writer, Republican Pete Domenici, was not swayed by Mr Reagan's threat to veto the individual spending bills that presumably would be spawned by the new blueprint — which itself does not require his signature. "He has his view and we have ours,"



Cabinet to honour Rikhoto judgment

Govt gives green light to city rights for black workers

By Peter Sullivan,
Political Correspondent
Cape Town.

Thousands of black contract workers were today given a go-ahead by the Government to become permanent city dwellers.

Despite suggestions that the Cabinet would block this right — endorsed by the Appeal Court judgment in the famous Rikhoto case — it was announced today that no new contradictory law would be enacted.

But the workers' rights to bring their wives and families with them will be linked to their having accommodation available for their relatives.

In today's announcement by the Minister of Co-operation and Development, Dr Piet Koornhof, the Government said it would honour the Appeal Court decision and not bring in countering legislation.

This follows the so-called "Rikhoto case" where the Appeal Court gave a judgment in which Mr Mehlolo Tom Rikhoto, a contract worker, was given full rights to live in a city and bring his family with him.

However some legislation will be brought to Parliament this session to ensure that contract workers wanting to bring their families with them have family accommodation.

Dr Koornhof said the Government had given its urgent attention to the judgment of the Appeal Court and its implications in terms of influx control and the socio-economic position of urban black communities.

The Government [illegible] numbers affected would be relatively few, he said.

But because of the acute shortage of housing for black people throughout South Africa "the Government has a responsibility to guard against unrealistic expectations being created for contract workers and their wives and children in regard to living in the prescribed areas".

Dr Koornhof said the Government would introduce legislation to ensure that rights were only given to wives and children of contract workers with either a permit for a private dwelling, a permit to hire a council house, a certificate of occupancy of a council house or those living on a property with leasehold rights.

Tens of thousands of contract workers will now acquire the status of permanent urban residents, Mrs Helen Suzman, the Opposition spokesman on black affairs, said today.

However the "Catch-22" of the situation was that they also acquired the right to bring their families to join them — but there had always been a lack of accommodation in every city in South Africa, she said.

"This is going to be a pretty insuperable obstacle to family life for these people," she said.

Dr Nthato Motlana, chairman of the Soweto Committee of Ten, said today that tying the city rights of migrant workers to approved housing would effectively leave things much as they had been.

"Since 1968 the Government has blocked the building of low-cost housing in places like Soweto. So, as they say, there are many ways of skinning a cat. This accommodation business will effectively reduce the numbers able to settle in urban areas because they will just not be able to get houses anywhere," he said.

However the Black Sash wholeheartedly welcomed Dr Koornhof's announcement, president Mrs Sheena Duncan said.

"We now trust that the administration boards will endorse the reference books of those who qualify as speedily as possible," she said.

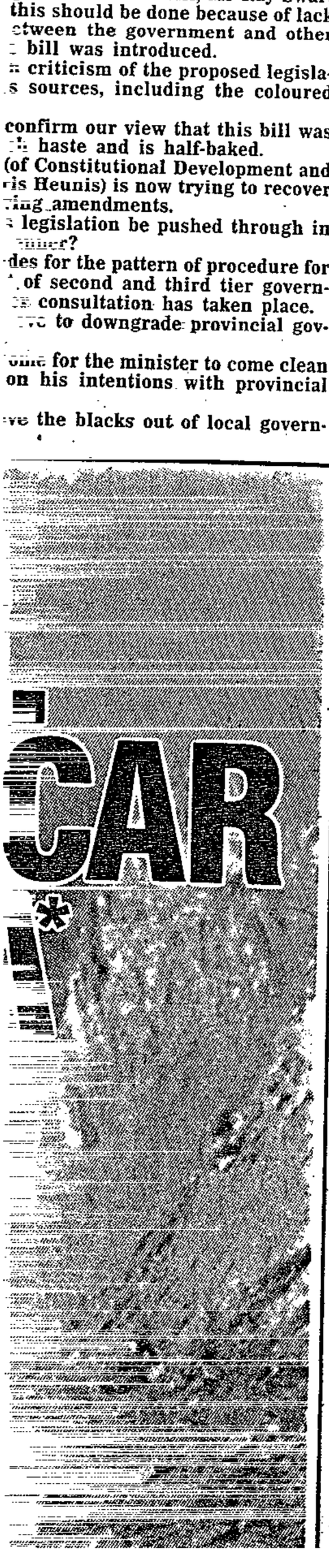
t: attacks baked' bill

:MBLY. — The Progressive Federal called for the Promotion of Local irs Bill to be referred to a select e its second reading.
g debate on the bill, Mr Ray Swart this should be done because of lack etween the government and other bill was introduced.
criticism of the proposed legisla- s sources, including the coloured

confirm our view that this bill was haste and is half-baked.
(of Constitutional Development and ris Heunis) is now trying to recover ing amendments.
legislation be pushed through in ?
des for the pattern of procedure for of second and third tier govern- consultation has taken place.
to downgrade provincial gov-

for the minister to come clean on his intentions with provincial

ve the blacks out of local govern-



Rikhoto judgment



The Rikhoto judgment, if implemented, would make tens of thousands of migrant workers eligible for permanent urban rights.

Rikhoto: Signs of Cabinet deadlock

Political Staff

THERE are growing signs of a serious deadlock in the Cabinet over how to respond to the historic Rikhoto Appeal Court ruling on the rights of black migrant workers to live in the urban areas.

At the third Cabinet meeting since the landmark judgment was delivered, the government failed to reach finality on the matter yesterday.

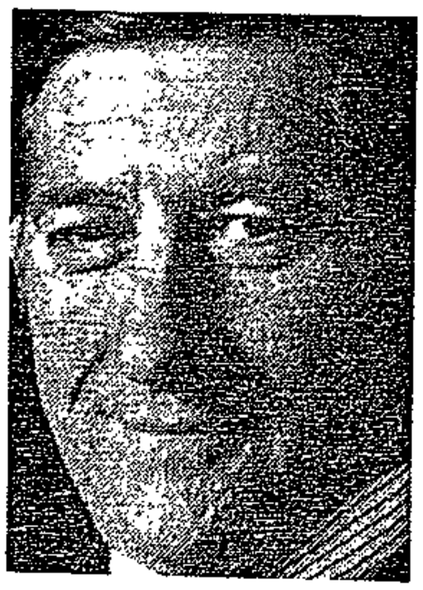
The Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday that a decision had not yet been taken.

It was also learnt from senior government sources yesterday that a "summit" of senior Administration Board officials, which was to have been held in Roodepoort this week, may no longer be held.

Section 10

It is also unclear whether the government will proceed with legislation this session to deal with the judgment which, if implemented, would make tens of thousands of migrant workers eligible for permanent urban rights in terms of Section 10(1)(b) of the Black (Urban Areas) Consolidation Act of 1945.

Recent speculation in the government-supporting Nasionale Pers newspapers has indicated that the government is preparing legislation which would carry out



Dr Piet Koornhof

the Rikhoto judgment in terms of migrant workers who presently qualified for urban rights, but would amend the law to prevent their wives and families from living with them in the cities.

However, sources said yesterday that the lack of consensus in the government over the Rikhoto ruling could mean that any legislative steps would be delayed until the short August session of Parliament on the Constitution Bill.

The sources said that the division in the National Party over how to respond to the Rikhoto judgment was along Cape-Transvaal lines rather than traditional verligte-verkrampte divisions.

In this instance it was the "verligte" Cape ministers such as Mr Chris Heunis, Minister of Constitutional Development, and a vociferous group of Cape Nationalist MPs who were insisting that there should be no softening of influx control through acceptance of the judgment.

The Deputy Minister of Co-operation, Dr George Morrison, is believed to be one of the most outspoken Nationalists in favour of overruling the judgment.

Compromising

However, the Minister of Co-operation and Development, Dr Piet Koornhof, is believed to be in favour of a more compromising approach which would avoid any impression that the government was blatantly circumventing a major Appeal Court ruling.

Elements in the government in favour of a hard-line approach have been seeking grossly inflated estimates of the projected black influx to the cities if the ruling were allowed to stand.

Rikhoto ruling: Govt responds with reserve

Cape Times 23/6/83

Political Correspondent

THE government has accepted the Appeal Court decision giving permanent urban area rights to some black contract workers, but is determined to limit this to as few workers and their families as possible.

This emerged at a press conference addressed yesterday by the Minister of Co-operation and Development, Dr Piet Koornhof.

The government has rejected Nationalist press speculation that a "black stream" of possibly 1,5-million people would qualify to live in urban areas in terms of the Rikhoto Appeal Court decision.

This gave permanent residential rights in urban areas to contract workers who had worked for the same employer for 10 years or had worked in urban areas for a number of employers for 15 years.



Dr Piet Koornhof

The government had previously said contract workers could not qualify for urban area rights because a series of one-year contracts did not constitute continuous employment.

Dr Koornhof said yesterday that the government accepted the Rikhoto judgment and would not introduce legislation to overrule it.

He said the terms of the Appellate decision would be applied strictly and warned contract workers and their families not to have "unrealistic expectations".

He also announced that amending legislation would make permission for families to join a contract worker in an urban area firmly conditional on his having approved housing.

Dr Koornhof stressed that contract workers

➡➡➡➡ To page 2

Carfinder

● Caravan sales boom — in today's Carfinder.

● Tomorrow Funfinder will appear with the Cape Times

Your home

A SPECIAL 20-page supplement on how to improve your home will appear with the Cape Times tomorrow.



CLASSIFIED ADVERTISEMENTS BEGIN ON PAGE 20 TODAY

Ex-lover holds teenage

GROSS BIEBERAU, West Germany. — Police stormed a school classroom here yesterday, freeing a 16-year-old girl held hostage by her armed ex-boyfriend, police said.

A police spokesman said they decided to end the eight-hour siege when they realized the girl was threatening to commit suicide.

The spokesman said police established a telephone link with the 20-year-old boyfriend Klaus Dingeldein, and heard him call to the girl, "Why don't you slit your wrists then?"

Once she was free, police found the girl, Katrin Raasch, had suffered a minor cut on her right wrist.

The youth stormed into the Albert Einstein comprehensive school shortly before 9am and ordered the other 26 children and their teacher out of the room, barricaded the door, asking to be left alone with the girl.

Armed police officers surrounded the school in Gross Bieberau about 20km southeast of Darmstadt and cordoned off the area, a police spokesman said.

In a note to police, the youth said he wanted to be left alone with the girl until 8pm, when he would give himself up.

He said he had attached to his foot a detonator linked to explosives in a case and warned that if police attempted to storm the classroom he would blow up [illegible] added he did not [illegible] he lived or died.

Dingeldein [illegible] custody unhurt [illegible] room was storm[illegible]

Mr Peter Ber[illegible] president of Da[illegible] later the gu[illegible] powed by police opening the clas[illegible] allow his ex-gir[illegible] ceive treatment.

Dingeldein m[illegible] to resist arrest

INSIDE

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Govt Trib 23/6/83

A

From page 1

who qualified and wished to bring their wives and childen to an urban area would have to have a site permit to build a private house, to occupy or have permission to occupy a council house or to live in a leasehold house.

"Squatting will not be tolerated under any circumstances."

Dr Koornhof said May 29, 1983 — the date of the Rikhoto appeal judgment — would be a "cutoff date" in the new legislation for applying the housing condition to families wishing to join contract workers given permanent residential rights by the judgement.

He estimated that up to 144 000 contract workers — 12 000 of them in the Cape Peninsula — could be affected, but believed the number who would actually be given permanent rights would be considerably less.

He hinted that the final number could be as low as 5 000, but said he did not want to speculate on the figure.

The provisions seem designed to put pressure on employers to provide housing for their workers. They will also encourage contract workers to apply to live in new black areas such as Khayelitsha, outside Cape Town.

The Deputy Minister of Development, Dr George Morrison, told the press conference that people who thought the government would create housing for newly-qualified contract workers were wrong.

"We have a backlog of 260 000 houses already. it would be most unfair to expect us to make provision for these people who now qualify," he said.

● **Govt 'respects' Rikhoto ruling, page 4**

Suzman sees 'Catch
contract workers' f

ARGUS 23/6/83

By TOS WENTZEL,
Political Correspondent

ABOUT 12 000 blacks in the Western Cape will qualify for permanent residence in terms of the Appeal Court's recent Rhikoto ruling.

In the country as a whole about 143 000 would qualify.

These figures have been given by the Minister of Co-operation and Development, Dr P G J Koornhof, in answer to questions from Mrs Helen Suzman MP

Yesterday, Dr Koornhof announced that the Government would implement the court ruling which gave permanent residential rights to blacks contract workers who had worked for the same employer for 10 years or different ones in the same area for 15 years.

The official attitude previously was that contract workers did not qualify because they broke their service annually to return to their homeland area

While the Government will not try to circumvent the ruling it will take steps to control the unrestricted flow of the families of these contract workers to the urban areas.

Housing

Rights will be given to wives and children only if they have housing.

As there is a backlog of 260 000 houses for blacks, few families of contract workers will be allowed to join them.

In making the announcement, Dr Koornhof said it was common cause that many of the dependants of migrant workers were already present in urban townships.

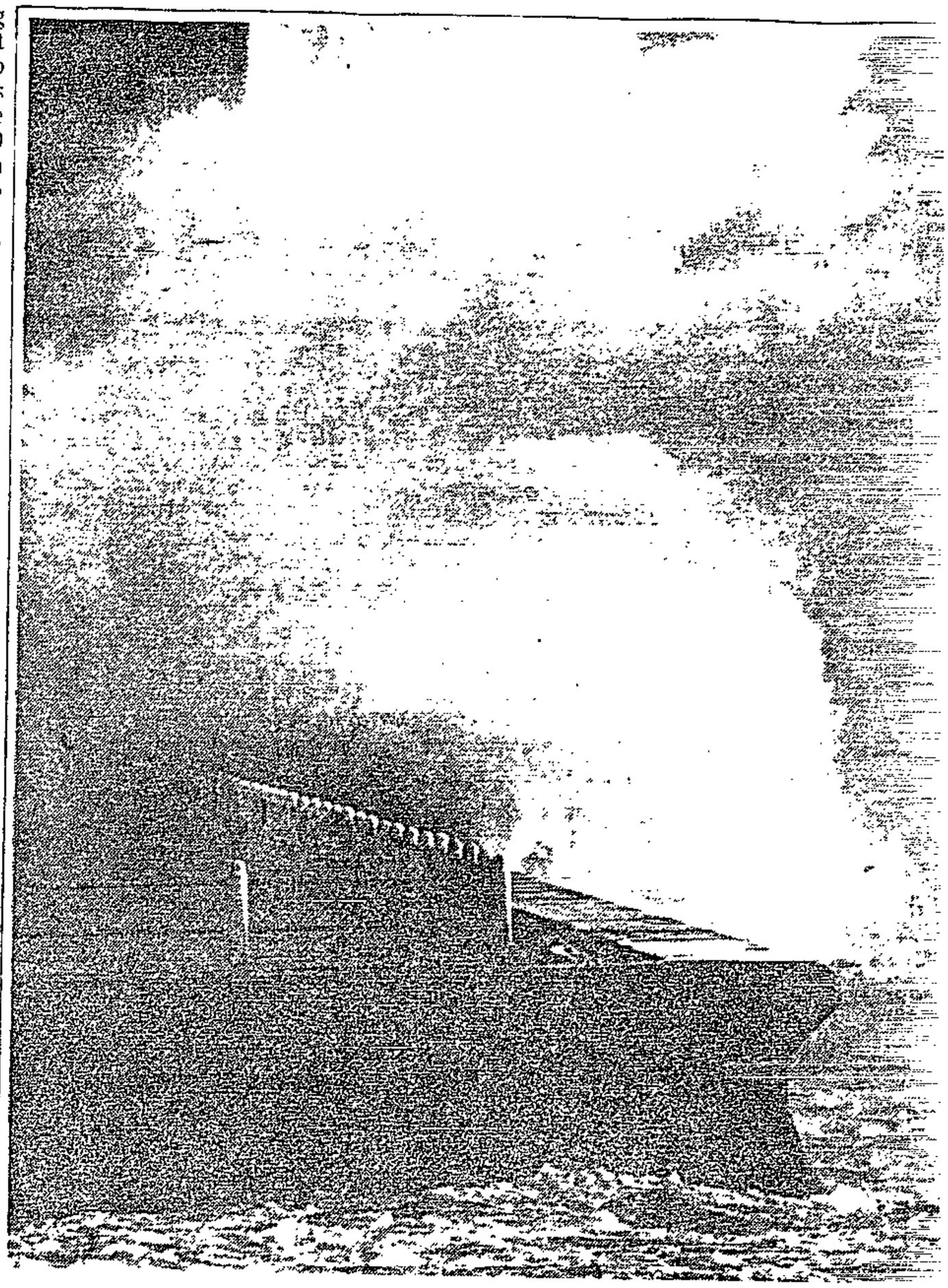
Rights explained

He called on them to approach the township administrations so that their legal rights and steps to help them could be explained to them.

It appears that they will be "legalised", but Dr Koornhof has also warned that squatting will not be permitted in any circumstances.

While welcoming the Government's decision, Mrs Suzman said today there was a "Catch 22" situation because people would have to find almost non-existent accommodation before they could bring their families to live with them.

The Government had decided not to scrap permanent residence legislation because these provisions would have fallen away for all practical purposes by the end of 1983.

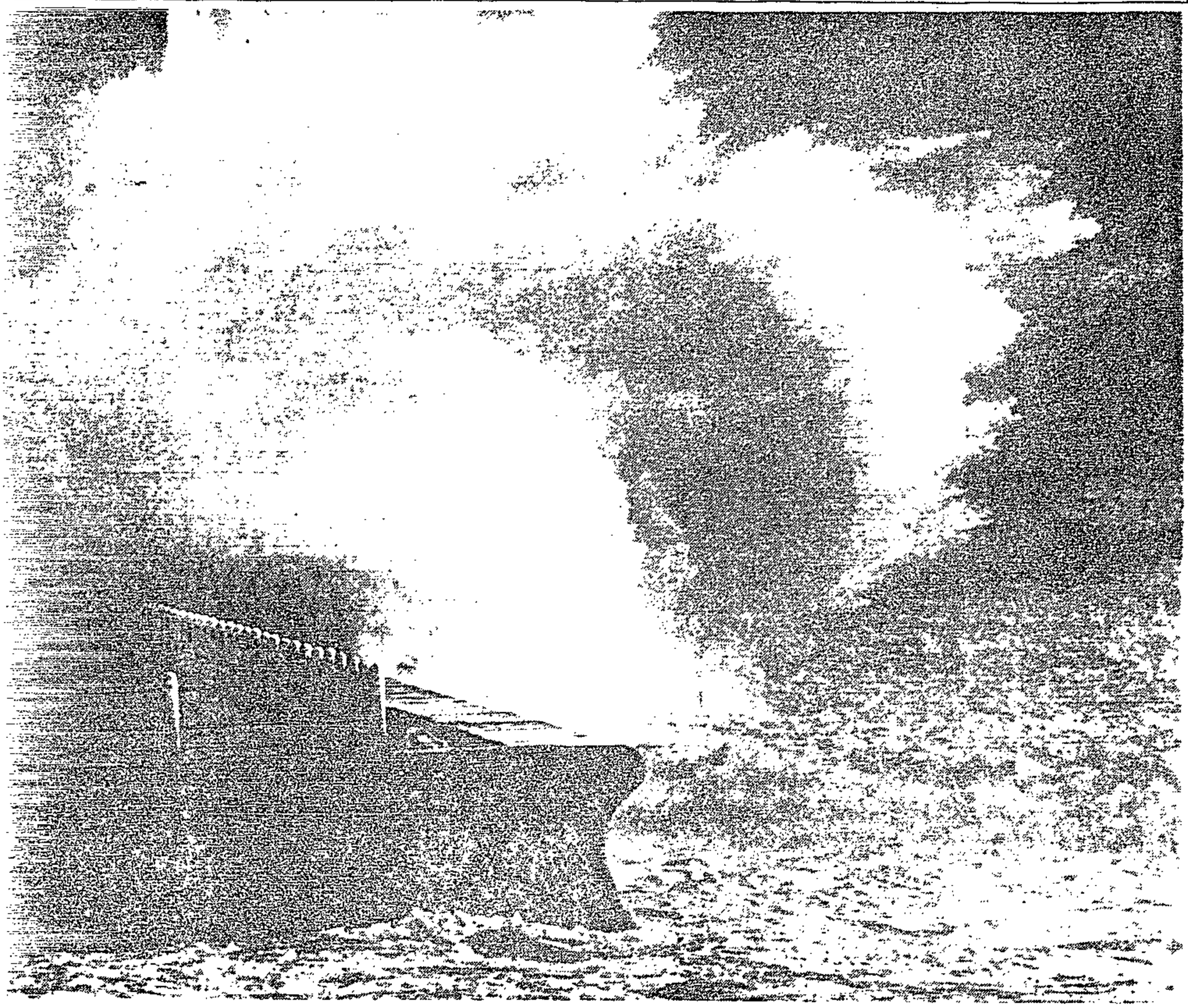


AN EXPLOSION of spray booms over the sea wall at the Sea P
knots continues to churn up the sea in the afterno

Argus 23/6/83 (33)

sees 'Catch 22' for workers' families

6/83 ~~20 61 33 40 46~~



Picture: DOUG PITHEY, The Argus

AN EXPLOSION of spray booms over the sea wall at the Sea Point Pavilion as a gale gusting up to 50 knots continues to churn up the sea in the aftermath of yesterday's storms.

Cape Times 23/6/83

Govt's Rikhoto stand welcomed

Political Correspondent

THE PFP spokesman on black affairs, Mrs Helen Suzman (PFP Houghton), yesterday welcomed the government's intention to accept the Appellate decision giving thousands of black contract workers permanent rights in urban areas.

She said, however, that these people faced the "Catch 22" situation of having to find almost non-existent accommodation before they could bring their families to live with them.

Mrs Suzman said now that the government had stated its intention not to circumvent the Rikhoto judgment, it should see that all contract workers who qualified were given permanent residential rights.

"I hope no instructions will be given to administration board officials to obstruct contract workers from qualifying in terms of the law."

She questioned Dr Koornhof's intention of reducing "considerably" the potential number of 144 000 contract workers who could qualify. The law and the Rikhoto judgment were both very specific.

If a contract worker now qualified in terms of his period of employment, he had to be given permanent rights unless he lived or was employed outside the urban area concerned, or had been sentenced to a fine of more than R500 or imprisonment for more than six months.

Mrs Suzman also hoped Dr Koornhof intended to allow the families of newly-qualified contract workers to remain with them in urban areas even though these wives and children may have been in the areas "illegally" before the judgment.

Govt 'respects' Rikhoto ruling

Cape Times 23/6/83

THE Minister of Co-operation and Development, Dr Piet Koornhof, met administration board chairmen yesterday afternoon to discuss the issue of contract labourers' rights to apply for permanent residence in South Africa.

But at a press conference in Cape Town yesterday morning he stressed that squatting would not be permitted.

This follows a decision by the Appeal Court in Bloemfontein to grant permanent residence rights to Mr Mehlolo Tom Rikhoto, who had worked for one employer for longer than 10 years.

In a statement Dr Koornhof said the government would respect the judgment and would not introduce legislation that would nullify it.

"Every case will be judged on merit and strictly tested against the guidelines outlined by the Appeal Court decision."

The government would introduce amending legislation during this session to clarify the situation regarding the wives and children of the contract workers concerned.

The conditions would entail the assurance of some form of residence or site for a proposed home.

Dr Koornhof said that in order to clarify misunderstanding, confusion and speculation which had arisen as a result of the Rikhoto judgment it was necessary to spell out clearly how the judgment affected the legal position of migrant workers and their dependants.

"I must emphasize that the government is obviously bound by the judgment and that it accepts responsibility for all its implications.

"I must however also stress the fact that as the responsible minister it is my duty to avoid, at all costs, that unrealistic expectations of instant accommodation in urban areas are not created in the minds of migrant workers and their families who are affected by the judgment.

"I cannot emphasize too strongly that now that the rights of affected migrant workers have been clearly established they have basically acquired the right to apply to rent or buy the right of occupation of a home by what is commonly known as the home ownership scheme or by purchasing 99-year leasehold rights.

"But they have not, in terms of the judgment, aquired legal rights to demand a house in black urban residential areas.

"It is common cause that many of the dependants of migrant workers who qualify to live in urban townships in terms of the Rikhoto judgment are already present in urban townships.

"Such persons must come forward and identify themselves to the township administration in order that it may be explained to them what these legal rights are and what steps can be taken to help them.

"It must be clearly understood that squatting will not be permitted under any circumstances."

Dr Koornhof appealed to employers affected by the judgment to clarify their position with the authorities. — Sapa



144 000 workers qualify

CAPE TIMES 23/6/83

HOUSE OF ASSEMBLY. — Nearly 144 000 black contract workers in South Africa could be entitled to qualify for Section 10 rights following the Appeal Court decision in the recent Rikhoto case, the Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday.

He was replying to a question by Mrs Helen Suzman (PFP Houghton).

Black people qualify for rights under Section 10(1)(b) of the Blacks (Urban Areas) Consolidation Act — entitling them to live permanently in an urban area — if they have worked continuously for the same employer for 10 or more years.

Dr Koornhof said yesterday 143 802 black contract workers "could optimally qualify" for Section 10 rights.

"If, in terms of the the Appeal Court's decision and the relevant Act, the conditions under which a contract worker can qualify were to be applied, the actual number would be very considerably less."

The break-down of the figures he was giving had been obtained from the administration boards and it had to be emphasized that they represented estimated numbers only.

This was because the actual total number could only be determined on a basis of examination of each individual case.

"This task, considering the fact that there are approximately 800 000 contract workers employed and the time involved, cannot be undertaken at this juncture," he said.

The minister supplied the following figures for contract workers who could qualify in respect of each administration board:

West Rand — 42 330, East Rand — 15 600, Port Natal — 29 761, Central Transvaal — 12 482, Western Cape — 12 000, Drakensberg — 9 089, Southern Orange Free State — 7 657, Orange Vaal — 4 800, Eastern Transvaal — 1 141, Western Transvaal — 3 044, Highveld — 2 510, Northern Cape — 1 735, Eastern Cape — 1 176, and Northern Transvaal — 477. — Sapa

Housing shortage proves the stumbling block as . . .

Star 29/6/83

339

144 000 migrant workers qualify for urban rights

CAPE TOWN — Nearly 144 000 black contract workers in South Africa could qualify for section 10 rights after the Appeal Court decision on the recent Rikhoto case, the Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday.

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Dr Koornhof said he had received his figures from the administration boards and they were estimated numbers only

This was because the total number could be determined only on an individual case basis

"This task, considering about 800 000 contract workers are employed and the time involved, cannot be done now," he said.

He gave these figures for contract workers who could qualify

West Rand 42 340, East Rand 15 690, Port Natal 29 761, Central Transvaal 12 482, Western Cape 12 000, Drakensberg 9 089, Southern Orange Free State 7 657, Orange Vaal 4 800, Eastern Transvaal 1 141, Western Transvaal 3 044, Highveld 2 510, Northern Cape 1 735, Eastern Cape 1 176 and Northern Transvaal 477.

Earlier in the day Dr Koornhof had said that despite suggestions that the Cabinet would block the right of migrant workers to live in the cities, no new contradictory law would be enacted

Workers' rights to bring their wives and families with them will be linked to their having available accommodation.

Legislation will be brought to Parliament this session to ensure that contract workers wanting to bring their families with them have family accommodation.

Dr Koornhof said the Government had given its urgent attention to the judgment of the Appeal Court and its implications in terms of influx control and the socio-economic position of urban black communities.

The acute shortage of housing for black people meant "the Government has a responsibility to guard against unrealistic expectations being created for contract workers, their wives and children in regard to living in the prescribed areas".

Dr Koornhof said the Government would introduce legislation to ensure that rights were given only to wives and children of contract workers with either a permit for a private dwelling, a permit to hire a council house, a certificate of occupancy of a council house or those living on a property with leasehold rights.

The Progressive Federal Party's Mrs Helen Suzman said the "Catch-22" of the situation was the lack of accommodation in every city in South Africa.

"That is going to be a pretty insuperable obstacle to family life for these people," she said.

Soweto Committee of Ten chairman Dr Nthato Motlana said that tying the city rights of migrant workers to approved housing would effectively leave things much as they were.

"Since 1968 the Government has blocked the building of low-cost housing in places like Soweto. So, as they say, there are many ways of skinning a cat. This accommodation business will effectively reduce the numbers able to settle in urban areas because they will not be able to get houses anywhere," he said

● See Page 11 of the World section

By Carina le Grange, Religion Reporter

BARKLEY WEST — The Nederduitse Gereformeerde Kerk in Afrika (NGKA) yesterday passed a motion requesting its ministers and members to distance themselves from the actions of the Broederkring.

The Broederkring is a movement of about 300 ministers from the black, Indian, coloured and white churches in the NGK family of churches to promote a more relevant and united church.

The motion expresses disapproval of the actions of Broederkring members in church affairs. The decision — it was later referred to regional synods — means that the black church sides with the white church on the matter, since the Broederkring



The South African Ambassador to Britain, Mr S J M Steyn (left), greets former British Defence Minister Sir John Knott at a reception yesterday for the 50th

R20 forgeries:four charged

The Star's Foreign News Service

MBABANE — A local soccer star has appeared in an Mbabane court with three others, one a government doctor, on charges in connection with the circulation of about R5 000 in forged R20 notes.

The footballer, Mr Gift "Cracker" Masina, appeared with Dr Edwin Khanya, of Mbabane Government Hospital, Mr Solomon Regie Nxumalo and Mr Mahlinza Malazi

Bail was opposed by the prosecution on the grounds that the men might interfere with investigations or circulate more counterfeit money

CAPE Times 24/6/83

Housing challenge for employers

By PHILLIP VAN NIEKERK
Labour Reporter

A MAJOR challenge to employers to provide greater housing assistance for their workers has emerged in the wake of the historic Rikhoto Appeal Court judgment.

This follows the statement on Wednesday by Dr Piet Koornhof, Minister of Co-operation and Development, that the government would implement the decision, but would legislate to prevent their families living with them unless they had "approved accommodation".

The Urban Foundation, the Federated Chamber of Industries (FCI) and the Assocation of Chambers of Commerce (Assocom) all felt this emphasised the need for the private sector to continue their efforts to overcome the housing shortage.

However, in the Western Cape private sector bodies with housing funds are facing a dilemma over providing accommodation in Khayelitsha, the only area set aside for new black housing.

It is understood some organizations, including church bodies, who wish to help beat the housing backlog, do not wish to be party to the planned massive relocation of people from Guguletu, Nyanga and Langa to Khayelitsha, viewed in an extremely negative light in the black community.

Mr Jan Steyn, the executive director of the Urban Foundation, said it was clear that the government's decision to link the settlement of dependents to the availability of suitable accommodation "poses a special challenge to the private sector to actively expand its role in the provision and financing of housing".

Mr Rod Ironside, the president of the FCI, said employers should take an increasingly active stand in giving real housing assistance to their employees.

And Dr John Burns, the executive director of the Manpower and Management Foundation, said every effort should be made to make more land available for leasehold development where housing shortages existed.

However, Professor David Dewar, the head of UCT's department of Urban and Regional Planning, warned that the government had the prime responsibility to provide low-cost housing. This did not mean that efforts by the private sector should be discouraged.

Professor Dewar described the Western Cape as a "Catch 22" situation: There was a desperate housing shortage, but any group providing housing there would face a "severe credibility problem" in the black community.

Meanwhile, Dr Koornhof's statement has been welcomed by the Urban Foundation and employer bodies, but civil rights groups and trade unions say they are waiting to see the envisaged legislation.

Rikhoto Ruling



Dr Piet Koornhof

UF urges govt not to block families

Own Correspondent

JOHANNESBURG. — In a rare public statement, the Urban Foundation has urged the government not to introduce a law to hamper attempts by workers who qualify for city rights in terms of the Rikhoto judgment to have their families in the cities.

The UF welcomed Dr Piet Koornhof's statement that the government would implement the Rikhoto judgment.

But it said new legislation linking the right of families to come to the cities to possessing "approved accommodation" could "create an unnecessarily negative impression if enacted at this time".

"We are convinced the government does not wish to give recognition to the separation of husband, wife and family or to strengthen the migrant labour system," the UF said.

"After all, workers affected by the Rikhoto judgment have shown by length of service that they are a stable and loyal component of the free market system."

Number of registered voters at previous election	Member of Executive Committee	Chairman of Executive Committee
	R	R
– 8 000	144 pa	144 pa
8 001 – 32 000	288 pa	288 pa
32 001 – 64 000	432 pa	432 pa
64 001 – 128 000	576 pa	576 pa

(NOTE: For each additional position held, the amount in the relevant column is added to the amount in the second (members) column.)

In the case of the Soweto Community Council the following allowances are applicable:

Chairman
As member of Council ..... R 3 882 pa
As chairman of Council ..... R12 030 pa
As member of Executive Committee ..... R 3 882 pa
As chairman of Executive Committee ..... R 3 882 pa

R23 676 pa

Vice Chairman
As member of Council ..... R 3 882 pa
As vice-chairman of Council ..... R 3 882 pa
As member of Executive Committee ..... R 3 882 pa

R11 646 pa

Members of Executive Committee ..... R7 764 pa
Members of Council ..... R3 882 pa

B Subsistence and travelling allowances

A subsistence allowance of R27,25 per 24 hour period of absence on official duty is payable plus R1,13 per hour for every hour of absence in addition to 24 hour periods of absence.

When members are compelled to use their private vehicles on official trips, they are entitled to be compensated according to the kilometre tariffs as prescribed by the Department of Transport.

c) Fringe benefits—Nil.

Members of community councils (excluding Soweto) who are members of an executive committee are entitled to the following additional allowances:

Number of registered voters at previous election	Member	Vice chairman	Chairman
	R	R	R
– 2 000	422 pa	144 pa	288 pa
2 001 – 8 000	576 pa	144 pa	288 pa
8 001 – 16 000	720 pa	288 pa	432 pa
16 001 – 32 000	954 pa	288 pa	576 pa
32 001 – 64 000	1 386 pa	432 pa	720 pa
64 001 – 128 000	2 106 pa	576 pa	1 242 pa

3379. Mr. C. H. Heunis asked the Minister of Co-operation and Development:

How much is paid in (a) salaries, (b) allowances and (c) fringe benefits to (i) the chairman and (ii) each member of each community council established in terms of the Community Councils Act, No. 125 of 1977?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(a) Salaries—Nil.

(b) A Fixed allowances are payable as follows:

Community councils 24/6/83
1682

	1 Jan. 1982	1 Jan. 1983
(a) Witbank	81	81
(b) Middelburg	107	94
(c) Balfour	39	39
(d) Belfast	9	9
(e) Leandra	32	36
(f) Ogies	9	10
(g) Greylingstad	0	0
(h) Perdekop	0	0
(i) Volksrust	26	26
(j) Standerton	40	39
(k) Hendrina	6	10
(l) Bethal	54	54
(m) Secunda	40	40
(n) Dullstroom	3	3
(o) Lydenburg	13	12
(p) Machadodorp	7	7

Trading licences

993. Mr. P. G. SOAL asked the Minister of Co-operation and Development:

How many trading licences were operative in (a) Ezamokuhle, Amersfoort, (b) Emjindini, Barberton, (c) Silobela, Carolina, (d) Kwa Thandeka, Amsterdam, (e) Kwa Zanele, Breyten, (f) the Black township of Chrissiesmeer, (g) Kwa Dela, Davel, (h) Wesselton, Ermelo, (i) the Black township of Lothair, (j) Sivukile, Morgenzon, (k) Ethandakukhanya, Piet Retief, (l) Simile, Sabie, (m) Esizameleni, Wakkerstroom, (n) Emgwenya, Waterval Boven, (o) Kanyanmazane, Kangwane, (p) Kabokweni, Kangwane, and (q) Matsulu, Kangwane at 1 January 1982 and 1 January 1983, respectively?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

The number of trading licences operative in the Black townships referred to is as follows:

	1 Jan. 1982	1 Jan. 1983
Amersfoort	7	7
Barberton	22	22
Carolina	5	5
Amsterdam	4	4
Breyten	29	29
Chrissiesmeer	0	0
Davel	5	5
Ermelo	39	41
Lothair	1	1
Morgenzon	1	1
Piet Retief	16	16
Sabie	4	4
Wakkerstroom	0	0
Waterval Boven	18	18
Kanyanmazane	22	22
Kabokweni	9	9
Matsulu	5	5

Students turned away from schools

997. Prof. N. J. J. OLIVIER asked the Minister of Education and Training:

Whether any students were turned away from secondary schools under his Department in (a) Bloemfontein, (b) Kimberley and (c) Botshabelo at the beginning of 1983; if so, how many in each case?

The MINISTER OF EDUCATION AND TRAINING:

(a), (b) en (c) No. All persons who qualified for admission in terms of Departmental regulations, were admitted.

Port Alfred

1008. Mr. E. K. MOORCROFT asked the Minister of Co-operation and Development:

Whether there are any social workers in the Black township of Port Alfred; if so, how many?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

No. Services are normally rendered from the Departments' offices in Grahamstown but due to vacancies on the establishment statutory services are at present being rendered from Port Elizabeth.

Rikhoto judgment

1010. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

(1) How many Black persons qualifying for rights under section 10(1)(b) of the Blacks (Urban Areas) Consolidation Act, No. 25 of 1945, have had their reference books endorsed in accordance with the Rikhoto judgment in each Administration Board area:

(2) in respect of what date are these figures given?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) The number of persons qualifying for rights under section 10(1)(b) of Act 25 of 1945 as a result of the Rikhoto judgement and who have had their reference books endorsed, is as follows:—

East Rand Administration Board	143
Other Administration Boards	0
	143

(2) As at 13 June 1983.

Port Elizabeth: trading permits

1038. Mr. A. SAVAGE asked the Minister of Community Development:

How many applications were received from non-Whites in 1981 and 1982, respectively, for trading permits in respect of (a) areas in Port Elizabeth designated as trading areas in terms of section 19 of the Group Areas Act, No. 36 of 1966, and (b) the White group areas of Port Elizabeth?

The MINISTER OF COMMUNITY DEVELOPMENT:

	1981	1982
(a)	9	6
(b)	14	31

First-year students

1053. Mr. K. M. ANDREW asked the Minister of National Education:

How many (a) White, (b) Coloured, (c) Asian, (d) Black and (e) other specified first-year students were registered at each university falling under the control of his Department in each of the latest specified three years for which figures are available?

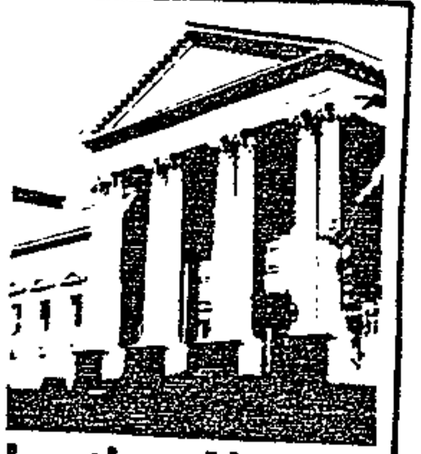
The MINISTER OF NATIONAL EDUCATION:

All first-year students who registered at universities under the Department of National Education during 1980, 1981 and 1982 are included under (a) to (d) in the attached schedules.

	(a) Whites	(b) Coloureds	(c) Asians	(d) Blacks
University of S.A.				
1980	4 499	334	583	3 090
1981	4 218	368	554	3 210
1982	4 313	443	568	3 021

CAPE TIMES 25/6/83

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In the House

Silence on bonds till decision

Political Staff

HOUSE OF ASSEMBLY. — The government said yesterday that it would refuse to make any further statements on the future of defence bonus bonds until it had decided on its course of action.

This was stated in Parliament by the Deputy Minister of Finance, Mr Eli Louw, in reply to questions from Mr Harry Schwarz, chief opposition spokesman on finance.

Mr Louw said churches and other parties had at various times made representations to the government for the abolition of the scheme.

He disclosed that the gross investment in defence bonus bonds on May 31, 1983, was R877 009 360, of which R539 643 505 was still outstanding.

Last week the Prime Minister, Mr P W Botha, put the future of the bonus bond scheme into question when he said the government was not committed to it and would drop it if alternative financing for State activities could be found.

This followed the disclosure that the money invested in defence bonus bonds was not used exclusively for defence.

Both Mr Schwarz and Mr Philip Myburgh, chief opposition spokesman on defence, attempted to extract further information from Mr Louw but he refused, saying nothing more would be said until a decision was made on whether or not to abolish the scheme.

New opposition look at Rikhoto

Political Staff

THE official opposition was yesterday reviewing its qualified support for the government decision on the Rikhoto Appeal Court ruling in spite of a United States endorsement of the government's response.

The Reagan administration has come out in support of the government's decision to honour the historic judgment granting legal permanency to certain migrant workers while at the same time severely limiting urban rights to their wives and families by amending the law.

But there were growing fears in political circles yesterday that an unduly strict interpretation of the judgment by the government and bureaucratic obstruction by administration board officials, who will have to implement the government decision, could severely frustrate the effect of the judgment.



Migrant labour

Mr Nic Olivier, head of the PFP's research department and an acknowledged expert on laws affecting blacks, said closer study of the implications of the government decision had revealed administrative procedures which could be used to frustrate the granting of legal permanency rights to workers who were still in the process of qualifying.

He said that in terms of government proclamations and Section 10 of the Black (Urban Areas) Consolidation Act of 1945 almost total discretion was given to labour bureaux to attest employer contracts entered into by migrant workers.

"One can only hope that the tremendous administrative powers at the disposal of the labour bureaux will not be used to frustrate the Rikhoto judgment in this way," Mr Olivier said.

Slabbert in renewed call for TV debate

Political Staff

A TELEVISION programme on constitutional change featuring the Minister of Constitutional Development and Planning, Mr Chris Heunis, and the leaders of the three main white opposition parties should not be seen as a substitute for a live TV debate on the issue, the Leader of the Opposition, Dr Van Zyl Slabbert, said yesterday.

Dr Slabbert was reacting to an announcement by the SABC that "Verslag" on Monday night would examine the constitutional question.

The programme will feature interviews with Mr Heunis, Dr Slabbert, Dr Andries Treurnicht (CP), Mr Vause Raw (NRP), the Rev Allan Hendrikse, and the executive chairman of the South African Indian Council, Mr Amichand Rajbansi. It has apparently been compiled from separate interviews with participants and is not the live debate Dr Slabbert has repeatedly called for.

Dr Slabbert said yesterday the format would obviously exclude the cut and thrust of a live debate and renewed his call for one.

Black women still battle to join husbands in cities

By ARLENE GETZ

MANY BLACK women are still finding it difficult to obtain offical permission to live with their husbands in urban areas — despite the historic 1980 Komani judgment in which the Appellate Division ruled that they had the right to do so.

And women who hoped they would qualify in the future had their hopes dashed this week when the Government warned it would prevent the families of men affected by the Rikhoto decision from living in the cities if they did not have suitable accommodation.

According to Black Sash president Mrs Sheena Duncan, many women are still forced to obtain a letter from a lawyer before they are finally granted their rights in terms of Section 10(1)(c) of the Black (Urban Areas) Consolidation Act of 1945.

This Act — the cornerstone of the Government's influx control edifice — strictly governs the moves of every black South African who goes to a 'white' urban area.

In terms of Section 10(1) of the Act, blacks may not remain in an urban area longer than 72 hours without proof that they have either 'legally' lived there since birth; 'legally' worked for more than 15 years, or worked continuously for one employer for 10 years.

It was in terms of the second clause of this Act that contract worker Mr Mehlolo Tom Rikhoto was last month granted the right to stay on the East Rand in another historic ruling by the Appellate Division.

The wives, unmarried daughters or sons under the age of 18 who live with a man who qualifies for Section 10 rights are also allowed to live with them in the cities.

However, until the Komani decision of August, 1980 — it followed an appeal by Mr Veli Willie Komani against a Supreme Court dismissal that his wife was legally entitled to live with him in Cape Town — these dependants only receive the rights if they had their own lodger's permit from the township superintendent.

In terms of the Appeal Court ruling, separate permits for families are not necessary.

"But some administration boards are still being obstructive about implementing the decision," Mrs Duncan said in an interview.

Although the situation had improved since Mr Justice Richard Goldstone criticised the West Rand Administration Board (Wrab) for refusing to obey the law, the Black Sash was still helping "a steady trickle" of women.

"We find we are seeing a weekly average of five women who are still being refused the necessary endorsement in their reference books," said Mrs Duncan.

In some instances officials demanded birth certificates, affidavits and school records before they would endorse women's passes to allow them to stay with their husbands.

None of these documents was necessary in the case of wives and unmarried daughters whose husband or father had a right to be in the city, but, said Mrs Duncan, the officials still demanded them.

A lawyer for the Johannesburg Legal Resources Centre, which assists many who fall foul of the influx control laws, confirmed difficulties still existed.

However, Wrab chairman Mr John Knoetze this week denied board officials were trying to hinder the application of the Komani ruling.

"The Komani and Rikhoto judgements are law, and they are respected and carried out."

Boards 'pigheaded'

African Affairs Correspondent

ULUNDI—The ninth annual conference of Inkatha has accused administration boards in South Africa of being 'pigheaded' in increasing rents during a time of economic recession and high unemployment.

In a resolution issued here last night, the movement said the boards had been 'provocative' and 'unsympathetic' in raising rents at this time.

'The responsibilty for the loss of life and limb and the destruction of property and general destabilisation of black society that has so far followed these rent hikes must be laid squarely on the pigheadedness of the administration boards,' the statement said.

The conference called for the removal of the Group Areas Act, the Black Urban Areas Act, and the Mixed Marriages Act.

It said it was 'disgusted' that such laws were allowed to remain on the statute book while the Prime Minister and the Minister of Constitutional Planning and Development, Mr Chris Heunis, tried to convince South Africa and the world that they were engaged in a programme of reform.

Picture: [illegible]

Black states: R2 000m plan

Cape Times 27/6/83

JOHANNESBURG. — The government is to launch a R2 000-million investment programme in the national states in an effort to curb the flow of people to urban areas, according to the Minister of Co-operation and Development, Dr Piet Koornhof.

Interviewed on SATV last night, he said 777 local and foreign industrialists had pledged R2 064-million.

The government was also working on a programme to create jobs in the national states using manual labour.

"This is the first development programme to curb the flow to the four highly concentrated urban centres in South Africa ... and it is becoming a very big success story," Dr Koornhof said.

The government had further earmarked R142-million in the current year for the establishment and development of towns in the national states.

Apart from its drought aid scheme, that would provide 20 000 jobs in the national states, he said, the government had agreed to a job creation and resettlement of illegal workers scheme with Transkei.

On the Rikhoto migrant labour case, Dr Koornhof said the Appeal Court's finding would be applied "strenuously but fairly".

"But what is the point of all the dependants (of migrant labourers) coming to the urban areas if there is no accommodation?"

He said the government would enact legislation providing for migrant labourers, qualified to stay in urban areas, to bring their dependants with them if they had access to family accommodation. — Sapa

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Townships proclaimed/deproclaimed

920 Mr. G. B. D. McINTOSH asked the Minister of Co-operation and Development:

(1) (a) How many Black townships outside the national states were (i) proclaimed and (ii) deproclaimed in 1982 and (b) where are such townships situated;

(2) (a) how many persons removed from the deproclaimed townships had been resettled (i) in and (ii) outside the national states as at the latest specified date for which figures are available and (b) in which areas outside the national states had the persons concerned been resettled as at that date?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) (a) (i) 4.

(ii) 1.

(b) Machadodorp.
Bronkhorstspruit (Ekangala).
Vaalwater.
Ellisras.

The new Urban Black residential area at Machadodorp will ultimately replace the existing residential area which is directly adjacent to the White Township. The Urban Black residential areas at Ellisras and Vaalwater are only hostels for single men. Ekangala will serve the Ekandustria Industrial Development point which is presently being developed.

(2) (a) (i) None.

(ii) 15 500.

(b) The new Urban Black residential area at Brakpan (Tsakane).

Independent/national states: houses

936. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

(1) How many houses were built by each Administration Board in each (a) independent Black state and (b) national state in each of the latest specified 10 years for which figures are available;

(2) whether there are any plans to build additional houses in the national states; if not, why not; if so, (a) what is the nature of these plans and (b) what is the estimated number of houses that will be (i) required and (ii) built in each of the next five years?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) (a) and (b)

Administration Board	Independent States	National States	Years
Southern O.F.S.	—	509	1981—1983
Orange Vaal	—	2 177	1974—1982
Drakensberg	—	3 900	1977—1983
Port Natal	—	3 600	1977—1983
Eastern Cape	2 169	25 022	1971—1983
Northern Cape	985	—	1971—1983
Eastern Transvaal	—	5 639	1972—1982
Northern Transvaal	—	467	1979—1983
Western Transvaal	3 074	—	1973—1983
Highveld	—	151	1980—1983
	6 228	41 465	

(2) (a) Yes conventional, self-help and corehousing are to be erected.

(b) (i) Regarding the number of houses required in each of the next five years it is not possible to give an accurate figure. It will be influenced by the population growth rate and the existing backlog of housing. Estimates of the number of houses required vary from 300 000 to 500 000 for the next five years.

(ii) The number of houses to be built in the next five years will depend on the funds allocated to the South African Development Trust for this purpose as well as funds made available by the private sector and individual prospective home owners.

Judge slams Act over 'idle' woman

29/6/83

Mercury

Pietermaritzburg Bureau

AN ORDER declaring a 32-year-old woman to be an 'idle person' and consigning her to a a suspended term of one year's labour was set aside by a Full Bench of the Supreme Court in Pietermaritzburg yesterday.

Mrs Beauty Duma was arrested and brought before a commissioner in Port Shepstone who declared her to be an idle person in terms of Section 29 of the Black Consolidation Act.

The order had the effect of consigning her to a term of one year's labour at a place to be determined by the Prisons Department.

Case

The term of labour was suspended on the condition that she took up registered employment in the Sea Park or South Coast areas within 30 days for a period of 12 months or she left the area for a period of three years.

When the case reached the Supreme Court on automatic review the judge responsible for the review referred it to a Full Bench for a decision.

The Legal Resources Centre in Durban was asked to appear for Mrs Duma and the Attorney-General asked to appear for the state.

Mr Chris Nicholson appeared for Mrs Duma and Mr M Imber SC for the State.

Support

In his judgment Mr Justice Didcott said he agreed with what had been said in argument that Mrs Duma was one of 'life's casualties'.

Her husband was dead and she had not any relatives. She had two children to support and lived in a shanty in the bush.

She had taken work as a domestic servant with holidaymakers whenever she could and sold fruit and vegetables in between.

The judge said the commissioner had shown all the sympathy he could within the bounds of the legislation.

'The provisions of Section 29 left him with no choice but to brand her an idle person.

Distaste

'A number of Supreme Court decisions have called Section 29 drastic in its effect. One only has to read this to feel this.

'Its harshness is foreign to the idea cherished by lawyers everywhere that the law's business is first and foremost to protect the liberties of the individual and the safety of the public rests largely on the law's success in doing so.

'There is little our Courts can do about legislation of this kind. They can make their distaste for it known for what that may be worth.

'It is not a great deal. Parliament seldom takes notice once some policy it considers important is involved.'

The Judge said what he had to decide was whether Mrs Duma was an idle person in the ordinary and true sense of the word.

'I am quiet satisfied she is not. Idle means lazy, indolent, a shirker, a slacker and one not eager to obtain work.

'Her lack of employment was not what she had chosen. Throughout she strove for better. She did her best . . .'

The Judge ordered that the order declaring her an idle person be set aside and the consequent order consigning her to a year's prison labour also be set aside.

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Many apply for residence

Staff Reporter

MORE than 1 000 people have applied for permanent residential rights in the Western Cape since the announcement last week by the Government that it would follow the Rikhoto judgment.

During the two weeks after the Appeal Court judgment the Western Cape Administration Board had only 239 applicants.

The trickle of applicants to the board's labour offices during the doubtful period has been attributed to the fact it was widely speculated in trade union and civil rights circles that the Government would introduce legislation to neutralise the judgment.

Dr Piet Koornhof, the Minister of Co-operation and Development, however, announced last week that the judgment, which gives permanent residential rights to contract workers who have worked for the same employer for 10 years or for a different one in the same area for 15 years, would be implemented.

The liaison officer of the Administration Board, Mr G T du Preez, said to date about 2 500 applications for 10 (1) b rights had been received.

About 1 000 were received before the judgment, 250 in the two weeks after the judgment and 1 250 since the Government made the announcement last week.

Opposition to Clause 4

Political Staff

ANY attempt by the Government to circumvent the Appeal Court's ruling in the Rikhoto case would be opposed, Mrs Helen Suzman, Opposition spokesman on black affairs, said today.

Reacting to the Laws on Co-Operation and Development Amendment Bill, Mrs Suzman said the PFP would oppose Clause 4.

This is the section that puts an accommodation requirement into law forcing contract workers to provide suitable accommodation if they want their families to get permanent city dweller rights.

"It is an attempt to circumvent the Rikhoto ruling and therefore we will oppose it," she said today."

"There is no reason why those people who are newly qualified should be put in a different position from the others who qualified under the old sections."

Major decision on 'idle' blacks

MARITZBURG. — A landmark ruling that will affect thousands of urban blacks was handed down in the Supreme Court here this week

A Full Bench of the Natal Provincial Division ruled that the legal definition of the term "idle and undesirable", as applied for 60 years since the Urban Areas Act was passed, was incorrect.

Mr Justice D L L Shearer, Mr Justice J M Didcott and Mr Justice D B Friedman also called on the government to scrap the section of the Act which empowers commissioners to banish people to prison farms for up to two years.

Section 10 rights

Another consequence of being found "idle" is that the accused automatically loses his or her Section 10 rights, which entitle black people to live and work in urban areas.

The judges' ruling has overturned four previous Supreme Court decisions.

The judgment arose from the case of a part-time domestic worker, Ms Beauty Duma, who was declared "idle and undesirable" by a commissioner and sentenced to a term on a prison farm.

Set aside

Following argument by Mr Chris Nicholson of the Legal Resources Centre, the three judges set aside the declaration of Ms Duma as an idle person and her prison farm term.

They ruled that the commissioners involved in previous cases had applied incorrect criteria to decide whether the person was idle. The commissioners should have used the ordinary dictionary meaning of the word idle — not the highly technical definition they had been using, the judges said

Mr Justice Friedman described the legislation as "undesirable"

Mr Justice Didcott commented: "A number of judgments delivered by the Supreme Court have called Section 29 drastic. That seems the least that can be said of it. No counterpart, nothing at all similar can be found in any system of jurisprudence with which we would like ours to be compared."

Under Section 29 of the Urban Areas Act there are technical definitions of the terms "idle and undesirable".

Ruling hailed

Mr Peter Gastrow of the Progressive Federal Party's justice group, hailed the ruling as a landmark and said it meant black urban residents would have a more secure hold on their Section 10 rights.

Mr Chris Nicholson of the Legal Resources Centre said in Durban last year that more than 5 000 people had been investigated for being "idle and undesirable".

Durban Black Sash Advice Office supervisor, Mrs Jillian Nicholson, said much would depend on the decision being generally known by those implementing the Act and those likely to be charged under it. — Sapa

35 kisses a night at camp

Staff Reporter

EIGHTEEN teenagers are having a tough initiation into "motherhood" after giving up a week of their holiday to brush hair, make beds and give about 35 goodnight kisses before their day's work is done.

The girls, who are on holiday from school or university, are spending this week as "camp mothers" at the Cape Times Fresh Air Camp at Froggy Pond.

Their day starts early — they must wake before the children — who then have to be washed, dressed, helped with tidying their bungalow, and, hustled through to breakfast.

Each of them is directly responsible for six or seven girls aged between six and nine. This demands constant vigilance and the girls have two hours off a day, when other workers look after their group.

Why should 18 young women choose to be "maternal drudges" in their vacation?

"We all love children," they said."

They agreed the experience also forced them to re-examine their own situations and home lives.

They feel rewarded by the reactions of the children, who cluster around them, draw them pictures and bring them small treasures from the beach. Many workers attend camps regularly.



Leonore C
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Price

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Topside, Silverside and Tenderised Steak per kg R3,29
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Ruling deals a blow on 'idle black' law

By STEVEN FRIEDMAN
Labour Correspondent

A LANDMARK Natal Supreme Court ruling has delivered a crushing blow to a law which allows the authorities to send thousands of blacks to prison farms and strip them of their city rights if they are unemployed.

And in a rare move, a full bench of the court sharply criticised the law, Section 29 of the Black Urban Areas Act, and urged the Government to scrap it.

Lawyers said the judgment, which is binding in Natal only, could mean officials could no longer apply the law, which they described as "draconian".

They stressed, however, that the effect of the judgment would depend on the extent to which blacks were aware of the rights which the ruling had upheld and the extent to which they had legal representation when they appeared before Commissioners' Courts charged under Section 29.

Section 29 enables police to arrest without warrant any black who they suspect of being "idle and undesirable".

The arrested person is taken before a Commissioner's Court and, if the Commissioner agrees he or she is "idle or undesirable", they may be sent to a prison farm for up to two years and stripped of their permanent city rights.

In 1979, the Riekert Commission recommended that Section 29 be scrapped, but the Government rejected this.

This week the court ruled that Ms Beauty Duma, a part-time worker who earns a living by doing casual jobs for holiday-makers in Durban, should not have been declared "idle and undesirable" by a Commissioner's Court.

It overturned a decision that she be sent to a prison farm for two years.

In so doing, it also overturned an interpretation of Section 29 which has been upheld by the courts for 60 years and which has been confirmed by at least four Supreme Court judgments.

Section 29 lays down several criteria which the arresting officer must use to decide whether he believes a black person is "idle and undesirable", the key one being that the person must be unemployed and have spent less than 122 days of the past year in lawful employment.

Successive rulings by the Supreme Court have held that these are the citeria which the Commissioners' Courts must take into account when deciding whether a black is "idle" or not.

But Mr Justice Shearer, Mr Justice Didcott and Mr Justice Friedman have now held that this is not the case. They found that the criteria set out in the Act were there for the guidance of arresting officers only.

The Commissioners' Courts, they found, were obliged to take into account the ordinary dictionary definition of "idle" when deciding whether a black person was guilty under Section 29.

Legal sources pointed out yesterday that this meant the Commissioners' courts could no longer convict people under Section 29 simply because they had not fulfilled the criteria in the Act.

"They would have to prove the person had work available but was not willing to do it. With the present high unemployment rate it would be virtually impossible to prove an unemployed black had work available," Mr Chris Nicholson, who argued the case before the court, said yesterday.

The judges also called for the scrapping of the clause Section 29 which allows "idle and undesirable" blacks to be sent to prison farms.

Sapa reports that Mr Justice Friedman described this as itself "undesirable."

Mr Justice Didcott commented: "A number of judgments delivered by the Supreme Court have called Section 29 drastic in its general effect.

"That seems the least that can be said of it. No counterpart, nothing at all similar can be found in any system of jurisprudence with which we would like ours to be compared," Mr Justice Didcott added.

Lawyers pointed out yesterday that Section 29 also played a key role in stripping blacks of the city rights to which they are entitled under Section 10 of the Black Urban Areas Act.

The judgment had been hailed by PFP MP Mr Peter Gastrow, who said it would give city blacks a more secure hold on their Section 10 rights.

'Idle' woman ruling hailed

Mercury 30/6/83 339

Mercury Reporter

THE Goverment is under renewed pressure to scrap Section 29 of the Black Consolidation Act, which empowers commissioners to banish people to prison farms on the grounds that they are 'idle and undesirable'.

The mounting public pressure follows a judgment in the Supreme Court in Pietermaritzburg this week which is likely to affect thousands of urban blacks throughout the country.

A spokesman for the Legal Resources Centre in Durban yesterday confirmed that about 5 000 people were charged under this Section of the Act in Durban last year and described the Pietermaritzburg ruling as a 'landmark judgment'.

The judgment, handed down by the Full Bench of the Court, set aside an order declaring a 32-year-old woman to be an 'idle person' and consigning her to a suspended term of one year's labour.

Step

It arose from the case of a part-time domestic worker, Mrs Beauty Duma, who was sentenced to a term on a prison farm after she was arrested and brought before a commissioner in Port Shepstone who declared her to be an idle person in terms of Section 29 of the Act.

Mr Peter Gastrow, PFP MP for Durban Central and secretary of the PFP's justice group, said Section 29 of the Act ought to be scrapped and it appeared that the Government had already taken the first step towards such a move.

He said the Black Communities Development Bill, tabled in Parliament last year and referred to the Select Committee on Constitution, specifically repealed Section 29.

Foreigners

'Although the committee has not as yet reported I assume that the Bill as amended will still provide for the repeal of Section 29,' he said.

Supporting calls for the immediate repeal of the Section, Mr Paddy Kearney, of Diakonia, said such legislation made blacks foreigners in the country of their birth and where they had lived all their lives.

'When people are desperate for employment and struggling to survive it is despicable that they can be declared "idle and undesirable" and sent back to the homelands.

'We should rather spend all the money wasted on cases of this kind by creating employment opportunities for people,' he said.

Hailing the Pietermaritzburg judgment, Mrs Jillian Nicholson, of the Black Sash in Durban, said they were delighted with the ruling because the relevant Section of the Act affected hundreds of people.

'The State has been using Section 29 as a method of influx control. The Black Sash monitors the Commissioners Courts and we see the devastating effect of Section 29 on the public.

'In the past we have been particularly concerned with these people who have been ordered to return to their townships in terms of Section 29 and not to look for work in the prescribed area.

'The irony of this is it is forcing people into a state of idleness because no work is available in the townships and they are prevented from looking for work in the city,' she added.

Test

A legal expert said every decision by the Full Court was binding, as long as it stood, on all inferior courts in Natal, on a single judge and obviously on commissioners' courts.

He said what was binding was the particular test applied to the ordinary meaning of the word rather than the highly artificial definition of idleness as laid down by Section 29 of the Act.

He said the Act's definition laid down the guidelines for the arrest of a person: 'It kicks the ball into play, but it is not the final whistle.'

Judgments given in Natal were only binding on the province but could have persuasive power elsewhere. He said that in passing down judgment on Mrs Duma, the Court had followed a decision made in the Eastern Cape.

He said only an Appellate Division decision was binding nationwide.

Parliament and Politics

Koornhof answers questions on Rikho

Cape Times 4/6/83 200 201 339 1/7/83

Political Staff

THE Minister of Co-operation and Development, Dr Piet Koornhof, yesterday answered 10 questions on the Rikhoto case put to him in writing by our political staff on Thursday last week.

Dr Koornhof was speaking at a press conference in Cape Town. Here are the questions and the verbal replies given yesterday.

(1) If a maximum of 143 000 migrant workers stand to benefit from the Appeal Court judgment on Mr Tom Rikhoto, how does the government propose to limit the number to as few as 5 000 people (a figure you stated as a minimum that could benefit)?

Dr Koornhof: "It is not possible to arrive at a figure really and we will implement it in a strict but very fair way and we will keep statistics and inform you as to how many qualify."

(2) What criteria will be used by the administration boards for the granting of Section 10(1)(b) rights?

Dr Koornhof: "The criteria set out in the appeal court judgment."

(3) Does the government intend the judgment to apply to those people who had completed 15 years' continuous legal residence by May 29, 1983?

Dr Koornhof: "The judgment in the Rikhoto case dealt with a person who had worked for one employer for a period of 10 years. That is the criteria which was applied in the Rikhoto case, but we have stated, because of the Act, that a person who has worked for 15 years will also qualify."

(Dr Koornhof pointed out that the government's legal advisers had said it would be better to have the "cut-off date" set at the time the amending legislation introduced in the Assembly this week becomes law, and not the date of the Rikhoto judgment as announced by him at a press conference last week. The government had accepted this advice.)

(4) If the number of people who qualify in terms of the judgment is kept well below the potential 143 000 — and even as low as 5 000 — how do you respond to the proposition that the government would then be in contempt of the Appeal Court ruling?

Dr Koornhof: "It is absolute sheer nonsense. We have accepted the Appeal Court judgment and it will be implemented in the way that I have indicated."

(5) Will families of contract workers (who will now qualify for Section 10(1)(b) rights) who were in the urban areas illegally (as the dependants of Section 10(1)(d) men) be allowed to remain legally in the urban areas?

Dr Koornhof: "Obviously the department cannot administratively legalize the presence of a person whose presence is, in terms of the Act, illegal ... those that have been legally here, we will not tamper with."

Asked yesterday if families of men who now qualified for Section 10(1)(b) rights who were in the urban areas at present could become illegal in terms of the amendment, Dr Koornhof said: "Not as far as I can see because the amendment is not retrospective."



Migrant Labour

When asked what would become of families of Section 10(1)(b) men who were living in "unapproved" housing at the moment after the proposed amendment became law, Dr Koornhof said the Administration Boards would "give them the opportunity to acquire housing in terms of 10(1)(c)", but he said he doubted that there would be many such cases.

The sole issue involved with Section 10(1)(c) was to create a situation in which families could live together "in an orderly fashion", he said.

(6) How many migrant workers who will now qualify for Section 10(1)(b) rights previously had their families with them in the cities?

Dr Koornhof: "We do not know."

(7) Under what circumstances (other than being in possession of approved housing as defined by you) will the families of legal contract workers be allowed to come to the cities?

Dr Koornhof: "The wife and the children of a person who qualifies in terms of Section 10(1)(b) of the Act will be allowed to join him in a prescribed area if a home in such area has been acquired by him for that purpose."

(8) Will contract workers who are in the process of completing their 10 years with one employer (or 15 years' continuous legal residence in the urban area) still be able to qualify for Section 10(1)(b) rights in the future in terms of the government's acceptance of the Rikhoto judgment?

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(9) Are you, in the interests of clarity and in the public interest, prepared to publish the amending legislation in the Government Gazette for general information?

Dr Koornhof: "It has already been published."

(10) In the four types of approved housing that you listed (at a press conference last week) one was a lodger's permit. But in a radio interview, Mr John Knoetze of the West Rand Administration Board (WRAB) omitted the lodger's permit category. Will the government recognize a lodger's permit as approved accommodation?

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.oornhof answers questions on Rikhoto

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In terms of the Laws on Co-operation and Development Amendment Bill published this week, the "approved" accommodation for the new Section 10(1)(b) men and their families will be:

(a) In any building erected on any site in respect of which a right of leasehold for residential purposes has been granted or disposed of to that black in terms of Section 6a or:

(b) In any dwelling erected for the purposes of occupation by himself and his dependants by that black on any residential site allocated to that black for such purposes of occupation in terms of the provisions of this Act or any regulation, or in any dwelling on any such site let to that black for such purposes in terms of such provisions or:

(c) In any dwelling allocated or let as a whole to that black for the purposes of occupation by himself and his dependants in terms of such provisions or:

(d) In any married quarters referred to in Section 9(2)(f) made available by his employer to that black for the purposes of occupation by himself and his dependants.

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Financial Mail

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IRBANISATION

The real challenge

i case anyone thought government had abandoned its esire to regulate our lives from the cradle to the grave, a oser look at its reaction to the Rikhoto judgment should rve as a corrective.

For a start, the muddled pronouncements of Minister of o-operation and Development Piet Koornhof are anything it an acceptance of the Appeal Court's finding that long-rm migrants qualify for urban rights. To make these ghts contingent on "approved accommodation," which is rgely within Pretoria's patronage, as he has now done, is say there will be as much or little urbanisation as the ational Party deems fit. This is a radical distortion of free arket principles as they apply to labour.

All Koornhof said was, in effect: "We will obey the law as stands, but make a new one that suits us better."

The depredations of the pass laws continue unabated. or example: a hearing in the Langa Commissioner's ourts lasts, on average, three minutes. However, probably nscious that world opinion will not stand for a lock-out olicy in perpetuity, government is again beating the de-ntralisation drum. Jobs are to be created in the home-nds to stem black migration.

Speaking on SABC-TV last Sunday, Koornhof blandly nounced that a "R2 000m programme" was to be unched for this purpose. This is an amazing figure. The inister said that 777 private companies would be involved but which ones, and how, was not specified. Does anyone ally know who all these companies are and how they are raise R2 billion — and at what rates of interest?

Government might just as well pass a law making it compulsory to attend rugby matches and then impose a gate tax for development purposes. It makes as much economic sense. Frankly, the Minister appears to be trying to bluff everyone with numbers.

Businessmen make decisions on whether, and where, to decentralise on rational grounds. Obviously, if you pay them enough to relocate in QwaQwa, or wherever, they will do so. But wouldn't it be simpler — and less inflationary — to accept that by world standards SA's cities are small, and should be allowed to grow through natural urbanisation?

If it's a question of available land, why doesn't Pretoria expropriate unproductive farms near urban centres for black townships? If Koornhof can happily talk of the availability of R2 000m, finance can hardly be a constraint. Housing could be provided to suit the occupants' pockets. The private sector would want to be involved and would be reasonably assured of a fair return on its capital.

Black urbanisation is likely to be a major labour challenge facing SA for the foreseeable future. A tolerance of it, along the lines sketched above, should help it come about without unnecessary disruptions; it would help ensure stability.

So too would employer interest in the housing needs of black workers who gain urban rights. In terms of the law, they will have rendered long service to their companies. The "perk" of housing assistance for black employees is likely to become an increasingly important issue in collective bargaining.

NFLUX CONTROL

Koornhof keeps a promise

ue to his word, Piet Koornhof's amend-ent to Section 10 of the Blacks (Urban eas) Consolidation Act does not overturn e Komani and Rikhoto Appellate Division dgments. It merely sterilises them.

The amendment is part of the compendi-n Laws on Co-operation and Develop-ent Amendment Bill which was taken rough all its stages shortly before Parlia-ent adjourned this week.

Section 4 amends Section 10 by the inser-on of a new subsection (1a) which defines the term "resides" so far as it re-tes to "the wife, the unmarried daughter, son under the age of 18 years" of any ack who has obtained Section 10(1)(b) sidential rights. Meaning mainly those o qualified for rights under the Rikhoto d Komani judgments.

"Resides," as it will now apply to the mily of such a worker, will mean to live a prescribed area:

"In any building erected on any site in spect of which a right of leasehold for re-dential purposes has been granted or sposed of to that black in terms of Section ; or

In any dwelling erected, for the purposes occupation by himself and his depen-nts, by that black on any residential site located to that black for such purposes of cupation in terms of the provisions of this t or any regulation, or in any dwelling on y such site let to that black for such pur-ses in terms of such provisions; or

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In any married quarters referred to in ction 9(2)(f) made available by his ployer to that black for purposes of oc-pation by himself and his dependants."

strictive

If Section 10(1)(b) was highly restrictive, e new (1a) provision will be even more so. e right to family life will hinge on the ailability of approved accommodation, d the decision of officialdom to make ch accommodation available.

At best it places a heavy premium on the d disposition of employers who may find less difficult to cut through the tangle of d tape that normally confronts blacks eking such accommodation.

However, it does not appear to raise ad-tional obstacles for the thousands of acks now demanding the rights denied em since April 1 1978, when many com-eted the 10 years' qualification period ich began when the 1968 regulations on grant labour contracts were introduced. It certainly places additional obstacles in the way of their families.

As Sheena Duncan of the Black Sash points out, "these tens of thousands of workers are not a new influx into the cities. They have all been in town working legally and productively for a minimum of 10 years. They all have accommodation somewhere."



Koornhof ... redefining the meaning of 'resides'

The effect of Rikhoto is such that workers can now apply to rent or buy a home, but have no legal right to demand a house. As Duncan says, control of accommodation remains in the hands of the authorities and is the most important weapon in the armoury of influx control.

The new measure does not tamper with the principles established in the Komani Appellate Division judgment: that the families of people with 10(1)(b) rights also have a right to remain in town once they have taken up residence with the qualified husband. But in terms of (1a) that would depend whether or not they had been living "illegally" with their husbands in approved accommodation of the four categories mentioned above. That seems most unlikely.

Given the critical shortage of accommodation it is unlikely that the Rikhoto/Komani judgments would have unleashed a heavy influx of people into the cities (very many of whom are there already). The amendment to Section 10, which will soon pass into law, gives *de jure* force to the most effective means of curbing the number of blacks gaining "legal" residential qualifications — control of the supply of accommodation.

ancial Mail July 1 1983

Officials 'violate influx control law'

1/7/83

By STEVEN FRIEDMAN
Labour Correspondent

THIS week's ruling by the Natal Supreme Court on a law which enables officials to deport city blacks to prison farms, and strip them of their rights in cities, is the fifth court ruling in three years to find against Government influx control rules.

Three of these rulings have occurred this year.

Mrs Sheena Duncan, national president of the Black Sash, said yesterday this meant that "officials have obviously been allowed to get away with implementing influx control in violation of the law for a long time because the people affected have not had the legal help to challenge them in court".

And Professor John Dugard, director of the Centre for Applied Legal Studies at the University of the Witwatersrand, said the courts were "taking a new interest in monitoring the bureaucracy which controls the lives of millions of city blacks".

Other judgments overturning Government influx control practice this year have been:

- The Appeal Court's landmark 1980 Komani decision, upholding the rights of the families of blacks with city rights to live with them.
- The Appeal Court's 1983 confirmation of a 1982 Rand Supreme Court judgment in the Rikhoto case, establishing the right of long-service migrant workers to claim city rights.
- The Cape Supreme Court's 1982 Booi decision, which established the same principle.
- The same court's Mthiya decision which established the right of such a migrant to city rights even though he had enjoyed three periods of long leave.

Mrs Duncan said yesterday groups such as the Black Sash had questioned the legality of the regulations in these cases for nearly two decades.

"But neither we nor the people affected by them had the resources to challenge these rules in the courts. With the emergence of bodies like the Legal Resources Centre, this has now become possible.

"What has become clear is that officials have operated outside the law and got away with it because they were not challenged in court," she said.

Mrs Duncan said there had been "positive" court judgments on influx control in the past — such as a ruling by the courts that blacks did not have to show their passes on demand.

"But it requires constant monitoring to enforce these and only the help of a concerned legal profession can make this possible."

Prof Dugard said that, while it may be "premature", "there does seem to be a trend towards the courts handing down decisions which improve the rights of urban blacks".

The Rikhoto case: Koornhof answers Mail's 10 questions

MAIL: If a maximum of 143 000 migrant workers stand to benefit from the Appeal Court judgment on Mr Tom Rikhoto, how does the Government propose to limit the number to as few as 5 000 people (a figure you stated as a minimum that could benefit)?

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PIET KOORNHOF ... application strict but fair.

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'Black idlers' law to be scrapped

S. Times 3/7/83

By BRIAN POTTINGER

ONE of South Africa's most notorious pieces of legislation is to be scrapped.

Clause 29 of the Black Urban Areas Act, which allows for "idle and undesirable" black people to be banished to work colonies for up to two years, has been condemned by the judiciary as "unjust" and branded by opposition groups as one of the worst instruments in the Government's armoury of control measures.

Thousands of black people have been declared either undesirable or idle in the embracing terms of the 60-year-old provision and condemned to labour in work colonies.

Endorsed

Plans to scrap the provision began last year when the Black Communities Development Bill and the Orderly Movement and Settlement of Black Persons Bill expressly repealed Section 29 in their schedules of redundant legislation

The Communities Development Bill has this year been the subject of a parliamentary select committee investigation and it can be accepted the proposed dumping of the measure has been endorsed by the committee

The Bill is due to be presented to Parliament in the short session beginning in early August.

Welcomed

This week the controversial section suffered another major blow when three judges of the Natal Supreme Court ruled the definition used in applying the section had been incorrect and called for a scrapping of the provision.

Mrs Helen Suzman, the PFP's chief spokesman on black affairs, has welcomed the findings of the Natal Bench and branded the section "an awful piece of legislation".

And the Black Sash's Mrs Sheena Duncan said it was time the section was dumped.

The provisions of the section date back to 1923, and establish a rigid set of criteria whereby a black person can be declared undesirable if he is a drunkard, drug addict or lives beyond his means.



MRS HELEN SUZMAN
Welcomed the findings

He can be declared idle if he remains unemployed for a certain period of time or refuses to accept work offers on three separate occasions.

Slammed

Onus to prove innocence rests on the accused, and if his account to a commissioner is inadequate he can be detained in a number of institutions, including prison farms, or banished from the area in which he was found.

Conviction results in a person losing the treasured Section 10 rights which ensures their residency in urban areas.

Decisions by the commissioners in terms of the provisions are subject to Supreme Court review, and it is here where some of the strongest criticism of the section has been heard.

In a 1979 judgment, Mr Justice Didcott and Mr Justice Milne of the Natal Bench slammed the provisions of the section after a commissioner had declared an epileptic man "idle".

Mr Justice Didcott in his judgment observed that judges were being called upon to certify that what happened to people in terms of this provision was in accordance with justice.

"The trouble is that it was not. It may have been in accordance with legislation and because what appears in legislation is law, in accordance with that too, but it can hardly be said to have been in accordance with justice.

"Parliament has the power to pass the statutes it likes and there is nothing the court can do about it. The result is law, but that is not always the same as justice.

"The only way that Parliament can ever make legislation just is by making just legislation".

Incorrect

This week, Mr Justice D L L Shearer, Mr Justice J M Didcott and Mr Justice D B Friedman of the Natal Bench ruled in a review of a declaration of an "idle" person that the definition of "idle" used by the courts was incorrect and they should have used the dictionary definition and not a highly technical one.

Judge Didcott said that no counterpart for the section could be found in any system of jurisprudence "with which we would like ours to be compared".

The milestone Riekert Commission report of 1980 recommended the abolition of the section and advocated the provisions of the Drugs and Dependency Producing Substances Act should be used instead.

A Government White Paper in response to the report gave qualified support to the proposal subject to in-depth investigations by the departments concerned

...ying at low speed.

WCAB is to appeal against Mthiya ruling

CAPE TIMES 5/7/83

By PHILLIP VAN NIEKERK
Labour Reporter

ANOTHER important case testing the rights of thousands of long-serving migrant workers to permanent city residence is looming following the decision of the Western Cape Administration Board (WCAB) to appeal against the Mthiya case ruling in the Cape Supreme Court.

In April, Mr Justice Pat Tebbutt granted Section 10 (i) (b) rights, or permanent city residence, to a City contract worker, Mr Mdandweni Mthiya, who had worked for one employer "continously" for 10 years even though he had three long absences from work.

Same basis

He won the case on the same basis as Mr Tom Rikhoto, the Germiston former contract worker, who was granted permanent residence rights by the Appeal Court in Bloemfontein a few weeks later.

However, unlike Mr Mthiya, Mr Rikhoto had only taken the mandatory three weeks' annual leave between contracts.

Mr Gert du Preez, chief liaison officer of the WCAB, said yesterday that the WCAB had decided to lodge an appeal against the decision. It is understood that their application will be heard in the next few weeks.

If the application to appeal succeeds, it could become an important test case.

The WCAB is applying the Rikhoto ruling strictly and numerous applications are being rejected because, according to Mr Du Preez, they "do no meet the criteria as laid down by Rikhoto".

The applications of workers such as Mr Mthiya, who have had breaks from work, are not being accepted.

The WCAB has so far endorsed the pass books of 25 long-serving contract workers with Section 10 (i) (b) stamps following the Rikhoto judgment, but the applications of another 55 have been rejected.

Mr Du Preez said the WCAB had received 2 672 formal applications for Section 10 (i) (b) rights in the wake of the Rikhoto judgment.

TV2

6.32: Umakho (Cuore Di Mama)
7.00: Izindaba/Iindaba (News)
7.10: Jikelele (Magazine Programme). Including — Ubutyebi Obufumaneka Elwandle (Cashing in on the Ocean)
9.00: Iindaba/Izindaba (News)
9.27: Imozulu/Isibiketzelo Sezulu (Weather)
9.29: Ezenkolo (Epilogue)

Last night's TV

TV1

THE only entertainment of the evening was the well-acted Bret Maverick — a Western's western

To the hero's dismay, a wanted outlaw (who turns out to be much maligned) lands up at the ranch, wounded and helpless. With the law close on his heels, Bret and friends do the right thing and help him escape.

Verslag pulled no punches in "Terror: The Church in the Community", with horrifying pictures of terror victims and starving children in South Africa and other African countries.

The threat of communism and the ANC was rammed home again. Not surprisingly, black and white church leaders said violence was not the answer to the country's problems. A pity SA-TV could not have given us something new to chew over.

JANE ARBOUS

TV2

AN interesting discussion between a medical sister and a witchdoctor on the tricky subject of people suffering from mental disturbances was perhaps the most appealing item screened in Jikelele for a long time.

The discussion centred around schizophrenics, who, according to strongly held African beliefs, are the victims of the evil work of sorcery.

The condition is better known as "amafufunyana". The only way it can be cured, according to superstitious people, is through a concoction of wild herbs and the magic of the witchdoctor's bones.

However, Sister Mabanga gave viewers her account of the causes of mental disturbances and how they may be cured with the help of psychiatrists and psychologists.

Although Mrs Majola was in her full regalia, I did not find her too convincing as a genuine "raqeba".

JOE GUWA

It's tyre-time again.



BEFORE THE WINTER SETS IN. BEFORE THE RAIN COMES DOWN IN BUCKETS AND ROADS GET WET AND SLIPPERY. BEFORE YOUR WHEELS SLIDE AND YOU LOSE CONTROL.

POP IN FOR A NEW SET OF RETREADS OR NEW TYRES.

OUR REPUTATION GUARANTEES RESULTS

800 businessmen for Nafcoc conference

CAPE TIMES 5/7/83 339

Staff Reporter

ABOUT 800 black businessmen from all over South Africa will attend the 19th annual conference of the National African Federated Chamber of Commerce in the City from today until Friday.

The keynote address will be delivered by Dr Mike Rosholt, chairman of Barlow Rand Ltd, this morning. He will speak on "The challenges and opportunities for black business development in Southern Africa".

After lunch, Professor Leon Weyers, chairman of the SA Co-ordinating Consumer Council, will speak on the protection of black consumer interest in the coming years.

Mr Ben Mokoatle, education and training manager, 3M South Africa (Pty) Ltd, is also one of the speakers on the agenda today. His address is entitled: "Prospects of preparing blacks for greater participation in the South African economy".

Tomorrow morning, the Dean of the University of Cape Town's Faculty of Economics, Professor Francis Wilson, speaks on black poverty and how it affects the development of black business.

Large stores

A highlight of Thursday's programme is a talk by Mr A S Nkonyeni on the effects of the intrusion of large stores on the growth of black business in the black areas.

Other speakers on Thursday will speak on prevailing conditions and challenges to the black manufacturer, methods of making black agriculture in South Africa more dynamic and productive, and how black education could be orientated more towards the development of black business.

The conference ends on Friday with a report-back by discussion groups, resolutions and a beauty contest in the evening.

The president of the Chamber, Mr O S W Mama, said in a message that the conference was being held against a background of high inflation, company profits falling and the country experiencing negative growth.

"The most distressing factor is, however, the disturbingly high black unemployment rate, which represents a threat to political stability.

"Another area to be looked at is black consumer spending outside black areas. It will be the aim of the conference to reverse this outward buying trend back to the black areas by mass-educating the black consumer and the black businessmen."

Urban rights of migrant workers in the balance

By Anthony Duigan

The position of thousands of migrant workers who believed the Rikhoto judgment had secured their right to permanent residence in urban areas is now in the balance

A meeting of Government officials last week accepted that migrant workers from independent homelands might be ineligible for permanent urban rights in terms of section 13 of the Urban Areas Act, which controls the residence rights of blacks in "white" South Africa.

A Government spokesman said clarification of the position of these people will probably be given this week.

This shock, which follows the Government's acceptance of the Appeal Court's judgment in the Rikhoto case, could have widespread repercussions leading to further court cases to clarify the urban rights ruling.

The Rikhoto ruling gave migrant workers who have worked for one employer for 10 years continuously, or for more than one employer for 15 years continuously, the right to qualify for permanent residence in the urban areas.

The judgment was hailed as a breakthrough leading to greater security for migrant workers. It was estimated that as many as 145 000 workers would apply for urban rights this year.

INTERPRETATION

Doubts over the Government's willingness to accept the implications of the judgment were allayed partly last month when the Minister of Co-operation and Development, Dr Piet Koornhof, said the Government would apply the judgment strictly and fairly.

Last week it emerged that the West Rand Administration Board was not granting urban rights to people from independent homelands who had completed 10 or 15 years' service after their homelands had gained independence.

There are about eight million blacks in South Africa who, by legislation, are citizens of Transkei, Bophuthatswana, Ciskei or Venda.

Mr John Knoetze, chairman of Wrab, said applications from these people were being referred to Pretoria because, according to the board's interpretation, they did not qualify for urban rights.

Last night a Department of Co-operation and Development spokesman said there had been a meeting of Government and board officials in Pretoria, and it had been agreed that there was a definite basis for Wrab's interpretation.

"The department is looking into the matter urgently and will give clarification as soon as possible," he said.

A lawyer who deals with influx control cases said that he could see how Wrab's interpretation was made on the basis of section 13 of the Urban Areas Act, but he still believed it was a totally wrong conclusion.

Section 13 deals with the position of "foreign blacks", and he believes this does not apply to blacks from areas which at any stage were part of South Africa.



Running of the bulls

A crowd of people press down the street and against the walls to avoid a herd of bulls, being driven on by a young man during the annual "running of the bulls" in the festival of San Fermin in Pamplona, northern Spain, last Saturday.

3 die in air crash

The Star Bureau

HARARE — Three people were killed in a light aircraft crash in Zimbabwe's Mazowe district last week.

They were Mr Tom Stanning, a leading farmer, his wife Pat and their son, John.

Mr Stanning was well-known for his pioneering work in helping black peasant farmers in communal lands bordering the commercial farming area.

Active bid to end 'heresy of apartheid'

By Carina le Grange, Religion Reporter

The Alliance of Black Reformed Churches in South Africa (Abresca) has become the first church grouping to convert into action the decision that the theological justification of apartheid is a heresy.

The coloured Nederduitse Gereformeerde Kerk — the NG Sendingkerk (NGSK) — was the first church to declare a state of confession incorporating the essence of the controversial decision taken by the World Alliance of Reformed Churches (WARC) in Ottawa in August last year.

The newly-appointed Abrecsa secretary, the Rev Francois Bill, said representatives of the churches from which Abresca draws its membership met for a special consultation on July 5 and 6 to draw up a confessional statement after Ottawa.

It was decided at Abrecsa's second annual conference in November last year that the it should follow up the Ottawa decision with "something positive".

"The NGSK had already taken the lead with their *status confessionis*. The purpose of our meeting was to bring out a confessional statement which would say where we are now in the light of Ottawa and to have a

Church alliance elects organiser

Religion Reporter

The all-black executive of the Alliance of Black Reformed Churches in South Africa (Abrecsa) last week unanimously appointed a white founder member of

Die sosio-ekonomiese en politieke posisie van die stedelike Swart bevolking

339
Sociology
S. A. Journal of Sociology 1983 14 (3)

P. Smit
Raad vir Geesteswetenskaplike Navorsing, Pretoria

The socio-economic and political position of the urban Black population. Suprisingly little is known about the urban Black population in South Africa. Few in-depth studies of Black urbanization have been made and very little is known about the pace of Black urbanization, the aspirations, perceptions and preferences of urban Blacks. There is overwhelming evidence that the urban Black population is gradually taking a normal demographic profile. The levels of personal income, literacy, health services and general well-being between urban and rural Blacks differ considerably. But urban Blacks still have strong links with the national states. Due to increasing inter-ethnic marriages geographic pluralism is decreasing in the urban areas. For the foreseeable future, the process of Black urbanization will not only continue but also accelerate. As in other countries the influx of rural people could unleash tremendous socio-economic and political problems. In view of this, imaginative planning will be needed to accommodate these new city dwellers; previous concepts pertaining to influx control and housing will just not do any longer.
S. Afr. J. Sociol. 1983, 14(3): 81 – 88

Verbasend min is bekend omtrent die stedelike Swart bevolking in Suid-Afrika. Daar is min in-diepte studies van Swart verstedeliking gemaak en baie min is bekend omtrent die tempo van Swart verstedeliking, die aspirasies, voorstellings en voorkeure van stedelike Swartes. Daar bestaan oorweldigende bewys dat die stedelike Swart bevolking geleidelik 'n normale demografiese profiel begin aanneem. Die vlakke van persoonlike inkomste, geletterdheid, gesondheidsdienste en algemene welsyn tussen stedelike en landelike Swartes verskil aansienlik. Stedelike Swartes het egter nog sterk verbintenisse met die nasionale state. Geografiese pluralisme is as gevolg van inter-etniese huwelike besig om toenemend in die stedelike gebiede te verdwyn. Die proses van Swart verstedeliking sal vir die voorsienbare toekoms nie net aanhou nie maar ook versnel. Die instroming van landelike mense sou, soos in ander lande, geweldige sosio-ekonomiese en politieke probleme kon ontketen. Met die oog hierop sal verbeeldingryke beplanning nodig wees om hierdie nuwe stedelinge te akkommodeer; vorige konsepte omtrent instromingsbeheer en behuising sal net nie langer deug nie.
S.-Afr. Tydskr. Sosiol. 1983, 14(3): 81 – 88

Hierdie artikel is 'n effens verwerkte weergawe van 'n referaat wat op 20 Januarie 1983 tydens die Sestiende Jaarlikse Kongres van die Suid-Afrikaanse Sosiologievereniging in Potchefstroom gelewer is.

P. Smit
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Ontvang Januarie 1983

1. 'n Gebrekkige kennisbasis

Dit is verbasend hoe min kennis ons werklik oor die stedelike Swart bevolking besit indien dit in aanmerking geneem word dat:

- Die verstedeliking van die Swart bevolking die belangrikste sosio-ekonomiese en waarskynlik ook politieke verskynsel in Suid-Afrika is;
- stedelike Swartes bykans 50% (48,9% in 1980) van die totale stedelike bevolking van Suid-Afrika uitmaak;
- stedelike Swartes se persentuele aandeel aan die totale stedelike bevolking van die RSA van 29% in 1904 tot 48,9% in 1980 toegeneem het;
- die Blankes se aandeel in dieselfde tydperk van 49% tot 30% gedaal het;
- die verstedelikingsproses van Swartes in die toekoms nie meer soos in die verlede volgens westerse standaarde en konsepte gerig, beplan, geadministreer, behuis en van infrastruktuur voorsien kan word nie, en Suid-Afrika net soos die res van die wêreld as gevolg van die verstedelikingsproses in die volgende twee dekades '. . . the most radical changes ever in social and political life . . .' (Rome Declaration on Population and the Urban Future, 1980) sal ondervind.

Die stelling van Hammond-Tooke (1970:81) ten opsigte van antropologiese werk in die algemeen geld waarskynlik ook vir ander dissiplines dat '. . . little is being done, however, mainly because of the lack of trained men of high calibre and the difficulty of unfettered access to field areas' [Kyk in dié verband Mayer (1970:81) en Blacking (1970:77)].

Van die onderwerpe in sosiale en kulturele antropologie wat byvoorbeeld tussen 1930 en 1969 by Suid-Afrikaanse universiteite nagevors is, het stedelike studies slegs 21% uitgemaak (Kileff & Pendleton, 1975:16).

In die jongste tyd het relatief min studies met empiriese diepte soos dié van Hellman oor *Rooiyard* (1935), Mayer (1961), Pauw (1963) en Wilson en Mafeje (1963) oor stedelike Swartes verskyn. Meeste studies is van 'n makro-aard en op sensusgegewens gebaseer wat nie baie betroubaar is nie of wat op enkele steekproewe berus wat in bepaalde geografiese gebiede onderneem is en wat vanweë heterogene, etniese, sosio-ekonomiese en politieke faktore nie 'n algemene beeld reflekteer nie.

Dit is onstellend dat daar tot dusver so min diepgaande empiriese studies onderneem is en dat ons insig werklik baie gebrekkig is oor byvoorbeeld die *tempo* en *rigting* van die verstedelikingsproses, die *aspirasies, persepsies, voorkeure,* ensovoorts van stedelike Swartes. Die blote omvang van die

verstedelikingsproses vereis egter dat grootskaalse beplanning daagliks gedoen word. Gebrek aan, byvoorbeeld, Swart stads- en streeksbeplanners, die feit dat werklike Swart leiers moeilik geïdentifiseer word of nie aan beplanningsprosesse wil deelneem nie, beskikbare Swart leiers nie altyd ten volle geraadpleeg word nie en die stedelike Swart bevolking dikwels 'n politieke speelbal gemaak word (byvoorbeeld vir deelname aan die konstitusionele ontwikkelingsproses) bemoeilik sinvolle beplanning nog verder. Waar inligting oor die fisiese aspekte van die verstedelikingsproses nog redelik beskikbaar is, is daar min oor gedrag of sosiale aspekte (Friedmann, 1973:65 – 66) beskikbaar. Vir sinvolle beplanning moet die *rigting, spoed* en *veranderende gedragspatrone* van die verstedelikingsproses steeds gemonitor word.

Die doel van hierdie artikel is om enkele van die belangrikste sosio-ekonomiese en politieke *prosesse* en *probleme* ten opsigte van die stedelike Swart bevolking aan te stip in die hoop dat dit verdere navorsing sal stimuleer.

2. Veranderende demografiese profiel

Daar is oorweldigende bewyse dat die stedelik Swart bevolking geleidelik besig is om 'n normale demografiese profiel aan te neem. Die verstedelikingsproses van die Swart bevolking het feitlik presies volgens die Vennetiermodel (Clarke, 1972:71) verloop waar drie fases van (a) manlike oorheersing, (b) toename in vroue en (c) toename in kinders ondervind word. Vir Suid-Afrika het die man/vrou-verhouding in stedelike gebiede van 4,4:1 in 1911 tot 2:1 in 1936, 1,4:1 in 1970 en 1,3:1 in 1980 verander. Die toenemende getal Swart vroue wat na stedelike gebiede gemigreer het, het veral vier belangrike gevolge gehad:

(i) Hul aanwesigheid het mans in 'n mate weerhou om periodiek na die nasionale state terug te keer.
(ii) Die verstedelikingsproses het geleidelik 'n meer permanente karakter gekry.
(iii) Swart geboortes in stedelike gebiede is verhoog en natuurlike aanwas het 'n al belangriker rol begin speel om getalle in stedelike gebiede te verhoog.
(iv) Swart kinders wat in stedelike gebiede gebore is, het hulle toenemend as permanente inwoners van dié gebiede begin beskou.

In die Blanke stedelike gebiede was daar in 1980 5 324 300 stedelike Swartes waarvan 2 932 020 mans en 2 392 280 vroue — dus net 539 740 minder vrouens as mans. In Johannesburg (statistiese streek 47) is daar byvoorbeeld slegs 49 460 minder vrouens as mans (Sentrale Statistiekdiens, Verslag 02 – 80 – 02, 1982). In die Suidwes-Kaap (statistiese streek 01) het vrouens ook, nieteenstaande die Blanke- en Kleurlingarbeidsvoorkeurbeleid, geweldig vinnig toegeneem en is daar teen 1980 slegs 37% minder vrouens as mans getel. Volgens Leistner (1976:3) kan daar tentatief beraam word dat 72% van die stedelike Swart bevolking die breë demografiese kenmerke van 'n permanent gevestigde bevolking vertoon. Net 28% kan as trekarbeiders beskou word. Teen 1971 het 57% van die geregistreerde manlike en 72% van die geregistreerde Swart vroulike werkers na raming vir artikel 10-regte gekwalifiseer (Wiehahnverslag, 1979: deel 1:23).

Na raming (Mastoroudes, 1982) was daar teen 1981 1 329 000 trekarbeiders (1 144 000 mans en 185 000 vrouens) vanaf die vier TBVC-lande en die ses selfregerende nasionale state, in die Republiek werksaam. Trekarbeiders en die algemene mobiliteit van die Swart bevolking het in die afgelope aantal jare 'n nuwe dimensie aangeneem. *Drie verskynsels* is hier belangrik. In die eerste plek het desentralisasie van nywerhede na gebiede naby die grense van Swart state, dorpstigtingsaksies in die Swart state en die voorsiening van snelvervoer tussen die stedelike gebiede en veral Blanke metropolitaanse gebiede, toenemend tot die stelsel van pendelary gelei. Die getal grenspendelaars het van 536 000 in 1976 tot ± 740 000 in 1981 toegeneem. Dit het nie alleen die noodsaaklikheid vir trekarbeid verminder nie, maar tot plakkergebiede en informele nedersettings, veral in gebiede rondom Durban, noord van Pretoria, ensovoorts aanleiding gegee, wat 'n nuwe dimensie in die verstedelikingsproses teweeggebring het.

Tweedens het hier 'n duidelike sosio-ekonomiese en politieke nedersettingsgroep ontstaan wat nie alleen fassinerende navorsingsgeleenthede bied nie maar waarvoor in die toekoms op ander wyses beplan sal moet word as in die verlede. Gedeeltes van hierdie nedersetting (na raming tussen 1,5 en 2 miljoen) bevind hulle op die 'brug' tussen stedelik en plattelands maar die oriëntering is toenemend stedelik en hulle word sosio-ekonomies al meer deel van die stedelike eerder as plattelandse sisteme sodat daar derhalwe vir hulle in dié opsig beplan moet word.

Insiggewende werk wat reeds deur die Universiteit van Natal gedoen is, is deur Schlemmer en Möller (1981) saamgevat; hulle merk tereg op (1981:25) dat 'socially, politically, economically and demographically, the settlers on the peri-urban fringe are clearly distinct from the formal township dwellers, rural subsistence peasants and migrant contract workers from KwaZulu working in the cities.' Om vir hierdie nedersetters volgens dieselfde norme as vir dié in die meer formele stedelike nedersettings te beplan, sal 'n groot fout wees.

Hierdie nedersettings het ook daartoe aanleiding gegee dat instromingsbeheermaatreëls en veral die klousule van 72-uur al moeiliker toegepas kan word. In die konsepwetgewing oor Ordelike Verstedeling en Vestiging van Swartes waar instromingsbeheer hoofsaaklik aan die beskikbaarheid van werk en woonplek gekoppel word, is spesifiek vir pendelaars voorsiening gemaak. Weens behuisingstekorte in metropolitaanse gebiede kan dit natuurlik daartoe lei dat werkers toenemend in stedelike gebiede in nasionale state plak. Regulasie R293 van 1962 maak dit tans nog moeilik vir die private sektor of individue om huisvesting in die nasionale state eerder as in Blanke stedelike gebiede te voorsien.

Die lekkasie van koopkrag uit die stedelike gebiede in nasionale state na nabygeleë Blanke stedelike gebiede beïnvloed nie alleen die handelstrukture in Blanke stedelike gebiede nie maar lei ook daartoe dat Blankes in plekke soos Pretoria, Pietersburg, Rustenburg, Tzaneen, Oos-London, ensovoorts toenemend van *Swart verdringing* praat. In die opsig het 'n interessante tweeslagtigheid ontwikkel. Die gewone Blanke koperspubliek protesteer teen te veel Swartes in veral die sentrale sakekerne, terwyl baie stedelike funksies as gevolg van dalende Blanke bevolkingsgetalle (in die kleiner plattelandse dorpe) nie kan voortbestaan indien daar nie op die toenemende koopkrag van Swartes staatgemaak word nie. Dit sal interessant wees om te sien watter invloed die beplande sentrale sakekern te Jabulani in Soweto, waar Checkers byvoorbeeld 'n R37 miljoen koopsentrum gaan oprig, op die kooppatrone van Swartes in die sentrale sakekern van Johannesburg sal uitoefen (Financial Mail, 1983 – 01 – 07:4).

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In die derde plek is daar aanduidings dat die tradisionele stelsel van trekarbeid toenemend 'n metamorfose ondergaan. Nattrass (1975) het aangetoon dat trekarbeiders in die periode 1946 tot 1970 proporsioneel in belangrikheid toegeneem het. Die private sektor word al hoe meer bewus van die noodsaaklikheid om deur middel van behuisingsvoorsiening groter stabiliteit in die arbeidsmag teweeg te bring. Tegnologiese ontwikkeling en meganisasie vereis dat meer geskooldes en halfgeskooldes op 'n permanente basis geëmplojeer word. In dié opsig is dit interessant om daarop te let dat 'n kommissie onder die voorsitterskap van Sir Godfrey Lagden reeds in 1905 aanbeveel het dat Swart mynwerkers aan die Witwatersrand op 'n familiebasis gehuisves word (Welsh, 1971:180). Die stelsel is egter weens sterk teenkanting van die mynhuise nooit aanvaar nie omdat hulle dan nie meer regstreekse beheer oor die arbeiders sou hê nie. Twintig jaar later is nog 'n poging aangewend vir sodanige behuising weens die sosiale implikasies van die saamwoon van manlike trekarbeiders. Die saak het egter skipbreuk gely omdat daar nie voldoende geld was om grond vir gesinshuisvesting naby die myne aan te koop nie. Vyf-en-dertig jaar later kon die myne nog nie hul arbeiders op 'n gesinsbasis vestig nie maar toe was dit die owerheid wat dit verbied het. Een van die Vrystaatse mynmaatskappye het so 'n poging aangewend maar dit is deur die regering gekeer. By enkele steenkoolvelde het dit wel gebeur maar alle pogings om Swart arbeiders by die diamant- en goudmyne op 'n gesinsbasis te vestig, het misluk. Later is verlof verkry om drie persent van die Swart arbeidsmag wat as kernpersoneel geïdentifiseer word op 'n gesinsbasis by die myne te vestig.

Die res moet nog op 'n enkellopende basis gevestig word en waar myne binne 'n funksionele afstand van stedelike Swart woonbuurtes geleë is, kan hulle daar gevestig word.

Feit is egter dat daar teen 1970 slegs een persent van die Swart mynwerkers gestabiliseer was (Lipton, 1980:107). Die sewentigerjare sou egter drastiese veranderinge bring. Die styging in die goudprys vanaf 1971, gebeurtenisse wat daartoe gelei het dat vreemde Swartes veral uit Malawi en Mosambiek drasties verminder het en grootskaalse onluste op goudmyne sou verandering verhaas. Baie myne wil arbeid stabiliseer deur tien persent van die werkers van gesinshuisvesting te voorsien. Nuwe tegnieke het dit onnodig gemaak om arbeiders op die diamantmyne vir sekuriteitdoeleindes in kampongs te vestig. 'n Goeie voorbeeld hiervan is De Beers se projekte by Kimberley waar gesinshuisvesting daartoe gelei het dat die aandeel van trekarbeiders tot die arbeidsmag van 86% in 1970 tot 38% in 1979 gedaal het (Lipton, 1980:119).

Die afskaffing van werkreservering veroorsaak nie alleen dat stedelike Swartes toenemend vertikale mobiliteit in die arbeidsmark ondervind nie maar die feit dat Swartes tussen stedelike gebiede mag beweeg sonder om artikel 10-regte te verloor, veroorsaak toenemende horisontale mobiliteit (Smit & Kok, 1981). Dit sal in die toekoms verreikende implikasies hê.

Die feit dat 29% van die stedelike Swart bevolking jonger as 15 jaar is teenoor 46% van die nie-stedelike Swartes en 48% van Swartes in nasionale state kan hoofsaaklik aan twee redes toegeskryf word. Eerstens het navorsing getoon dat geboortekoerse onder Swartes in stedelike gebiede 'n afname toon (Kyk onder andere Lötter & Van Tonder, 1976). Twyfel oor die betroubaarheid van bevolkingsensusse en die feit dat die definisie van 'stedelik' in 1980 verander het, bemoeilik analises van die groei van die stedelike Swart bevolking. Klinklare bewyse ontbreek oor hoe die Swart bevolking in 'n vinnige verstedelikingsproses ten opsigte van geboortekoerse sal reageer. In sekere Afrikalande het verstedeliking geboortekoerse laat toeneem terwyl daar by ander definitiewe afnames bespeur is (Caldwell, 1968; Blacker, 1968). Die daling in geboortekoerse by Swartes wat in sekere stedelike gebiede waarneembaar is, het egter die verwagting geskep dat natuurlike aanwas vinnig sal afneem. Daling in sterftekoerse veral onder kinders as gevolg van beter mediese dienste en beter lewensomstandighede, kanselleer tot 'n groot mate die invloed van 'n dalende geboortekoers en derhalwe sal natuurlike aanwas in die volgende twee dekades hoog bly (kyk in dié verband veral die werk van Cilliers & Groenewald, 1982).

Die tweede rede waarom daar proporsioneel minder kinders in stedelike gebiede is, moet daaraan toegeskryf word dat ouers dikwels hul kinders na familie en grootouers in die nasionale state stuur sodat albei kan verdien. In die verlede is sekondêre skoolvoorsiening oorwegend in die nasionale state verskaf en baie ouers moes noodwendig hulle kinders daarheen stuur. Tydens die onluste van 1976 en ook daarna het baie kinders uit stedelike gebiede uitgewyk en dit verklaar waarom 'n kleiner persentasie as in 1970 in die ouderdomsgroep onder 15 jaar in 1980 getel is. Na 1976 het die toestand dramaties verander en dit behoort die demografiese struktuur in die toekoms te beïnvloed om 'n nog meer normale profiel aan te neem.

In die laaste instansie is die Swart bevolking se lewensverwagting besig om vinnig te styg. Die aantal ouer persone maak 'n al groter deel van die Swart bevolking uit. Alhoewel syfers toon dat daar 'n persentuele afname van die Swart bevolking in stedelike gebiede sedert 1970 merkbaar is en daar later aangetoon sal word dat stedelike Swartes 'n sterk begeerte het om in nasionale of onafhanklike state af te tree, sal die absolute toename in getalle groot laste op stedelike gebiede plaas om die persone sosiaal te akkommodeer.

3. Enkele sosio-ekonomiese indikatore

Die dispariteit in persoonlike inkomste, geletterdheid, gesondheidsdienste en algemene welsyn tussen stedelike en plattelandse Swartes is goed bekend — alhoewel dit dikwels op baie onbetroubare data berus en ongelukkig met baie emosie aangebied word. Eerder as om in detail op dié aspekte in te gaan, word gepoog om enkele tendense aan te toon. Vir dié doel is hoofsaaklik gesteun op werk wat deur die Buro vir Marknavorsing en die Sentrum vir Toegepaste Maatskaplike Wetenskappe aan die Universiteit Natal gedoen is, asook op volume VI van die verslag van die Buthelezikommissie, gegewens van die 1980-sensus en my eie veldwerk wat tot 1980 uitgevoer is en grootliks ongepubliseer is. In dié verband is dit goed om te onthou dat veralgemenings en gemiddelde syfers met die grootste omsigtigheid gehanteer moet word.

Die stedelike Swart bevolking bestaan uit 'n breë strata Swartes met groot variasies van leefwyses, gewoontes en aanpassings by die stedelike milieu [kyk in dié verband Van der Horst (1964:43) wat nie verstedeliktes van trekarbeiders kon onderskei nie; Dubb (1974:147) wat geen empiriese bewyse van ontstamming kon vind nie; Swart (1979:64 – 76) wat bevind het dat 30% van diegene wat langer as 20 jaar in Soweto woon, hulle leefwyse nog as tradisioneel beskou en Smit & Booysen (1983:5 – 6) wat op hierdie verskille wys]. Schlemmer (1982:6) onderskei byvoorbeeld onder andere

vier groepe in stedelike gebiede, naamlik wettiges met artikel 10-regte, wettige onwettiges wat hulle status op informele wyse geformaliseer het, onwettige onwettiges en wettige trekarbeiders wat toestemming het om buite die hostels te woon. Daar word volmondig met Schlemmer (1982:10) saamgestem dat 'what we have in South Africa is very much a continuum of rural to urban characteristics, along which there is a very great deal of overlap between people who are formally classified as rural and those whom we regard as urban blacks.'

Enkele van bostaande kan verder toegelig word met resultate uit verskeie opnames deur die Sentrum vir Toegepaste Maatskaplike Wetenskappe aan die Universiteit van Natal. Die resultate is deur Schlemmer (1982) saamgevat en word met die nodige omsigtigheid deur hom aangebied. Daar moet derhalwe daarteen gewaak word dat te wye veralgemenings van hierdie steekproefopnames gemaak word. Enkele breë aanduidings van houdings en persepsies van stedelike Swartes tree egter na vore. 'n Groep trekarbeiders in die Durbangebied het byvoorbeeld aangetoon dat hulle:

— Aspirasies om permanent te verstedelik relatief beperk is. Slegs ongeveer 25% het 'n begeerte openbaar om vir hulle werkleeftyd in stedelike gebiede te woon en hiervan wou minder as 10% na aftrede in die stedelike gebiede woon. In 'n meer onlangse opname (Schlemmer 1982:10) in KwaZulu en Natal is gevind dat soveel as een-derde van dié wat as stedelikes woon, verwag om na plattelandse gebiede te gaan wanneer hulle te oud is om te werk.
— Nie baie begerig is dat hul families saam met hulle kom woon nie. Trouens minder as 14% van die Zoeloes en meer as 25% nie-Zoeloes in die opname het 'n begeerte om hulle familie saam met hul te hê. Oor die algemeen was hul persepsie van die stedelike gebied ongunstig. Die jonger trekarbeiders toon egter 'n neiging om makliker by stedelike leefwyse aan te pas.

Ander interessante gegewens wat uit opnames deur Schlemmer gerapporteer word, is dat ongeveer 50% van die Swart stedelinge aan die Witwatersrand en net meer as 70% in stedelike gebiede in KwaZulu en Natal familie of afhanklikes op die platteland het. In die metropolitaanse gebiede van Natal het 47% van die Swartes òf grond òf beeste òf 'n huis op die platteland van KwaZulu. 'n Oorweldigende meerderheid het aangetoon dat 'n goeie pensioen of die moontlikheid om 'n huis te besit, nie genoegsaam is om hulle van hul grond op die platteland te laat afsien nie. Hierdie bevindinge is in ooreenstemming met resultate wat byvoorbeeld in opnames van die RGN (1978, 1980) en deur my eie opnames veral in en om Pretoria, verkry is. Alles dui daarop dat *ekonomiese redes* (vir voortbestaan en/of verbetering van posisie) die sterkste dryfvere vir verstedeliking is (Schlemmer, 1982:12). Dit word deur talle studies onderskryf (kyk byvoorbeeld Nattrass, 1982:2). Feit is dat inkomste in die groter stedelike gebiede in verhouding 2:1 met dié in plattelandse gebiede van meeste nasionale state is. Die verhouding is in enkele gevalle wel soveel as 5:1. Daar word saamgestem dat die 'bright lights' van stede wat dikwels as rede vir verstedeliking aangetoon word, vir baie trekarbeiders en plattelandse Swartes as gevolg van die voorkoms van misdaad, onsekerheid, ensovoorts, waarmee stedelike gebiede geassosieer word, eerder as afskrikmiddel dien. Dit is dus onwaarskynlik dat al die gesinne of al die gesinslede die 1,3 miljoen trekarbeiders na die Blanke gebiede sal volg indien toestromingsbeheer afgeskaf word.

Daar is in die jongste tyd egter 'n neiging by trekarbeiders om uit hostelle te gaan en in plakkersgebiede soos Kruispad te gaan woon waar hul families by hulle aansluit of reeds gevestig is. Ander trekarbeiders gaan woon in informele nedersettings in nasionale state wat aan Blanke stedelike gebiede grens en word pendelaars. Natuurlike woon hulle in dié gebiede in gesinsverband. Nattrass (1982:15) stel dit dat indien die helfte van die pendelaars uit die trekarbeidsisteem breek en hul families by hulle aansluit '. . . it would involve an increase in the number of Africans in the major centres of up to 2 500 000 people.' Hierdie proses kan redelik vinnig geskied en dit sal die plakkertoestande baie vererger.

Nel (1982) toon aan dat die gemiddelde reële inkomste van Swart meervoudige huishoudings in Johannesburg vanaf 1962 tot 1975 met 62% gestyg het en dat die reële inkomste per kop met 78% toegeneem het. Vanaf 1975 tot 1980 was daar by sekere inkomstegroepe egter 'n afname in reële inkomste en die meervoudige huishoudings in die inkomstegroep R0 – 1 199 (teen 1980-pryse) het van 13% in 1975 tot 20% in 1980 gestyg. Daar was egter in dieselfde tydperk 'n toename in die persentasie huishoudings in die inkomstegroep bokant R4 500. Nel stel derhalwe dat 'between 1975 and 1980, one section of the population became more prosperous, while another became poorer.' Die opname het verder getoon dat die persentasie meervoudige Swart huishoudings in Johannesburg met 'n inkomste benede die minimum bestaanspeil van 20,8% in 1973 tot 28,6% in 1980 gestyg het. Die persentasie van die huishoudings se besteding aan vleis en vis het byvoorbeeld gedaal, terwyl dié aan graanvoedsel toegeneem het. Johannesburg was 'n uitsondering in die PWV-kompleks waar lewenspeile origens gestyg het. In Johannesburg het bevolkingsgroei vinniger as werksgeleenthede plaasgevind en derhalwe het werkloosheid toegeneem.

Wat bestedingspatrone betref, is dit interessant om daarop te let dat stedelike Swartes proporsioneel 'n relatief klein gedeelte van hul inkomste aan huisvesting spandeer. In 1980 het Swartes in die Vaaldriehoek byvoorbeeld 9,5% van hul huishoudelike besteding aan behuising en elektrisiteit spandeer, terwyl dit 9,0% in Pretoria en 10,5% in Durban was. Hierteenoor het Kleurlinge in die Kaapse Skiereiland 23,3% aan dié items spandeer (Schlemmer, 1982:27). Die maandelikse huurgeld was byvoorbeeld R42 in Johannesburg, R50 in die Vaaldriehoek, R25 in Port Elizabeth en R18 in Kaapstad teen September 1982 (Instituut vir Beplanningsnavorsing, Universiteit van Port Elizabeth).

Uit ongepubliseerde syfers wat deur die Buro vir Marknavorsing verskaf is, blyk dit egter hoe skeef die verdeling ten opsigte van besteding en inkomste is. In 1980 het Swart huishoudings in Johannesburg in die inkomstegroep R0 – 999 per jaar 17,9% van hul inkomste aan huisvesting bestee, terwyl die groep met 'n inkomste van meer as R8 000 per jaar slegs 5,2% daaraan bestee het. Die rede hiervoor is dat die huis en nie die persoon nie in die verlede gesubsidieer is.

Ten opsigte van huisvesting kan die volgende opgemerk word. Verskeie ramings bestaan oor die tekort aan huisvesting vir stedelike Swartes wat tussen 300 000 en 500 000 wooneenhede wissel. Baie hiervan is onrealisties omdat hulle nie rekening hou met die werklike behoeftes van Swartmense en die vermoë van die mense om vir huisvesting te betaal nie. In die toekoms sal die klem toenemend moet val op tipe huisvesting waarvoor Swartes bereid is om te betaal en wat hulle self kan oprig.

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Daar is oorweldigende bewyse (Energos, 1982; Human, 1981) dat behuising baie hoog op die prioriteitslys vir stedelike Swartes staan. Gedifferensieerde stedelike ontwikkeling is redelik resent en stedelike Swartes het tot dusver min geleentheid gehad om sosiale sukses in 'n eie huis uitdrukking te laat vind. Schlemmer (1982:4) merk tereg op dat 'without the home as an opportunity of substantial and enduring expression of achievement, what happens to motivation in our system?' Die hele stelsel dat die staat alle huisvesting moet voorsien saam met tradisionele sienings ten opsigte van gebruiksreg het daartoe gelei dat eiendomsreg en huurpag tot 'n groot mate vir stedelike Swartes vreemd is. Voorafgaande saam met 'n gebrek aan opgemete erwe, die feit dat huisvesting geweldig gesubsidieer is en nie op 'n ekonomiese grondslag voorsien word nie asook die feit dat 'n huis baie duurder onder die 99-jaar huurpag as die huiseienaarskema is, het daartoe gelei dat die 99-jaar huurpagskema baie stadig by stedelike Swartes posgevat het. Sedert die inwerkingtreding van die 99-jaar huurpagstelsel in 1978 tot 31 Mei 1981 is slegs 1 522 huise verkoop. Daar is egter aanduidings dat die stelsel al vinniger posvat. In baie Swart woonbuurte is meer as 70% van die huise reeds onder die huiseienaarskema verkoop.

Indien eiendomsreg nie ingestel word sodat belasting gehef kan word nie, sal Swart plaaslike owerhede (volgens die Wet op Swart Plaaslike Bestuur van 1982) feitlik geen ekonomiese basis en derhalwe min selfstandigheid, besit. Alhoewel die 99-jaar huurpag in ander dele van die wêreld (bv. Londen) net so goed as eiendomsreg (Edinburgh) funksioneer, beskou Swartes dit grootliks as tweedeklasbesit. Die subsidering van huisvesting staan ook in die weg van meer huisbesit, want die maandelikse paaiemente is baie meer wanneer huise gekoop word as wat dit gehuur word.

Soos in baie ander lande van die wêreld val die klem, veral na die onluste van 1976, te veel op die sogenaamde probleemgebiede soos Soweto. Smit en Booysen (1983) het dit byvoorbeeld duidelik geïllustreer deur te wys hoe stedelike dienste veral in die metropolitaanse gebiede baie beter as in die plattelandse dorpe is. Die huiseienaarskema, die 99-jaar huurpagstelsel, die feit dat die private sektor huisvesting vir Swartes in stedelike gebiede kan voorsien, terwyl daar nog hindernisse is (bv. regulasie R293 van 1962) om huisvesting deur die private sektor in die nasionale state te laat oprig, verhoog die dispariteit nog meer. Verder verleen die Wet op Swart Plaaslike Bestuur nr. 102 van 1982 inspraak vir stedelike Swartes in plaaslike aangeleenthede wat veel hoër is as wat in stedelike gebiede in nasionale state die geval is. Regerings van nasionale state is oor die algemeen huiwerig om plaaslike bestuursmagte aan stedelike gebiede in nasionale state toe te ken. Indien hierdie dispariteite nie reggestel word nie, sal soos later aangetoon word, die groot meerderheid nuwe stedelinge na die metropolitaanse gebiede stroom.

'n Ontleding van die onderwyspeil toon duidelik hoe die geskooldes van die platteland na die stedelike gebiede stroom om dispariteit verder te verhoog. Teen 1970 het drie keer meer stedelike as plattelandse Swartes sekondêre of nasekondêre opleiding gehad. In stedelike gebiede is Swartes besig om al meer aan die proses van vertikale arbeidsmobiliteit deel te neem. Hulle persentuele aandeel in die handel, finansies en dienstebedrywe het relatief vinnig toegeneem.

4. Enkele politiek-staatkundige aanwysers

Uit voorafgaande is dit duidelik dat die 5 324 300 stedelike Swartes in die Blanke gedeelte van Suid-Afrika onder andere:

- by verre die hoogste geskooldheid besit;
- die grootste inkomste *per capita* het en dat die inkomstegaping tussen dié in stedelike gebiede en dié in nasionale state steeds vergroot;
- die hoogste aspirasies ekonomies en andersins waarskynlik in die stedelike gebiede aanwesig is en 'n steeds stygende neiging toon;
- stedelike Swartes se permanentheid toenemend deur die verkryging van artikel 10-regte, die 99-jaar huurpag, instelling van gemeenskapsrade en Swart plaaslike besture bevestig word;
- daar sterk kulturele, sosiale en ekonomiese bande met die nasionale state bestaan. Hierdie *gebondenheid* moet nie met *politieke gewilligheid* om aspirasies via nasionale state se regerings uit te leef, verwar word nie. Alhoewel daar geen empiriese bewyse bestaan nie, is daar 'n groot waarskynlikheid dat stedelike Swartes nog meer met nasionale state sal assosieer as hulle (a) groter bestaansekerheid in Blanke stedelike gebiede kry en (b) politieke koppeling nie so sterk geforseer word nie.

Die staatkundige ontwikkeling van die nasionale state, onafhanklikheidswording van Transkei, Bophuthatswana, Venda en Ciskei saam met die konstitusionele prosesse vir Blankes, Kleurlinge en Asiërs het die stedelike Swart bevolking se posisie telkens in die kalklig gebring en seker nie net tot 'n geringe mate bygedra om aspirasies lewendig te hou of te laat styg nie.

Die pogings tot koppeling tussen stedelike Swartes en dié in nasionale state wat veral sedert 1959 toenemend aandag gekry het, het grootliks in die lug bly hang. Olivier (1982:70 – 92) gee 'n redelik volledige oorsig oor hierdie pogings.

Tot 1961 is Swartes slegs op adviserende wyse by plaaslike bestuursaangeleenthede betrek. Die Wet op Gemeenskapsrade van 1977 het vir groter magte, regte en funksies voorsiening gemaak. Die instel van gemeenskapsrade en die beheer wat stedelike Swartes daardeur oor plaaslike aangeleenthede verkry het, het die permanentheid van stedelike Swartes bo alle twyfel bevestig (Breytenbach, 1980:159). In dié opsig is dit belangrik dat burgers van die TBVC-lande wat onafhanklik geword het en dus uit 'n burgerskapoogpunt as vreemdelinge in die RSA beskou kan word, inspraak oor plaaslike aangeleenthede op die RSA-grondgebied verkry het.

Dit is tog betekenisvol dat die regering in 1980 bereid was om onder druk van Kleurlinge en Indiërs om nie aan die Presidentsraad deel te neem nie, ' 'n raad wat bestaan uit Suid-Afrikaanse burgers' te oorweeg (Debatte van die Volksraad 1980:kol. 7954/55). Na onderhandelings met Swart leiers is die gedagte laat vaar (Smit & Booysen 1983:34).

Enige poging tot koppeling moet met die volgende feite rekening hou:

- Vanweë toenemende interne migrasie en inter-etniese huwelike is geografiese pluralisme besig om toenemend te verdwyn (Smit, 1982). Meer as 60% van die stedelike Swart bevolking woon in die vier groot metropolitaanse gebiede waar etnies-homogene gebiede al minder onderskeibaar is. Om stedelike Swartes dus op 'n geografiese grondslag (bv. deur kiesafdelings) met wetgewende vergaderings in nasionale state te verbind, is nie prakties moontlik nie. Dieselfde probleme word met ekstra-

territoriale magte wat aan nasionale state in Blanke stedelike gebiede voorgestel word, ondervind.
— Regerings in nasionale state is sterk op tradisionele gesagstrukture gebou wat vir veral jong stedelike Swartes met hoër opvoedkundige kwalifikasies, onaanvaarbaar is. Tot 'n mate reflekteer die stryd tussen moderne en tradisionele wat so sterk in sommige Afrikalande na vore gekom het ook tussen stedelike Swartes en dié in nasionale state.
— Tot dusver was stedelike Swartes se deelname aan verkiesings in nasionale state gering. Tot 1978 het Swartes buite die nasionale state se stemme gemiddeld slegs 9% uitgemaak van die totale uitgebragte stemme in 14 verkiesings vir wetgewende vergaderings in nasionale state.
— Alhoewel verkiesings vir gemeenskapsrade aanvanklik in veral groter metropolitaanse gebiede geboikot is, toon deelname 'n stygende tendens en teen 1980 het dit gemiddeld meer as 40% beloop.

Dit is miskien nie vergesog nie om die afleiding uit al die voorafgaande (insluitende persepsies oor behuising, ens.) te maak dat plaaslike aangeleenthede wat die daaglikse welsyn raak vir die huidige 'n belangriker prioriteit is as 'hoër' politieke skakeling. Die min entoesiasme vir verkiesings in nasionale state mag natuurlik 'n refleksie wees dat stedelike Swartes dit òf verwerp òf dat dit nie die verbeelding aangryp nie.

Die implementering van die Wet op Swart Plaaslike Bestuur waardeur groter bevoegdhede as Blanke stadsrade verkry kan word, mag op die kort termyn die aspirasies tot inspraak oor aangeleenthede wat hul leefwyse raak, tot 'n mate bevredig mits dit aan die volgende vereistes voldoen:
— 'n Eie finansieringsbasis kan vind wat hulle toenemend van befondsing vanaf die sentrale owerheid losmaak. Sonder eiendomsreg en belastings wat gehef kan word, sal dit moeilik bereik word. Die ou argument dat stedelike Swartes nie grond mag besit en eiendomsbelasting moet betaal nie omdat hulle dan kan aandring op 'no taxation without representation' is reeds deur die Wet op Gemeenskapsrade ongeldig gemaak.
— Plaaslike aangeleenthede effektief kan bestuur. Soos in die res van Afrika sal Swart plaaslike owerhede ook met 'n leierskapskrisis op plaaslike bestuursvlak te doen kry (El-Shakhs, 1974:41). Die Komitee van Ondersoek na Finansies van Plaaslike Besture in Suid-Afrika (1980:125) het hierdie administratiewe probleme beklemtoon en het aanbeveel dat opleiding van Swartes in plaaslike bestuursaangeleenthede hoë prioriteit kry.
— Die mate waartoe Swart plaaslike besture in veral metropolitaanse gebiede suksesvol met Blanke stadsrade kan onderhandel oor gemeenskaplike aangeleenthede byvoorbeeld, vervoer, water, elektrisiteit, ensovoorts. Hierdie skakeling kan moontlik na streeksvlak uitgebrei word.

Suksesse wat hier behaal word, sal baie help om voorbehoude en twyfel uit die weg te ruim vir hierdie plaaslike owerhede om 'hoër op' te skakel — en hiervoor is daar byvoorbeeld in die konfederale verband 'n hele aantal opsies.

5. Die tempo en rigting van verstedeliking

Gesien die feit dat slegs 38% van die totale Swart bevolking van die RSA (TBV-lande uitgesluit, maar Ciskei ingesluit) en slegs 17% van dié in selfregerende nasionale state verstedelik is teenoor 77% van die Kleurlinge, 89% van die Blankes en 91% van die Asiërs, instromingsbeheer daartoe gelei het dat Suid-Afrika tot 'n mate *onderverstedelik* is, die geweldige opvoedkundige programme wat geloods word, ensovoorts kan verwag word dat verstedeliking teen 'n ongekende tempo sal toeneem. Verskeie ramings is gedoen, maar dit lyk realisties dat in die historiese Suid-Afrika (TBVC-lande ingesluit) minstens 15 miljoen addisionele Swartes na stedelike gebiede voor die einde van die eeu sal kom. Ons sal die proses nie kan stop nie en kan slegs pogings aanwend om dit sinvol te rig. *Dit is duidelik dat ons hierdie nuwe Swart stedelinge nie volgens vorige konsepte en bestaande standaarde en regulasies sal kan akkommodeer nie.*

Smit en Booysen (1983) het aangetoon dat indien huidige tendense voortduur, meer as 75% van die nuwe stedelinge na ons metropolitaanse gebiede sal stroom. Selfs al is die desentralisasiebeleid baie suksesvol, sal die groot meerderheid na die vier groot metropolitaanse gebiede kom.

Verstedeliking in feitlik alle lande van die wêreld lewer geweldige sosio-ekonomiese en politieke probleme. Suid-Afrika is nog nie ten volle bewus van die geweldige kragte wat deur die verstedelikingsproses ontketen word nie. Dit sal jammer wees as verstedeliking toenemend 'n politieke speelbal gemaak word. In dié verband kan almal in Suid-Afrika dit ter harte neem dat die VVO (1976:24) dit stel dat ontwikkelende gemeenskappe se verwagtinge van verstedelingsprosesse neig om hoër te wees as die vermoë van die politieke stelsel om hulle te verwesenlik. Juis wanneer swak toestande (veral onder druk) vinnig verbeter word, styg die verwagtinge so vinnig dat dit op die rand van 'n revolusie neig.

Summary

The object of this paper is to point out some of the most important socio-economic and political problems pertaining to the urban Black population of South Africa.

Considering the fact that Black urbanization is the most important socio-economic and political phenomenon in South Africa it is surprising how little is known about the urban Black population. Some of the reasons for the poverty of information on this subject are the difficulty of unfettered access to field areas. Few in-depth studies of Black urbanization have been made and very little is known about such important matters as the pace of Black urbanization, the aspirations, perceptions and preferences of urban Blacks.

There is overwhelming evidence that the urban Black population is gradually taking on a normal demographic profile. The urbanization process in South Africa has developed exactly according to the Vennetier model, i.e. (i) male dominance; (ii) increase of females; (iii) increase of children. The increasing number of women living in the urban areas has had the following consequences:
— Their presence in the cities has kept the men from visiting the national states regularly.
— The urbanization process has assumed a more permanent character.
— Black births in urban areas increased and natural growth has started to play an important role in the growth of urban populations.
— Black children born in urban areas increasingly start to consider themselves as permanent inhabitants of the cities.

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The mobility of the Black population has also assumed a new form during the past number of years. Black urban settlements have developed on the fringes of the White urban areas and commuting between these Black urban settlements and the White cities have increased. This has led to a considerable decrease in the flow of Black migrant contract workers to the White urban areas. The birth rate of Blacks in urban areas has decreased but so has the infant mortality rate with the overall result that the urban growth rate has remained high.

The levels of personal income, literacy, health services and general well-being between urban and rural Blacks differ considerably. But Black urban dwellers also differ considerably amongst themselves. 'What we have in South Africa', according to Schlemmer and Möller, 'is very much a continium of rural urban characteristics, along which there is a very great deal of overlap between people who are formally classified as rural and those whom we regard as urban blacks.'

Urban Blacks still have strong links with the national states. The majority of urban Blacks prefer to return to their national states after retirement and most of the migrant contract workers prefer to leave their families in the national states. The new home-ownership scheme introduced by the government could change this substantially. The majority of urban Blacks are eager to own their own houses. Owned houses can also be taxed which would provide a steady income for the Black urban authorities, in turn, would enable them to provide more meaningful services to their communities.

Due to increasing inter-ethnic marriages geographic pluralism is decreasing in Black urban areas. More than 60% of the urban Black population is living in the four major metropolitan areas where ethnic homogeneous areas are gradually disappearing.

The participation of urban Blacks in elections in the national states has been very small. In 1978 less than 9% urban Blacks voted in elections in the national states. Although the elections of community councils in the urban areas have initially been boycotted an increase in voting percentage has been noticeable recently. In 1980 more than 40% Blacks voted in community council elections. Local affairs seem to be more important presently for urban Blacks than their political ties with the national states.

There can be no doubt that, for the foreseeable future, the process of urbanization will not only continue but also accelerate. At least 15 million more Blacks will immigrate to the urban areas before the end of this century. This process cannot be stopped, it can only be directed in a meaningful way. In view of this, imaginative planning will be needed to accommodate these new Black city dwellers. Previous concepts pertaining to influx control and housing will just not do any longer. As in other countries the influx of rural people could unleash tremendous socio-economic and political problems — problems which can only be averted by sensible planning.

Verwysings

Blacker, J.G.S. 1968. Population and economic development: the role of family planning in African development. *Proceedings.* Nairobi: Institute of Planned Parenthood.

Blacking, J.A.R. 1970. The current state of anthropological research in the Transvaal. *Bulletin of the African Studies Association of the U.K.* Special edition.

Breytenbach, W.J. 1980. Changes in South African society. *South African International,* **10**(3). Johannesburg: South Africa Foundation.

Caldwell, J.C. 1968. *Population growth and family change in Africa.* Canberra.

Cilliers, S.P. & Groenewald, C.J. 1982. *Urban growth in South Africa (1936 – 2000): demographic overview.* Occasional Paper no. 5. University of Stellenbosch: Department of Sociology.

Clarke, J.I. 1972. The mechanism of growth and general characteristics of demographic structures. *La Croissance Urbaine et Afrique Noire et a Madagascar.* Paris: Centre National de la Recherche Scientifique.

Dubb, A.A. 1974. The impact of the city. Hammond-Tooke, W.D. (Ed.). *The Bantu speaking peoples of South Africa.* London: Routledge and Kegan Paul.

Energos. 1982. Public Affairs Department, Mobil, South Africa.

El Shakhs, S. 1974. *Urbanization, national development and regional planning in Africa.* New York: Praeger.

Financial Mail. 7 January 1983: 4.

Friedmann, J. 1973. *Urbanization, planning and national development.* Beverley Hills: Sage Publications.

Hammond-Tooke, W.D. 1970. Anthropology at English-language South African Universities. *Bulletin of the African Studies Association of the U.K.* Special edition.

Hellmann, E.1935. Native life in a Johannesburg slum yard. *Africa.* **8.**

Human, P. 1981. Quality of life in Soweto: a sociological view. Pretoria: Sentrum vir Sosiologiese Navorsing, Universiteit van Suid-Afrika (Ongepubliseerde verslag).

Kileff, C. & Pendleton, W.C. 1975. *Urban man in Southern Africa.* Gwelo: Mambo Press.

Komitee van Ondersoek na die Finansies van Plaaslike Besture in Suid-Afrika. 1980. Verslag R.P.51/80. Pretoria: Staatsdrukker.

Lipton, Merle. 1980. Men of two worlds: migrant labour in South Africa. *Optima,* **29**(2/3): 72 – 201.

Lötter, J.M. & Van Tonder, J.L. 1976. *Fertility and family planning among Blacks in South Africa.* Pretoria: HSRC.

Mastoroudes, C.C. 1982. *Die geraamde getal trekwerkers vanaf die nasionale state in die RSA werksaam 1970 – 1981.* Pretoria: BENSO.

Mayer, P. 1961. *Townsmen or tribesmen.* Cape Town: Oxford University Press.

Mayer, P. 1970. The current state of anthropological research in South Africa. *Bulletin of the African Studies Association of the U.K.* Special edition.

Nattrass, Jill. 1975. *The migrant labour system and South African economic development, 1936 – 1970.* Durban: Universiteit van Natal (Ongepubliseerde PhD-proefskrif).

Nattrass, Jill. 1982. *The dynamics of urbanisation in South Africa.* Durban: Development Studies Unit, University of Natal.

Nel, P.A. 1982. *Changes in the income and economic welfare of Black multiple households in Johannesburg, 1962 – 1980.* Pretoria: Bureau of Market Research, University of South Africa.

Olivier, M.P. 1982. Enkele aspekte van die regsposisie van Swart mense in die Blanke gebied. *Tydskr. Rasse-aangeleenthede,* **33**(3). Pretoria: SABRA.

Pauw, B.A. 1963. *The second generation.* Cape Town: Oxford University Press.

Rome declaration on Population and the Urban Future, 1980. *International conference,* 1 – 3 August, Rome.

Schlemmer, L. 1982. *Black urbanisation: some preliminary considerations for policy.* Durban: Centre for Applied Social Sciences, University of Natal.

Schlemmer, L. & Möller, V. 1981. *Informal peri-urban communities and planning needs.* Durban: Centre for Applied Social Sciences, University of Natal.

Sentrale Statistiekdiens. 1982. *Steekproeftabellasie; maatskaplike eienskappe.* Verslag no. 02 – 80 – 02. Pretoria: Staatsdrukker.

Smit, P. 1982. Die plurale bevolkingsamestelling in die RSA. Van Vuuren D.J. & Kriek, D.J. (Reds.). *Politieke alternatiewe vir Suider-Afrika.* Johannesburg: Macmillan.

Smit, P. & Booysen, J.J. 1983. *Swart verstedeliking: proses, patroon en strategie.* Tweede uitgawe. Kaapstad: Tafelberg Uitgewers.

Smit, P. & Kok, P.C. 1981. *Bevolkingsherverspreiding in die RSA (1970 – 1980): ontledings van die voorlopige 1980-sensusgegewens.* Verslag no. S-82. Pretoria: RGN.

Swart, C.F. 1979: *Swartbehuising.* Deel 1. Johannesburg: Instituut vir

Stedelike Studies, Randse Afrikaanse Universiteit.

Van der Horst, S.T. 1964. *African workers in town: a study of labour in Cape Town*. Cape Town: Oxford University Press.

Verenigde Volkere Organisasie. 1976. *Housing policy guidelines for developing countries*. New York.

Welsh, D. 1971. The growth of towns. Wilson, M. & Thomson L. (Eds). *The Oxford history of South Africa: South Africa (1870 – 1966)*. Volume II. London: Clarendon Press.

Wiehahn, N.E. 1979. *Verslag van die Kommissie van ondersoek na Arbeidswetgewing*. Deel I, R.P. 47/1979. Pretoria: Staatsdrukker.

Wilson, M. & Mafeje, A. 1963. *Langa*. Cape Town: Oxford University Press.

Cape Times 16/7/83 ~~107~~ ~~3064~~ 339

Inkatha's participation in new local authorities would help to legitimize constitutional arrangement

In his monthly column, THE PATTERN OF POLITICS, PROFESSOR HERMANN GILIOMEE today examines Chief Buthelezi's recent announcement that Inkatha will not participate in the elections for the new black local authorities

DURING the past few months the most overused metaphor in debates about the new constitutional dispensation is whether it represented a step in the right direction.

To a large extent the question of wrong or right steps is largely hypothetical for only future developments will decide the issue. However, the issue has suddenly acquired concrete meaning through Chief Gatsha Buthelezi's announcement that Inkatha will not participate in the elections for the new black local authorities scheduled to be held shortly.



Chief Gatsha Buthelezi ... has he blundered?

In his recent speech, delivered at the ninth national conference of Inkatha, Chief Buthelezi firmly linked his decision not to participate to the exclusion of blacks from the new constitutional dispensation and the arguments advanced by its protagonists.

Crucial problem

In a letter to Dr Piet Koornhof, Chief Buthelezi referred to an information sheet issued by the National Party which rhetorically posed the question why blacks have been denied participation in the President's Council and the proposed new constitutional framework. The answer given in this sheet is wellknown: Blacks are enjoying political rights via the homeland governments, and the new black local authorities with white and "multinational" political entities, should eventually be linked together under a common federal authority.

More recently he has made more generally-phrased demands for black representation in both the central government and at the regional level, where homelands could either be properly consolidated or merged with a contiguous white regional structure (for instance, KwaZulu and Natal) to become future provinces.

Share power

In 1980 he rejected the recommendations of the Schlebusch Commission and refused to participate in the proposed separate black advisory council because it was a step in the wrong direction.

He envisages a unitary state in which all the races share power within one political system which guarantees the political rights of all national groups and defends minority rights.

Chief Buthelezi would risk losing all credibility if his Inkatha would now participate in the black local authorities after the new constitution has drawn the line so firmly between Africans and non-Africans. Indeed the new Promotion of Local Government Affairs Act is a distinct step backward relative to the President's Council recommendation that there should be co-ordination on a regional level of black, white, coloured and Indian local government.

In terms of the new Act blacks are specifically excluded from the terms of reference of the South African Co-ordinating Council for Local Authorities which is to recommend new local government structures accommodating the mutual interests of the various racial com-

Nothing of course stands quite still and the pace of South African politics is accelerating in a disconcerting way. Could it be that Chief Buthelezi's step is a fatal blunder? The Labour Party has decided to participate in the new dispensation because it is above all interested in capturing local government and from this base (rather than from the coloured chamber in Parliament) try to negotiate a better deal.

For Chief Buthelezi, control over the townships on the Witwatersrand is vital if he is to extend his rural base and truly become a national leader. For Chief Buthelezi the decision to pull out from the new black local authorities must be a particularly painful decision in view of the fact that his post-Soweto strategy has run into difficulty on several fronts.

Firstly, his effort to build up a Black Alliance to forge black unity is in trouble after the decision of the Labour Party to pull out.

Secondly, Chief Buthelezi has since the Soweto disturbances tried to promote Inkatha as the internal wing to the ANC. This is no longer credible after the ANC repudiation of the Chief, the recent ANC attack on Ulundi and the stepped-up ANC violence while Inkatha still holds out for a negotiated settlement.

Thirdly, Chief Buthelezi has, in Roger Southall's words, sought to present itself as a potential third force mediating between opposing white and black nationalism. However, the new constitutional dispensation will make such a role infinitely more difficult.

And now Chief Buthelezi has rejected the chance to get a base on the Witwatersrand through the new local authorities. Even with a some *leedvermaak* in certain circles about Chief Buthelezi's troubles. the government and the business community have reason to be worried about Inkatha's decision not to participate in the elections of the new black local authorities.

From the Nationalist point of view the coloured people and Indians are an *ideological* problem; however, these communities do not at the moment constitute any real *political* problem in terms of maintaining stability.

The position with respect to the urban Africans is different. Here a major crisis can build up if the authority vacuum in the townships remains. Rents will simply have to be raised if services and amenities are to be improved. ("It is up to the Soweto Council to find ways of getting the money either from employers or from the residents but definitely not from us, as our resources are now dry," the chairman of the West Rand Administration Board said in 1980).

But raising of rents is an explosive issue, as shown by the disturbances of 1976 and the current nasty turmoil in the Durban townships, Lamontville and Chesterville, where rents were raised by 30 to 60 percent.

The present black community councils have shown vividly that they lack the popular legitimacy to facilitate the collection of higher rates. Percentage polls of as low as six percent were registered in the Soweto elections of 1978. When Chief Buthelezi in 1980 and 1981 showed interest in participating in the new Soweto election there were great hopes that a credible local black authority could be established. However, the new constitutional dispensation, together with

With Inkatha boycotting the upcoming elections the authority vacuum in the black townships seems set to remain. It will cast a long shadow over our politics.

Qualified Western approval for the constitution rests on the assumption that giving coloured people and Indians an enhanced constitutional status is a step in the right direction — that of accommodating urban blacks as well. The setbacks with



Dr Piet Koornhof ... posed the question

the new black local authorities will seriously put a question mark over that assumption.

It also raises an important question about the future stability of South Africa. Sam Nolutshungu, a prominent black sociologist, argues in his important new study Changing South Africa: Political Considerations (David Philip, 1983), that the accommodation of the black middle class "presupposes a black middle class with considerable ideological and political influence over the rest of their kind, sufficient to deflect workers and others less privileged from the paths of revolution" (p 122).

Clearly the new separate dispensation for urban blacks makes it all but impossible for middle-class blacks to fulfil that crucial role.

The so-called step in the right direction of the proposed new constitution could at the same time well be one



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Crucial problem

In a letter to Dr Piet Koornhof, Chief Buthelezi referred to an information sheet issued by the National Party which rhetorically posed the question why blacks have been denied participation in the President's Council and the proposed new constitutional framework. The answer given in this sheet is wellknown: Blacks are enjoying political rights via the homeland governments, and the new black local authorities in places like Soweto will be given extended powers — in some cases greater than their white counterparts.

For Chief Buthelezi the crucial problem with this argument is that these new local authorities are being held up as an adequate substitute for excluding urban blacks from the new constitutional dispensation. For Inkatha to participate in the new black local authorities would mean that it would help to legitimize the new constitutional arrangement.

This the chief finds completely unacceptable — he now considers it Inkatha's prime duty to ensure that what he calls "the rot of the new dispensation" does not permeate to the regional and local level.

Chief Buthelezi has of course been willing to accept the KwaZulu homeland structure thrown up by government policy. However, he could still argue that it was a step in the right direction. In his wellknown 1974 federation speech he proposed that homelands, together

sion and refused to participate in the proposed separate black advisory council because it was a step in the wrong direction.

He envisages a unitary state in which all the races share power within one political system which guarantees the political rights of all national groups and defends minority rights.

Chief Buthelezi would risk losing all credibility if his Inkatha would now participate in the black local authorities after the new constitution has drawn the line so firmly between Africans and non-Africans. Indeed the new Promotion of Local Government Affairs Act is a distinct step backward relative to the President's Council recommendation that there should be co-ordination on a regional level of black, white, coloured and Indian local government.

In terms of the new Act blacks are specifically excluded from the terms of reference of the South African Co-ordinating Council for Local Authorities which is to recommend new local government structures accommodating the mutual interests of the various racial communities.

The government's answer is that it is still — to continue with the metaphor — watching its step with respect to blacks living in so-called white South Africa, which is the subject of study by a special cabinet committee. However, in the meantime the new dispensation, which leaves blacks out on a limb with respect to local and regional co-ordination, is unfolding.

According to Dr Piet Koornhof the preparatory work on the conversion of community councils into proper black local authorities has nearly been completed with respect to 25 townships (among others Soweto, Mamelodi, Atteridgeville and Port Elizabeth). These communities could, in the minister's words, "hold elections during September, October or November, should they wish to do so". No wonder that Chief Buthelezi has thrown up his hands in horror and has refused to walk any further steps in whatever direction.

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Firstly, his effort to build up a Black Alliance to forge black unity is in trouble after the decision of the Labour Party to pull out.

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Thirdly, Chief Buthelezi has, in Roger Southall's words, sought to present itself as a potential third force mediating between opposing white and black nationalism. However, the new constitutional dispensation will make such a role infinitely more difficult.

And now Chief Buthelezi has rejected the chance to get a base on the Witwatersrand through the new local authorities. Even with a membership of nearly three-quarters of a million, Inkatha's opportunities for action seem limited.

While there may be

major crisis can build up if the authority vacuum in the townships remains. Rents will simply have to be raised if services and amenities are to be improved. ("It is up to the Soweto Council to find ways of getting the money either from employers or from the residents but definitely not from us, as our resources are now dry," the chairman of the West Rand Administration Board said in 1980).

But raising of rents is an explosive issue, as shown by the disturbances of 1976 and the current nasty turmoil in the Durban townships, Lamontville and Chesterville, where rents were raised by 30 to 60 percent.

The present black community councils have shown vividly that they lack the popular legitimacy to facilitate the collection of higher rates. Percentage polls of as low as six percent were registered in the Soweto elections of 1978. When Chief Buthelezi in 1980 and 1981 showed interest in participating in the new Soweto election there were great hopes that a credible local black authority could be established. However, the new constitutional dispensation; together with the fact that the government has still not spelt out a financial formula for the new black local authorities, has come as a serious blow.



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the new black local authorities will seriously put a question mark over that assumption.

It also raises an important question about the future stability of South Africa. Sam Nolutshungu, a prominent black sociologist, argues in his important new study Changing South Africa: Political Considerations (David Philip, 1983), that the accommodation of the black middle class "presupposes a black middle class with considerable ideological and political influence over the rest of their kind, sufficient to deflect workers and others less privileged from the paths of revolution" (p 122).

Clearly the new separate dispensation for urban blacks makes it all but impossible for middle-class blacks to fulfil that crucial role.

The so-called step in the right direction of the proposed new constitution could at the same time well be one towards a greater turmoil in our black townships. And that's where the real heart of South Africa's political problems lies.

CAPE TIMES
16/7/83
(339)

HOUSING

'Millions' set aside to aid black home-owners

ARGUS 14/7/83

Argus Correspondent

JOHANNESBURG. — The building society movement has confirmed that tens of millions of rands have been set aside to ensure the success of the Government scheme to sell 500 000 State-owned houses to low-income families of all races.

The "super-sale" of homes has begun. Mr Tim Hart, executive director of the Association of Building Societies, said that all the major societies had volunteered to contribute to the vast cash pool, which will allow black families in particular to take advantage of discounts that can slash as much as 40 percent from the prices of homes on offer if cash or mortgages can be arranged.

The UBS alone has earmarked R100-million to help tenants to go ahead with purchases.

"We are satisfied that the houses, though austere, are perfectly acceptable as security," said Mr Philip Sceales, chairman of the society.

The cash reservoir was disclosed as the first sales were confirmed in the programme to sell 350 000 houses in the black townships and 150 000 more State-owned houses occupied by low-income whites, coloured and Indians.

Wages limit

The super-sale, being run by the Departments of Community Development and Co-operation and Development, is open to all families with incomes under R800 a month.

Sales in Soweto, where many of the first 40 000 houses in the scheme will be offered at about R1 400, are expected to start next week.

The Association of Chambers of Commerce has alerted its 20 000 company members throughout the country to stand by to assist employees where possible.

Mr Vincent Brett, secretary of Assocom's manpower committee, said he would meet Mr Johan Kruger, the Department of Community Development co-ordinator of the selling programme, in the next few days to be briefed on final details.

Mrs Freda Gowie, secretary of the manpower committee at the Federated Chamber of Industries, said the FCI was scheduled to be briefed by Mr Kruger on August 2 on how the private sector was invited to assist.

"Many firms do not want to move in on building societies' territory by offering to finance house-buying by employees," she said, "but there may well be scope for bigger companies to offer guarantees so that home purchases can go ahead."

However, the full launch of the supersale is being hampered by the vast amount of paperwork required.

At least 1 000 local authorities and 312 black community councils will be involved in the sale of houses.

Statistics

So far only between 100 and 150 local authorities have submitted statistics of homes available for sale in their areas.

Of roughly 350 000 black houses that will be available for sale about half have been or are in the process of being surveyed.

A spokesman for the Central Transvaal Administration Board said after a meeting in Pretoria: "We have had a lot of problems with this housing sale, but it seems we might be seeing some light following a meeting earlier this week."

The survey of Pretoria's black townships of Mamelodi and Atteridgeville may take long as two years to complete. Mr Thys Wilsnach, director of the Johannesburg City Council's housing division, said that Johannesburg had 450 white houses and about 3 000 coloured houses for sale. In the first seven days of July, 29 coloured houses were sold.

A council member of the SA Institute of Land Surveyors said that 52 surveyors were surveying 52 000 stands in four of the biggest East Rand townships. All Pretoria township stands and 10 000 in the Orange-Vaal area had also been contracted for surveying.

Altogether, about 100 000 erven in black areas countrywide are under contract to be surveyed.

CAPE TIMES 20/7/83

191 get Rikhoto rights

Labour Reporter

A TOTAL of 191 contract workers in the Western Cape had been granted their "Rikhoto rights" by the end of last week, according to Dr Gert du Preez, chief liaison officer of the Western Cape Administration Board (WCAB).

But a further 221 migrant workers — more than half — have had their applications for Section 10 (i) (b) or permanent residence rights turned down by the WCAB.

Dr Du Preez said the WCAB had so far received 3 075 formal applications for these rights.

The workers have applied for permanent residence on the basis that they have worked for one employer for more than 10 years. This right was established in the Appeal Court case of Mr Tom Rikhoto, a Germiston contract worker.

The WCAB has made it clear, however, that they are applying the ruling strictly.

Black local rights Bill now official

Argus 29/7/83

Argus Correspondent

PRETORIA. — The Black Local Authorities Bill which provides for extensive local government rights for blacks, was promulgated in today's Government Gazette.

The Bill places urban black local government on a similar footing to white local authorities, thereby scrapping some discriminatory aspects of black local government.

It is virtually on par with the Transvaal Local Government Ordinance which regulates white municipalities, and gives real power to black authorities.

Significant

Some of the more significant aspects of the Bill are:

- It removes much of the Minister of Co-operation and Development's direct control of urban black local government.
- It allows black local authorities to own land in their areas — like their white counterparts.
- It gives voting rights to blacks who are lawfully in urban areas and have been so for a period of more than 12 months.
- Community councils will cease to exist and the new dispensation will come into effect with the election of town and village councils.

Crucial aspect

A crucial aspect of the new deal remains unresolved. The financing of urban black local authorities was left hanging by the Bill because the issue of local government financing — black and white — is still under scrutiny by the President's Council and the Croeser Committee.

The Minister of Co-operation and Development, Dr Piet Koornhof, has already announced that community council elections are scheduled for November this year.

The Government Gazette announced today that the Bill will come into effect on Monday.

Soft drinks: Pledge on prices

Staff Reporter

SOFT drink manufacturers, supermarkets and cafe owners in the Western Cape today undertook not to increase the price of soft drinks and fruit juices following the abolition of price control today.

Mr Richard Vote, executive general manager of Pepsi Cola in Cape Town, which controls distribution as far as Bloemfontein, said no price increases were envisaged.

Mr John Barry, general manager of Pick 'n Pay in the Western Cape, said: "We sell at prices well below the gazetted maximums and we plan no changes."

UNAWARE

He said this was because of intense competition in the supermarket industry.

A number of cafe owners approached were unaware of today's abolition of price control.

Mr Edmundo de Castro, a Southfield cafe owner, said he would adhere to the present price.

Mr Mal Richards, another Southfield cafe owner, likewise undertook to keep current prices.

Mr S Mallaji, an Elsies River cafe owner, said he would first consult the manufacturers, but said competiton was too intense to risk increasing prices.

The previously gazetted prices for soft drinks, which now fall away, were:

- 175 ml (bar size) — 18c plus 15c deposit.
- 300 ml — 21c plus 15c deposit.
- 500 ml — 28c plus 15c deposit.
- 750 ml — 38c plus 15c deposit.
- A litre — 52c plus 30c deposit.
- 1,5 litre — 75c plus 40c deposit (the deposit was recently raised from 30c).
- Cans — 38c.

Fruit juice prices depend on the percentage of natural fruit juice in the product.

Pupils still boycott classes

Education Reporter

THE 600 Mountview Senior secondary pupils have boycotted classes for the fifth consecutive day over the expulsion of four Standard 9 pupils.

A meeting of more than 300 parents and pupils last night called for the unconditional re-instatement of the four expelled pupils and for the immediate resignation of the principal, Mr P P Snyders.

Student speakers at the meeting, which was called by pupils to inform parents of grievances, suggested pupils should continue boycotting until their demands were met.

The meeting decided to call for the election of a new school committee.

Pigeon conquered Atlan

LONDON. — It appears that a pigeon thought to have made a "record-breaking flight" across the Atlantic may have crossed in style on the royal yacht, Britannia.

A Buckingham Palace spokesman said today it is likely that the bird sailed to Halifax, Nova yacht last mo

Its owner, Mr sent it on a fli chester to the England town Earlier reports somehow it str and flew to Ca



MICHAEL Taylor, 16, being welcomed mother, Mrs Kathy Taylor, left, and his 12th Green and

Foundling Lize may be cared for in white hom

Argus Correspondent

PRETORIA. — If it is impossible to racially classify Pretoria foundling, Liza Venter, she will be placed in the care of a white family.

But if she is later found to be coloured she will be placed in the care of a coloured family, a senior social worker from the Pretoria Child Welfare Society says.

"It all depends on the Department of Internal Affairs," said Mrs Linda Nell. "She must be classified before she can be adopted."

If it were not possible to classify Lize at this stage she would be placed in the care of white family.

"If in the future she is classified coloured sh will be removed fro that home and repla in a coloured one."

An internationally a claimed human biologi and physical anthrop gist has criticised a tempts to classify Li Venter's race by a str of hair as "totally mis entific and invalid".

Professor Phillip To bias, head of the depart ment of anatomy at th University of the Witwa tersrand, said that th features of a single hai or even of several hai could not unequivocall reveal the biological racial affinities of Liz Venter.

WRAB refuses rights for 15-year migrant workers

Cape Times 5/8/83

Own Correspondent

JOHANNESBURG. — The West Rand Administration Board announced this week that it was not granting migrant workers who had worked 15 years for several employers city rights in terms of the Rikhoto judgment.

This stance conflicts with a statement by the Minister of Co-Operation and Development, Dr Piet Koornhof.

The surprise revelation came at a press conference in which WRAB defended itself against charges that its officials were trying to delay or obstruct the granting of city rights to workers in terms of the Rikhoto ruling.

In a statement released at the conference, WRAB said it had granted 2 355 workers rights in terms of Rikhoto and that its Johannesburg office alone was handling up to 130 cases a day.

The statement also revealed that WRAB had been instructed by Pretoria not to grant Rikhoto rights to workers who had taken unpaid leave during their 10-year period of qualification for Rikhoto rights.

When the government announced it was implementing Rikhoto, Dr Koornhof said workers who had worked 15 years for several employers would be entitled to city rights in terms of the judgment.

These workers, together with those who have worked for one employer for 10 years, are entitled to city rights in terms of Section 10 (1) (b) of the Black Urban Areas Act, which the court ruling upheld.

But WRAB's director of manpower, Mr Armand Steenhuizen, said WRAB was not granting these workers rights and has referred their position to the Department of Co-operation and Development's Pretoria head office for a ruling.

He added, however, that the board was accepting applications for rights from these workers and was keeping these on file pending Pretoria's decision.

He said the Rikhoto case dealt specifically with a worker who had worked for one employer for 10 years and the board was not clear whether those who had worked 15 years for several employers were covered by it.

At the conference, WRAB's chairman, Mr John Knoetze, said the board regarded the Rikhoto ruling as law and was "anxious to carry it out".

"I emphatically deny that there is any attempt to delay or obstruct the granting of rights (in terms of the judgment)," Mr Knoetze said.

If the press or public came across "irregularities" which delayed the granting of rights, they should report these to WRAB. But claims that the board was "dragging its feet" on Rikhoto were "unfair".

Mr Knoetze said there were claims that workers claiming rights had been forced to return to WRAB offices several times because only 100 applications a day were allowed.

This was "entirely untrue". WRAB could handle 150 cases a day and, while its staff had been hard-pressed to handle Rikhoto applications, a slowdown in the pace of these meant its offices could now cope with all applications.

By special arrangement, such as with employers, the board could handle more than 150 a day, he added.

Mr Knoetze also commented on a form which WRAB insists workers' employers fill in before they can claim rights. Civil rights groups charge that these are unnecessary because WRAB has full information on all applicants' work records.

He said the form was necessary because Pretoria had stipulated that workers who took unpaid leave during their migrant contracts were not to be granted rights. WRAB's records did not include information on this leave and the form was necessary to clarify the leave position, he said.

Unlike the West Cape Administration Board, however, WRAB says it will grant rights to workers who have taken long periods of leave — as long as none of this was unpaid leave.

Mr Knoetze also appealed to workers not to take legal action against WRAB's decision not to grant Rikhoto rights to citizens of "independent" homelands — which has also been referred to Pretoria for a decision.

He said such action was a "waste of time" because Pretoria might overturn the WRAB's interpretation of the ruling.

PARLIAMENT

Koornhof under fire over Rikhoto ruling

ARGUS 9/8/83 339

Parliamentary Staff

THE Minister of Co-operation and Development, Dr Piet Koornhof, came under fire from opposition speakers about his handling of the urban black situation.

Criticism from the Progressive Federal Party was that the Minister was under pressure from "verkramptes" in the National Party caucus to find ways of circumventing the Rikhoto judgment which allowed blacks contract workers' families to take advantage of certain rights.

The Conservative Party criticised the Minister for yielding to pressures from "leftist" Afrikaans newspapers, liberal academics and from international sources to make concessions to urban blacks.



Dr Piet Koornhof

The issue was discussed during the second reading debate on the Laws on Co-operation and Development Amendment Bill.

Mrs Helen Suzman (PFP Houghton) accused the Goverment of using "delaying tactics" to sidestep the Appeal Court's decision on the rights of blacks to live with their wives and children in an urban area. She referred specifically to the Rikhoto judgment and other cases.

Mr Daan van der Merwe (CP Rissik) said the Government was under pressure not to take too strong a stand in its reaction to the court's finding on the residence rights of contract workers.

He said there was an increasing unwillingness in the National Party to follow its policy of separate development. The Government was under pressure to make concessions to urban blacks.

The Government was conditioning the white voters to accept the urban blacks. Eventually there would be no way to stop the urbanisation of blacks.

The new black city to be established near Cape Town was a prelude to a situation where the Government would not want to stop the influx of blacks any longer.

Mr Z P le Roux (NP Pretoria West) rejected the opposition arguments and accused Mrs Suzman of giving a wrong interpretation of the Rikhoto judgment.

He said the Government had to guard against an imbalance between the creation of job opportunities and the availability of black housing.

CAPE TIMES 9/8/83

Families limited

HOUSE OF ASSEMBLY. — The major effect of the Rikhoto judgment would be seriously circumscribed by a bill which would limit the number of families able to join contract workers granted urban residence rights in terms of the judgment, Mrs Helen Suzman (PFP Houghton) said yesterday.

Speaking during debate on the Laws on Co-operation and Development Amendment Bill, Mrs Suzman said that by setting the availability of approved accommodation as a condition for families to join contract workers in urban areas, the bill made it extremely difficult for them to take advantage of the Rikhoto decision. — Sapa

Govt is warned of new debacle

Parliamentary Staff

THE Government was heading for another Ingwavuma/Kangwane debacle in its consolidation proposals affecting Moutsie district, Opposition speakers warned.

Speaking during the second reading debate on the Laws on Co-operation and Develoment Bill, Mrs Helen Suzman said the Moutsie people strongly objected to being sliced out of Lebowa and being incorporated in Kwandebele.

Deputations from Moutsie had told her that the entire population opposed a change in the status quo. Many had title deeds to their land and some believed there were mineral deposits on their land because the area ran parallel to the Witbank reef.

SHOCKED

The people feared for their rights if they were to be incorporated into Kwandebele.

Mr Nic Olivier (PFP nominated) said he was "shocked" at the Government's handling of the affair. The sovereignty of Parliament was being used to circumvent the Appeal Court's judgment on the Ingwavuma/Kangwane affair.

The "vastly expensive, totally disrupting" consolidation plans were all conceived in the ideological interests of apartheid and could therefore not be supported, Mrs Suzman said.

Bill puts blacks in 'Catch 22 situation'

ARGUS 9/8/83

Parliamentary Staff

THE Rikhoto judgment would be "seriously circumscribed" by a Bill which made it extremely difficult for contract workers' families to gain access to towns, according to Mrs Helen Suzman.

Speaking during the second reading debate on the Laws on Co-operation and Development Amendment Bill, Mrs Suzman said certain clauses imposed conditions which the Appeal Court did not lay down and which had not previously formed part of Section 10 (a) rights.

According to the Bill a contract worker's family can only live in a town if there is "approved accommodation".

DIFFICULT

This made it "extremely difficult" for a contract worker's family to take advantage of the rights acquired under the Rikhoto judgment, though the judgment itself was not affected.

It was common knowledge that there was no available housing or lodgings in any urban area for blacks.

"To make use of Rikhoto, blacks will have to rely on the decision of officials to make accommodation available — Section 10 (1) (b) does not give blacks a legal right to demand accommodation," she said.

Some "lucky workers" would have employers who would help them



Mrs Helen Suzman

cope with officialdom and to obtain accommodation, but the rest were in a "Catch 22 situation".

Numerous court cases had been fought at great expense to win a black man the elementary right of living with his wife and children in an urban area and all too often victory in the courts had been "deliberately countered" by an obstructive bureaucracy, almost to the extent of civil disobedience.

In one case it took two years to implement the Appeal Court's decision and now "delaying tactics" were again being employed.

Applications were made to come back time and again, information which was on file already was demanded and Administration Boards used criteria which the Appeal Court did not lay down.

"The whole issue is chaotic and confusing," Mrs Suzman said, calling on the Minister of Co-operation and Development to clear up "inconsistencies and uncertainties."

Mrs Suzman asked Dr Koornhof to spell out the position of citizens of independent homelands, who had entered urban areas as contract wokers under the Labour Act and Blacks (Urban Areas) Consolidation Act, not as citizens of Venda, Ciskei, Transkei or Bophuthatswana.

She also asked for an assurance that the Government would not make retrospective amendments or amendments which would prevent workers from obtaining Section 10 (1) (b) rights.

The new clauses were an extension of "totally discriminatory laws" which applied only to blacks, limiting their mobility and causing "untold misery" in South Africa.



Workers' position remains unclear

CAPE Times 10/8/83

Political Staff

HOUSE OF ASSEMBLY. — The position of thousands of black workers from independent national states remains unclear.

Last night the Minister of Co-operation and Development, Dr Piet Koornhof, said as far as his department was concerned nothing stopped these workers from qualifying for "Rikhoto" rights but added that laws administered by other departments also affected them.

Speaking in the second reading debate of the Laws on Co-operation and Development Amendment Bill, which includes measures to give effect to the government's response to the Rikhoto Appeal Court judgment, Dr Koornhof said his department's legal advisers had decided that workers who qualified for Section 10(1)(b) rights after their homelands became independent were entitled to their rights.

But it was a "complicated matter" and other departments were investigating it because workers in this group were also affected by legislation concerning independent national states and entry into South Africa.

Dr Koornhof also announced that the question of workers who took unpaid leave and now applied for "Rikhoto" rights was being considered.

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Ciskei deaths: SA criticized

Own Correspondent

PORT ELIZABETH. — Transkei has criticized South Africa following the arrest in Ciskei of a vice-consul and the death and injury by police bullets of two other Transkeian citizens.

The incidents have strained relations between the two former homelands, with Transkei accusing Ciskei of reacting to the Mdantsane bus boycott recklessly and clumsily, creating "untold hardship and misery".

Transkei's Foreign Minister, Mr Mtutuzeli Lujabe, said yesterday that he had approached the SA Embassy in Umtata on Monday about the detention of a Transkeian vice-consul based in East London, Mr Robert Ncokazi, who was arrested at Cecilia Makuwane Hospital while inquiring about Transkeian casualties.

"South Africa has been slow to react," Mr Lujabe said. "Yet we have repeatedly warned them about the consequences of removing Transkeian migrant workers from settlements in SA to Mdantsane.

"We knew this could lead to problems because our people could never be secure."

Mr Lujabe said it was South Africa's responsiblity "to reach some agreement with Ciskei that will not prejudice our people".

He called the Ciskeian police shootings atrocious and said Mdantsane residents should be free to decide on transport options.

Women's Day call for change

Own Correspondent

JOHANNESBURG. — No change was meaningful without the help of whites, and women's liberation could not be isolated from the broader political struggle.

This was the message at a National Women's Day service yesterday at the University of the Witwatersrand.

Recalling the march of 20 000 women to Pretoria 27 years ago to protest the extension of passes to women, the speakers called on Wits students to form women's organizations and to join national democratic movements.

Mrs Helen Joseph, who may not be quoted, received a standing ovation from students after outlining the mass demonstrations at the Union Buildings in Pretoria in 1956.

Ms Zinzi Mandela said South Africa would see the bloodiest revolution in history if whites failed to help bring about political change.

City killing: Man in court

Staff Reporter

A 22-YEAR-OLD man yesterday appeared in the Magistrate's Court in connection with the alleged murder of 63-year-old Mr Norman Goldsworthy at Loader Street, Cape Town, on July 24.

Mr Phillip Jerome Engel, 22, of no fixed address, was not asked to plead to a charge of murder, alternatively culpable homicide, and no evidence was led.

It is alleged that Mr Goldsworthy was hit over the head with a bottle.

The hearing was adjourned to August 24 and Mr Engel was remanded.

Mr B Carrol was the magistrate. Mrs J Sloth-Nielsen appeared for the State. Mr L G Apsey appeared for Mr Engel.

Rikhoto rights for 680 workers

Labour Reporter

ALTOGETHER 680 contract workers in the Western Cape have now been granted Section 10 (i) (b) rights following the Rikhoto Appeal Court ruling — but a further 641 applicants have been turned down.

Dr Gert du Preez, chief liaison officer for the Western Cape Administration Board (WCAB) said that so far there had been 3 620 formal applications for Rikhoto rights.

He said the WCAB was not refusing these rights to workers from the "independent" homelands, a move which which would exclude virtually the entire migrant worker population in Cape Town, who come from Transkei and Ciskei.

The West Rand Administration Board (WRAB) has been refusing to grant city rights to migrants from the "independent" homelands on the basis that they are "foreigners".

However, the Legal Resources Centre, which handled the Rikhoto case, has applied to the courts to overturn WRAB's ruling.

A number of migrants' applications have been turned down in the Western Cape because over the 10-year period they took more than four weeks' leave a year.

Seasonal workers

According to Mrs Sue Joynt, regional organizer of the Black Sash, others are being turned down because they are seasonal workers or work in the canning factories in Paarl, which close down for several months every year.

She said there had also been difficulties with construction workers employed by companies which had merged or changed name during their 10-year employment period.

The WCAB had argued that these workers had not been employed continuously by one employer for 10 years.

Workers who had worked for the same employer for 10 years, but in different prescribed areas, were also being turned down, she said.



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Koornhof pledge on Rikhoto ruling

ARGUS 10/8/83

Parliamentary Staff

THE Government would respect the Rikhoto judgment but it could not allow uncontrolled influx into urban areas, the Minister of Co-operation and Development, Dr Piet Koornhof, told Parliament.

Replying to the second reading debate on the Laws on Co-operation and Development Bill, Dr Koornhof said citizens of independent homelands would also qualify for Section 10 (1) (b) rights in terms of the judgment.

Earlier in the debate Mrs Helen Suzman (PFP Houghton) described the situation as "chaotic and confusing" and called on Dr Koornhof to clarify the "inconistencies and uncertainties".

Dr Koornhof said there was "no question" of blocking contract workers from acquiring Section 10 (1) (b) rights but the issue of unpaid leave was still being investigated.

The Government respected the Riekert Commission's recommendation that housing had to be a prerequisite for admitting contract workers and their families to urban areas.

Housing was of crucial importance and the Government could not allow further squatting or the development of slums.

"If uncontrolled influx is allowed it will not only aggravate the housing and unemployment situation but will further strain the health, welfare and education facilities," Dr Koornhof said.

"This will result in an atmosphere of discontent and will be detrimental to the urban community."

Dr Koornhof called on the private sector help provide housing by building homes for "faithful and stable" employees.

The Government alone could not be held responsible for housing — various stumbling blocks had been removed.



Mr Albert Nothnagel



Mr D van der Merwe

Uncontrolled influx cannot be allowed, says Koornhof

Political Staff

THE ASSEMBLY — Although it would respect the Rikhoto judgment the Government could not allow uncontrolled influx into urban areas, the Minister of Co-operation and Development, Dr Piet Koornhof, said in the Assembly yesterday.

In his reply to the second-reading debate on the Laws on Co-operation and Development Bill, Dr Koornhof said citizens of independent homelands would also qualify for urban rights in terms of the judgment.

Earlier in the debate Mrs Helen Suzman (PFP, Houghton) described the situation as "chaotic and confusing" and called on Dr Koornhof to clarify the "inconistencies and uncertainties".

Dr Koornhof said there was no question of blocking contract workers from acquiring urban rights but the issue of unpaid leave was still being investigated.

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He called on the private sector to build homes for "faithful and stable" employees.

The government alone could not be held responsible for housing, he said.

By David Braun, Political Reporter

Although the Conservati Party stood for separation races, so that each group co have self-determination, party did not intend forcing litical independence on anybo

This was said yesterday in Pretoria City Hall by the lead of the party, Dr Andries Tre nicht.

He was replying at the party Transvaal congress to a mot that the party's policy regar homelands for coloureds and dians should be explained leaders of those groups.

"If any group refuses to

Peaceful solution is sought in Moutse deal — Minister

Political Staff

THE ASSEMBLY — The Minister of Co-operation and Development, Dr Piet Koornhof, gave assurances yesterday that the Government was seeking a peaceful solution to another controversial land deal for black homeland consolidation.

He called the Moutse land issue "an extremely sensitive matter", but said consultations were continuing.

Opposition speakers had accused the Minister of heading for another Ingwavuma/kaNgwane-type debacle by its move to slice the Moutse district out of Lebowa and to add it to kwaNdebele.

The 300 000 people involved were said to be "dead against" the change, claiming that they had not agreed to it.

During the second-reading debate on the Laws on Co-operation and Development amendment Bill, Mr Nic Olivier (PFP, nominated) accused the Government of using the sovereignty of Parliament to circumvent the Appeal Court's judgment in the Ingwavuma case.

Mr Olivier and Mrs Helen Suzman (PFP, Houghton) called on the Minister to say whether the people of Moutse had been consulted and whether they had agreed to their proposed incorporation in kwaNdebele.



Dr Piet Koornhof

CP and Nats in war of words over Rikhoto case

Political Staff

THE ASSEMBLY — A war of words erupted in Parliament yesterday as Nationalists and Conservative Party members clashed vigorously over the Government's plan to implement the Rikhoto judgment.

Mr Albert Nothnagel (NP, Innesdal) said Dr Andries Treurnicht, leader of the CP, was a "refined version" of Mr Eugene Terre'Blanche, the leader of the para-military Afrikaner Weerstandsbeweging.

Dr Treurnicht was sending a "scandalous" image of Afrikaners into the world and his party was nurturing parasitic conservatism which fed off the fears of the people.

Mr Nothnagel's remarks drew angry reaction from the Conservative Party bench.

"You are so mixed up you do not even know you are mixed up," interjected Mr Daan van der Merwe (CP, Rissik).

Mr Nothnagel said while the National Party knew what people wanted to hear, they also knew they had a responsibility towards South Africa.

On the other hand Dr Treurnicht "never said what he meant and never meant what he said".

The fact that Mr Wilfred Cupido would play rugby at Loftus Versfeld at the weekend was a result of the National Party's policy and when the 60 000 spectators cheered they would be cheering against the Conservative Party which disapproved of Cupido playing for Western Province, said Mr Nothnagel.

The biggest mistake of the P W Botha era was that it had started six years too late, he said.

"You never had the guts to tell Mr Vorster that," Mr Daan van der Merwe interjected.

Earlier Mr Jan Hoon (CP, Kuruman) said the "new National Party" was doing exactly what the Progressive Federal Party and the Black Sash wanted it to do.

TODAY'S BUSINESS

THE ASSEMBLY — 1. Questions.

2. Committee Stage, Laws on Co-operation and Development Amendment Bill.

3. Committee Stage, Occupational Diseases in Mines and Works Amendment Bill.

4. Second Reading, Insolvency Amendment Bill (Minister of Justice).

5. Second Reading, Second Attorneys Amendment Bill. — Sapa.

Sterility

By Peter Sullivan, Political Correspondent

Building societies are still manding certificates fr young couples proving the male to be barren or steril before granting home loans, Conservative Party congr was told yesterday.

One delegate said a buildi society had demanded a cer

Call for unity or right to fight referendum

Political Reporter

A broad conservative fr should be mustered in S Africa, the leader of the Cons vative Party, Dr Andries Tr nicht, said in Pretoria yest day.

Speaking at his party's fi Transvaal Congress, he said CP did not expect any party disband so that it might be sorbed by the CP.

"We are prepared to co-op ate with the HNP and o right-wing supporters. But let us form the front to fight referendum, and then let us if we can come to an agreem to contest a general electio he said.

The CP would soon be ma ing a group of people who ca themselves coloureds, he said.

The CP had been approac by this group, which wanted discuss its future from the of view of the Conservati Party.

"This proves that there coloureds who support our cepts," he said.

CP says 'no' to forced political independence

independence we will not force them. But then they must not expect to take part in governing the country which belongs to whites," he said.

Mr Frank le Roux, the CP's spokesman on manpower, said there should be no black trade unions in the white parts of South Africa.

The process of integrating labour in recent years meant that the CP would be faced with one of its most dangerous and difficult jobs when it came to power, he said.

Congress voted to urge the Goverment to scrap the postal vote system.

Many delegates accused the National Party of blatantly abusing the postal vote system, particularly during the recent Soutpansberg by-election, where, it was implied, malpractices influenced the outcome.

Another motion called for a more equitable distribution of parliamentary seats, which would give the Transvaal a larger and more representative proportion.

One delegate said a white police constable was better than any black police officer. Another advocated the dismissal of coloured till-operators in supermarkets to make way for white women, who needed the jobs.

A woman said the SABC should give TV1 to the whites, TV2 and TV3 to the "kaffirs", and a fourth channel to the coloureds and Indians. Many delegates criticised racial intergration portayed in television advertisements.

certificate row flares up again

cate from a couple to say they would not have any children.

He said the congress should find out whether this was being done with all races, or just with whites.

Mr S J F du Preez of Standerton said he had recently helped a young couple to get a house.

"And in their case it was genuinely demanded that they produce a certificate proving that the young lady could no longer have any children.

"I am prepared to reveal the name of the building society involved," Mr du Preez said.

However, when approached by reporters he said he did not have evidence "in black and white" so was reluctant to reveal the name.

The Transvaal congress was discussing a motion calling for tax relief and housing help for young married couples, which was passed without amendment.

During the debate another speaker said if it was true that building societies were asking for proof that young couples were sterile before granting them loans this was a deed of treason against South Africa.



Dr Andries Treurnicht

Dr T's whip-round scores a bull

Political Reporter

When the Government talked about a total onslaught it really meant the total onslaught it was mounting against the Conservative Party, the party's leader, Dr Andries Treurnicht, said at yesterday.

"During the Waterberg campaign 16 Cabinet Ministers and 54 Nat MPs and MPCs trekked around the constituency. It was so bad that we heard the Cabinet was holding its regular meetings in Nylstroom."

● The 700 delegates unanimously elected Dr Treurnicht leader and chairman of the CP in the Transvaal and Dr Ferdi Hartzenberg was elected deputy chairman.

● After strong pleas by Mr Fanie Ferreira, a member of the party's finance committee, delegates made a collection and thousands of rands were received in cheques and promises of donations.

Among other donations were several cows, calves and a Brahman bull. Several game farmers auctioned hunting rights.

● Apart from motions of gratitude and confidence in Dr Treurnicht, Mrs Treurnicht, Dr and Mrs Hartzenberg, all the party's public representatives, their spouses, and the party's secretariat, Mr Thomas Langley was singled out for special mention.

Delegates expressed appreciation of the way in which he sacrificed his parliamentary seat to fight the Minister of Manpower, Mr Fanie Botha, in the recent by-election.

● The CP now has more than 1 000 branches in the Transvaal and is organised in 63 of the provinces 78 constituencies.

● Analysis of the recent Battle of the Berge by-elections proved that the National Party would lose any referendum on its proposed constitution, Dr Treurnicht said.

"If you added up all NP's votes you would find they were more than 5 000 fewer than the combined vote for the other parties, proving that the NP does not have majority support."

● When the CP came to power it would downgrade its relations with black neighbouring states, said Mr Langley, former MP for Waterkloof.

SABC takes a hammering from the CP

Political Reporter

SABC radio and television took a beating from delegates at the Conservative Party's Transvaal congress in Pretoria yesterday.

In an hour-long, emotional debate delegates and officials sharply criticised the SABC's one-sided reporting and the corporation's "deliberate policy of indoctrination of whites to get used to integration".

Mr Clive Derby-Lewis, of the CP's information committee, called on delegates to refuse to renew their television licences this year in protest.

Dr Connie Mulder, an executive member, warned that public opinion was against the Government and was too strong for even the SABC to turn.

He said the SABC should give equal airtime to all political parties to speak on the proposed constitution.

He challenged the SABC to televise a debate between the leaders of the CP and the National Party.

There were also calls to boycott products promoted in racially integrated commercials.

Jo'burg whites losing their heritage — MP

By David Braun,
Political Reporter

Central Johannesburg whites were being deprived of their heritage by a Goverment which had lost the will to enforce its own laws, the MP for Jeppe said in Pretoria last night.

Brandishing a petition signed by 5 000 Johannesburg people opposed to racial integration in Hillbrow, Mr Koos van der Merwe told the Conservative Party's Transvaal congress that the problem facing that city was not to be underestimated.

"The problem is, whites have been swamped by coloured people to the extent they have lost the use of their streets, parks and other amenities.

"We, who are on the receiving end of the Goverment's integrationist policies, have this message for the country — do not trust this Goverment with your sacred heritage."

Mr van der Merwe said the PFP's policy of full integration was to be respected. The NP would be respected if it came out openly with an integrationist policy. Instead, it had laws to protect whites but did nothing to enforce them.

Koornhof clarifies on 'Rikhoto rights'

Political Staff

ONLY a "negligible" number of black workers from independent homelands were affected by immigration laws which would prevent them qualifying for "Rikhoto" rights, the Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday.

Speaking at a press conference in Cape Town, Dr Koornhof said the position of workers from independent homelands who were not affected by immigration laws was "crystal clear". If they qualified for Section 10 rights they would be given those rights.

The situation was confused earlier this week after Dr Koornhof said in Parliament that while his department saw no obstacle to the granting of "Rikhoto" rights to workers from independent homelands (known as the TBVC countries), he wanted to point out that they were also affected by two other laws not administered by his department.



Dr Koornhof said yesterday that his department's view "right from the beginning" had been that TBVC citizens could qualify for "Rikhoto" rights.

But Dr Koornhof pointed out again yesterday that the Departments of Internal Affairs and Foreign Affairs were also involved and said he could not speak for them. It was up to them to make their positions clear.

"No administration board can be under any doubt as far as I can see as to how they should act when they deal with a TBVC citizen because what they have to do is to find out whether Section 10 is applicable to that person and if it is then they know the answer. I hope that is clear," Dr Koornhof said.

In cases where Section 10 would not be applicable the person concerned would probably be affected by the immigration laws, and this would appear to affect only a negligible number of people, he said.

RDM 11/8/83

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'Where I stand on local councils'

11/8/83 RDM

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A response by Chief Gatsha Buthelezi, president of Inkatha, to the article by Professor Hermann Gilomee published in the Mail recently

THE issue of whether Inkatha should or should not participate in the elections of black local councils in Soweto under the new Act has arisen, not because I have changed my views on participation *per se*, but because of a Department of Foreign Affairs hand-out distributed widely to justify black exclusion from Mr P W Botha's Constitutional proposals.

It was distributed on behalf of the Department of Constitutional Development and Planning. This information sheet put the question: "Why are Blacks not included in the new dispensation?" The answer was: "Blacks already have their own governments and administrations as, for example, in KwaZulu (where Zulu Ministers attend to own affairs) or in Soweto where new Councils with extended powers are to be established".

My reaction to this was a letter registering strong objections to the Minister of Co-operation and Development, Dr Piet Koornhof.

I received a wish-washy reply which did not address the issue at all. I reminded Dr Koornhof that blacks of KwaZulu had never accepted the KwaZulu Legislative Assembly as representing a final solution for South Africa's political problems.

I reminded him that whites had town councils, provincial councils and other civic bodies, which are not a substitute for their representation in Parliament. I told him that after reading the handout it would now be difficult for me to encourage my people to support them.

I reminded Dr Koornhof that he knew very well that we wanted to participate in the final decision-making bodies of our land. I added that the Buthelezi Commission was the very measure of our rejection of the apartheid ideology.

I demanded a public withdrawal in Parliament by Dr Koornhof or another Minister. This has never been done.

I have since raised the issue at various meetings and at our policy-making body, the Inkatha annual general conference.

Because there was not enough time for the conference to debate the issue I suggested that it be referred to the central committee for debate and final decision. I always leave final decisions to the people themselves. I do so as a democrat.

It is quite wrong for Prof Hermann Giliomee to pontificate on the issue on behalf of Inkatha and myself without bothering to ascertain what the correct position is.

I thought that relations between Prof Giliomee and I were normal. He helped us in the Buthelezi Commission and I have high regard for him.

To speak for me, as the Professor does in the column, and imply that I objected to our exclusion from the constitutional proposals for what whites call the "urban blacks", is a distortion of my views.

I have never regarded rural and urban Africans as having separate destinies. No other race group in South Africa or any nation in the world is divided into separate entities along those lines.

Why must this apply only to Africans? Prof Giliomee has no right to mislead the public by suggesting that I was arguing against the exclusion of only the so-called "urban Africans".

I am opposed to the exclusion of all Africans, regardless of whether they are are urban or rural.

I am also dismayed that Prof Giliomee concluded that we never at any time accepted responsiblities in the regional legislatures, such as the KwaZulu Legislative Assembly, to make up for the denial of full political rights for blacks, including participation in Parliament.

I am in fact embarrassed that a professor of history should in this day and age write about what he describes as my "willingness to accept" a KwaZulu Homeland, when he should know better.

Prof Giliomee should know as a historian who follows current events that my leadership in KwaZulu was not created by what he describes as "accepting the KwaZulu Homeland.'

How does one "accept" a place which is part of an area in which all your ancestors are buried, and where your family has lived for hundreds of years?

Zulus after all governed themselves under a monarchical system long before Pieter Retief approached King Dingane at Mgungundlovu with requests for land.

It is common cause that the structure of a "KwaZulu Homeland" in the form of a Legislative Assembly was imposed on the existing framework of Zulu traditional administration in which I had a traditional role at local and national level.

I was literally begged by the Zulu people at the time not to abandon them when that framework was forced on them. I cannot understand why Prof Giliomee tries to compare the incomparable.

How can he compare by implication my traditional leadership role with participation by my people in the black local councils being created by the Government.

I say this notwithstanding the fact that I have never found it anathema for black patriots to participate in government-created structures such as community councils — if they have been created for blacks.

It is for this reason that I would prefer true patriots to participate in them rather than people who do not have the interests of their people at heart.

In this view I totally agree with Dr Nelson Mandela's views in "No Easy Walk To Freedom" which I would quote if newspapers were prepared, like me, to break the law in support of my argument.

I have not changed my views. But when the government excludes Africans from the new political dispensation, and then expects me to support participation in the new black local councils, even after the government has stated that these local councils are not just local civic bodies, but a substitute for African exclusion in Parliament under the new political dispensation, it becomes too much.

Participation by other race groups in provincial, municipal and village management boards has not been given as a pretext for excluding them in Parliament under the new constitutional dispensation.

Why does the Prof try to confuse such a clear-cut issue with red-herrings?

The federation speech which I delivered in Cape Town in 1974 and to which Prof Giliomee refers, was made in the understanding that this country must have one legislature for all people for the very reason that I have never accepted independent homelands, a'la Pretoria, as the final solution for South Africa's political problems.

I therefore do not understand why my Hoernle Memorial lecture on federation was dropped into Prof Giliomee's column.

As I said in my letter to Dr Koornhof, the Buthelezi Commission itself and in which Prof Giliomee participated, is the very measure of the Zulu people's rejection of apartheid and its consumation through independence.

I was not prompted by any fear of losing credibility as Prof Giliomee suggests, in taking the stand which I took at the Inkatha annual conference.

I am a pragmatic politician, and I am not always prompted by ideological considerations in taking my political stands. I am always prompted by what I consider to be in the interests of all South Africans. I am the servant of the people and interpret their wishes and aspirations.

Inkatha has a presence in Soweto and other Reef townships through its branches. It does not need to establish a presence on the Witwatersrand through, what Prof Giliomee describes as, "control over townships on the Witwatersrand".

It is much more important to have the people's support, than the control of councils which do not enjoy the confidence of the people.

Even if one assumed, as the Afrikaner mentality does and as Prof Giliomee implies, that my base was Zulu only, which it is not, it is still a fact that Zulus live all over South Africa and not only in the rural areas. The major townships of Durban, for example, are in KwaZulu and they all have branches of Inkatha.

I am also not aware, as Prof Giliomee states, that the South African Black Alliance is "in trouble', whatever that is supposed to convey.

We still have a coloured representation in the South African Black Alliance even after the defection of the Labour Party. Not all coloureds agree with the decision of the Labour Party on participation in the Tri-Cameral Parliament without African participation.

I take very strong exception to Prof Giliomee's statement that I have never at any time tried to promote Inkatha as the internal wing of the ANC.

I have always stated that Inkatha is rooted in the ideals of the ANC as propounded by the founding fathers in 1912. We follow the strategy of non-violence which the ANC pursued right up to the time it was banned.

When we went to London in 1979 to meet Mr Oliver Tambo, we had been requested by him to do so. We were not doing so to curry favour with the external mission of the ANC, headed by Mr Tambo.

After all the external mission of the ANC was established by our late President-General, Chief A J Lutuli, to do international diplomatic work for our people.

The decision to go into the armed struggle was taken independently by the external mission of the ANC.

In spite of this, I have always stated that Inkatha has the same goals as the external mission, to bring about a non-racial democratic government in South Africa. We differ only on strategy.

We went to London on that understanding. It is indeed quite wrong to state that I wanted Inkatha to be the internal wing of the external mission of the ANC. The latter is committed to an armed struggle. Inkatha espouses non-violence.

People join Inkatha voluntarily. We present a philosophy and a strategy and people support us on that basis. We never use strong-arm methods — such as burning houses and maiming or killing people — to intimidate them into supporting or joining us.

I have never understood why the external mission of the ANC turned their wrath on me and Inkatha in 1979.

I think the reason was that Inkatha would not agree to be a surrogate of any other organisation, and perhaps because of the political one-upmanship game which is common throughout southern Africa.

I have never attacked the external mission, except to defend myself or to put the record straight or to counter their international campaign of villification directed at Inkatha and myself rather than at Mr P W Botha and the National Party government.

Our target in Inkatha is the racist minority regime and not other black organisations.

It is often forgotten that the OAU, the Frontline Presidents and other heads of State, including the President of Nigeria, have tried for 24 years to influence the external mission of the ANC and the PAC to merge or at least to work together without any success.

I am disappointed to see an academic I respect like Prof Giliomee quoting Prof Roger Southall to support his arguments.

It is common knowledge that ever since he left the University of Lesotho, Prof Southall aligned himself with the external mission of the ANC, and has since been their spokesman at every Conference of Black Studies.

He is a arch-enemy of Inkatha. His alignment to the external mission is ideological and has nothing to do with any academic impartiality that people often erroneously assume to be an attribute of all academics.

As for what Prof Giliomee calls my "troubles', I would be glad to know what form these troubles have taken.

The recent Inkatha conference was the best ever. Thousands of delegates and observers attended from as far afield as Cape Town and Johannesburg.

I have also just returned from a very successful European tour. The statement by Mr Hans van den Broek, the Dutch Foreign Minister at the Hague, after my visit to Holland, says volumes.

Mr Van de Broek told the Dutch parliament that from now on they would not make any distinction between the external mission and Inkatha in gaining us support.

I would be interested to know why Prof Giliomee thinks that I have missed an opportunity to get a base on the Witwatersrand. There is no other leader other than myself, who for the last 10 years has annually addressed tens of thousands of black people in Soweto.

How is this possible if I have no base on the Witwatersrand?

It is the South African government which has put me in an impossible position with their information sheet.

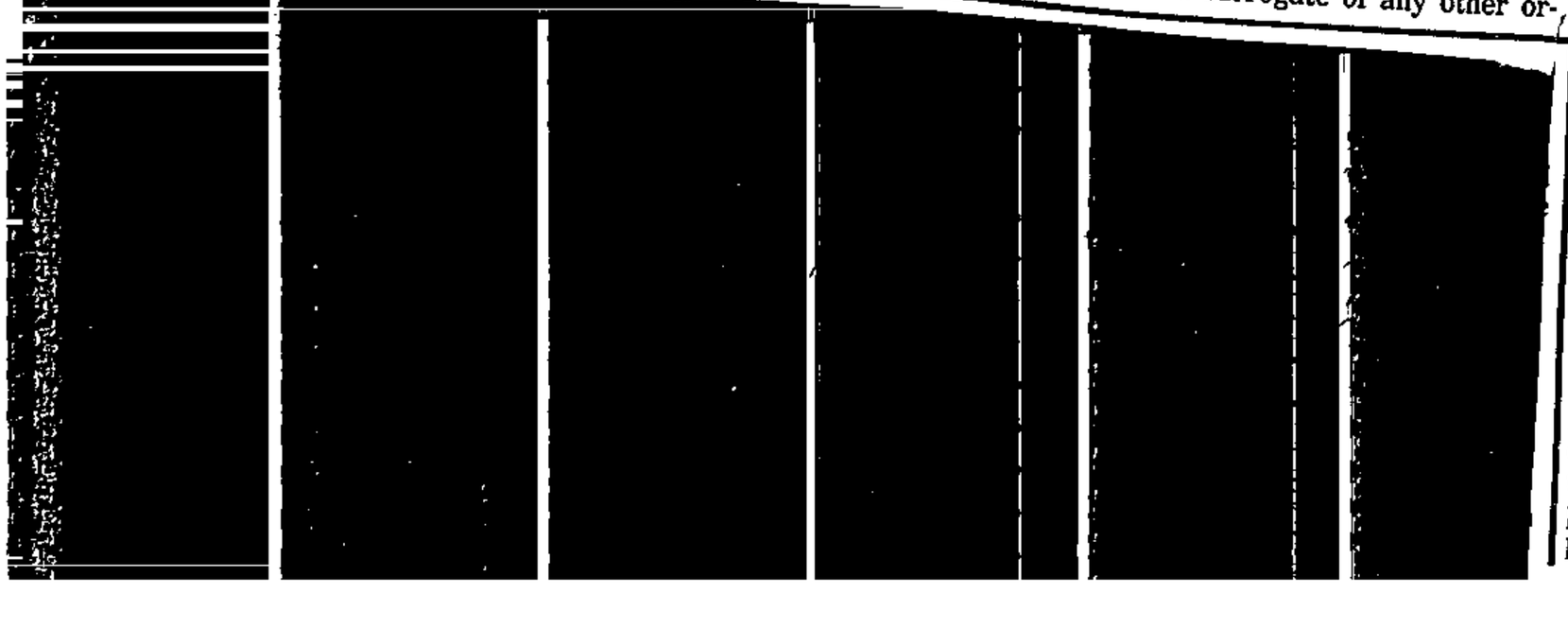
I would like to ask why we Blacks are always expected to bend backwards to meet the Government without the reverse ever occurring? In this case we do not even have the space for bending backwards.

It is time White South Africa realised that even we blacks have only two cheeks. We have turned the other cheek in compliance with the Christian ethic and we have none left for another slap.

There is no doubt that the proposed tricameral parliamentary system is a step in the wrong direction. There is also no doubt that black people must assume responsibility for their own administration at local level.

But if this is put out as a substitute for representation in Parliament, then even the black local councils are a step in the wrong direction.

If Prof Giliomee thinks that I am going into the wilderness by taking this stand, then I can only say that other men in South Africa, like General Hertzog, took a step into the wilderness when a principle and the future of his people were at stake.



Rikhoto rights: WCAB appeals

Labour Reporter

AN application for leave to appeal by the Western Cape Administration Board (WCAB) in a case which could affect thousands of migrant workers applying for Rikhoto rights is to be heard in the Cape Supreme Court on September 2.

Mr Mdwandweni Mthiya, a City contract worker, was granted city rights by Mr Justice Pat Tebbutt in April because he had worked for one employer for longer than 10 years.

But, unlike Mr Tom Rikhoto, who was granted city rights on the same basis in the landmark Appeal Court case in May, Mr Mthiya had taken unpaid leave three times during his period of employment.

The WCAB has refused to implement the Mthiya ruling and has rejected the applications for city rights by hundreds of migrant workers who have taken unpaid leave during their 10 years.

If the WCAB is granted leave to appeal against the Mthiya ruling, the case will be decided in the Appeal Court in Bloemfontein and could affect thousands of migrant workers throughout the country.

● Mr Johnson Mpukumba, president of the General Workers' Union, yesterday appealed to the authorities to "show concern for the workers from Transkei and Ciskei."

He warned there would be great bitterness among workers if the government decided to label Transkeians foreigners and deny them rights on that basis.

Referring to the proposed new legislation to prevent workers from bringing their families to the cities unless they had "approved accommodation", Mr Mpukumba said workers would fight for their families' rights.

Black wives can't buy their homes

THE legal status of black married women, which is presently under investigation by the South African Law Commission, assumes a new sense of urgency in view of the Government move to sell houses to blacks.

About 99 percent of married black women are legal minors. Whether they are married under civil law or under tribal law, their husbands have marital power over them and are their legal guardians. Only the few who are married with an ante-nuptial contract are not subject to the marital power.

The Department of Community Development is allowing black women to buy Government houses — but they will not be eligible for building society loans.

Building society and Government officials admit this will affect many black families for, in many of them, the woman is the head of the household.

"The Government is sympatheitc to the situation and aware of the problems. But it is not easy to find a solution that will satisfy all parties," said Mr Johan Kruger, sales co-ordinator of the housing scheme for the Department of Community Development.

OCCUPANTS

According to the department, only the present occupants of Government houses will be able to buy them.

To determine the prices of the houses the original price of the house has been added to its replacement value and the total halved. This means that old houses in particular will be sold cheaply.

The department is offering special discounts as a further incentive to potential buyers — including one of between 25 and 30 percent for cash.

If the occupant chooses not to buy his house, it can still be rented — but rentals are likely to go up substantially next year, said Mr Kruger.

SECURE

In the past the United Building Society had allowed some black women to take out housing loans to secure houses under the 99-year leasehold system, said Mr Piet Kruger, the society's assistant general manager.

"But we cannot continue making exceptions because now there will be so many of them," he said.

Mr Kruger added that building societies had been pressing for a long time for the tribal law to be amended because "we consider black women good customers and safe borrowers."

It is even difficult for single black women to get housing loans. Tribal marriages are not registered so there is no way of checking on a black woman's marital status.

CHANCE

Building societies who gave self-declared single women a loan were taking a chance, Mr Kruger said.

Mrs Deborah Mabiletsa, a director of the Urban Foundation, said she believed financial merit alone should decide whether a black woman could buy a house.

"For many years we black women have asked to be recognised as legal adults. Many of us are heads of households and, in certain cases, the sole breadwinners. Why is our majority not legally recognised when we are acting as adults in every other way?" she asked.

. . . as Koornhof brings back Orderly Movement Bill

FEAR AND CONFUSION

(339) City Press 14/8/83

DEEP CONCERN and confusion is mounting over the Government's real intentions on allowing black people to live in the urban areas following yesterday's announcement that the draconian Orderly Movement and Settlement of Black Persons Bill is to be re-introduced to Parliament.

CP Reporter

Minister of Co-operation and Development Piet Koornhof announced in Cape Town that the Bill, presently before a select committee, would probably come before Parliament again next year.

Dr Koornhof also said the Government would not ease up on influx control and squatters.

"We will act strictly and decisively against squatting. We will under all circumstances ensure that the numbers of people coming to the cities is restricted," he said.

The Orderly Movement Bill provoked a storm of protest when it was initially introduced. The Bill sought to tighten considerably the pass laws and control over black people living in both the urban and rural areas.

But the Black Sash yesterday registered its concern at news that the Bill would be reintroduced.

The South African Institute of Race Relations commented that if the Bill became law it would create instability.

Meanwhile, Dr Koornhof has announced that 9 332 workers have been granted Rik-

Wrab gives way...

THE West Rand Administration Board has decided to grant Section 10 (I) B rights of residence in the urban areas to citizens of "independent" homelands who have worked for the same employer for 10 years, in terms of the Rikhoto judgement.

This is the effect of Wrab's decision yesterday (Thursday) not to oppose a legal action for these rights from Bophuthatswana citizen Mmabulela Dikobe, his lawyers announced yesterday.

Free after four years!



● A jubilant Mordecai Tatsa with his lawyer, Priscilla Jana, after his release.

THE Tatsa family in Soweto rubbed their eyes in disbelief as South Africa's most talked about detainee, Mordecai Mothibe Tatsa, walked into his Orlando East home fresh from a record 3 [illegible] one year sentence.

He held in his hands a three-year banning order as his excited parents surged forward to welcome the son who last walked free in 1979.

Tatsa was unexpectedly released from the his release. We had stopped hoping."

Now 28-year-old Tatsa has been listed, banned and placed under house arrest. The Minister of Law and Order Mr Louis le Grange, said in the banning or- year under the new Internal Security law, has to report to the Orlando police station every Monday between 6am and 6pm. During weekdays he will be under house arrest between 7.30pm to 6am and during public ho-

knew nothing about.

And to make matters worse, says Alvine, they used her original wedding date and honeymoon arrangements.

Alvine, 30, said that although she and Kevin had postponed their wedding, she believed they would marry later.

Then last Saturday Kevin, 30, walked up the aisle of a Randburg church with pretty publicity officer Janet Thompson, of Durban, to whom he had proposed only two days before.

On honeymoon in Cape Town, a happy Kevin said his wedding to Alvine had been called off six weeks previously, and their relationship had "entirely ended" four weeks ago.

"Coincidentally, we had planned to marry last Saturday. But I married Janet instead," he said.

It was a sudden proposal. Their relationship had blossomed only 10 days earlier.

He claimed it was Alvine who broke off their wedding plans, and said he was "very sad" about her allegations.

"She said she would make things public if we ever split up," he said.

Secret wedding

"It's true that she only heard about the marriage after it had taken place. Everyone else did as well.

"It was a secret wedding and only Janet's father and two close friends were there."

The former co-host of TV's controversial "Open End" show also revealed that he has offered his services as the screen's next James Bond in place of Roger Moore and Sean Connery.

Kevin, recently voted South Africa's sexiest man by readers of a women's magazine, feels he has most of the attributes to play the smooth, daredevil 007.

His agent is in Britain with a video tape of Kevin in action to press his claim to be the next Bond.

Unhappy Alvine said in Johannesburg this week: "We shared everything.

"I nursed Kevin when he was sick and bought him clothes so he would present the right image to his public.

"I never doubted him."

Alvine said that although their August 6 wedding had been "postponed", Kevin had vowed to her, to their Roman Catholic priest in Johannesburg, and to all of their friends, that he would marry her eventually.

She said: "Kevin never had any money and we always used my resources.

"We lived together in my flat in Berea in Johannesburg, shared all of my possessions as two people in love will and I never doubted him.

□ To Page 3



... newlyweds Kevin
Picture: TERRY SHEAN

Blacks will stay forever under leases revamp

S. Times 14/8/83

By BRIAN POTTINGER

THE Government is to bring in new legislation that will give permanent property rights to the country's 10-million urban blacks.

A proposed change in the 99-year leasehold scheme will mean that when a house is transferred, the new owner's lease will revert back to the beginning of the 99 years.

The move is seen as a profound shift in Nationalist philosophy since it grants perpetual property rights to blacks in urban areas.

The new legislation — allowing for transfer of 99-year leasehold in its entirety from one "competent" person to another — is expected to be tabled during the current parliamentary session.

Under the present system, anyone who inherits or buys a leasehold inherits only the balance of the 99 years

Opposition

The Opposition, the Urban Foundation and organised commerce and industry will endorse the proposed move, but tough opposition from the rightwing parties can be expected.

The crucial issue of fully fledged freehold rights for blacks in urban areas is now a subject of investigation by a Cabinet committee appointed this year to investigate the position of urban blacks.

Although the Government accepted five years ago that blacks in urban areas could no longer be considered "sojourners", it still stops short of granting freehold title. Instead it will now grant leasehold in perpetuity.

GASKILL



A new-look TV guide

A COMPACT guide to TV viewing for the week ahead is published on page 37 of the Sunday Times Magazine today.

Readers who keep the Magazine beside their sets at home will now have a handy reference to plan their viewing — plus, of course, the pleasures of leisurely reading of South Africa's biggest-circulating magazine.

Into the valley of oppression
Marched the WCC's 300 . . .
Enemies to the right of them
But no enemies to the left of them!

See page 10

☆ ☆ ☆ MEET SEXY SINGLE-MINDED SAMANTHA IN TODAY'S *LifeStyle* ☆ ☆ ☆ MEET THE BAKER WHO WRESTLES CROCS IN YOUR MAGAZINE

R17 000!

By DAVID FORREST in Johannesburg
and RAY JOSEPH in London

er King Sobhuza's
ded months of

be Swaziland High
at first denied that
, but then admitted
not to allow anyone

dernisation, regarding it as a threat to their positions of power and privilege.

The replacement of Queen Dzeliwe followed a marathon meeting during which the Queen Regent tried to disband the Liqoqo.

Senior members of the royal family backed the Liqoqo, and a major factor which swayed the struggle in the Liqoqo's favour was Queen Dzeliwe's decision to

King Sobhuza, who ruled Swaziland for 61 years, had more than 100 wives and an undisclosed number of children before he died at the age of 83.

Since then, the battle-lines have been drawn broadly between the traditional

But Queen Dzeliwe's depu-
strongly disputed by some
members of the royal fam
Prince Ghabeni Dlamini.

South Africa since his ...
year, fell victim to influenza
ista in the Liqoqo in Februa
support he enjoyed from Qu
Now she, too, has become a
traditionalists.

Detailed report on black consumers

A DETAILED report on the booming black consumer market has been completed.

Three advertising agencies and six marketing companies came together to sponsor a Markinor study, with a sample of 1 000 men and women in the Soweto townships, the Reef, Pretoria, Durban, East London and Port Elizabeth metropolitan areas.

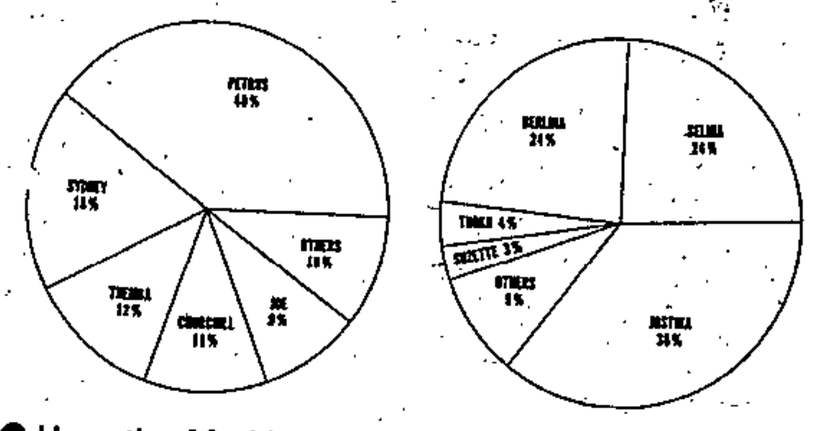
The ad agencies are Bates, De Villiers and Company and J Walter Thompson and the companies are BP, Reckitt and Colman, SAB, Sales House, SFW and United Tobacco.

Markinor's findings indicate that there are five segments each among black men and women, comprising around 90% of urban dwellers.

Markinor has come up with titles for each segment.

For the men it is Petrus (40%) — old, down-scale with traditional values; Sidney (18%) — young, smart non-drinker; Temba (12%) — fashion-conscious, fairly up-scale drinker; Churchill (11%) — up-scale with Western interests; Joe (9%) — dowdy, slightly down-scale drinker.

For the women it is Justina (38%) — down-scale housewife; Selina (24%) — domestic worker with rural ties; Berlina (24%) — young, smart, up-scale; Thoko (24%) — the drinker; Suzette (3%) — young with Western interests.



● How the Markinor study splits up the male and female urban black consumer market. See accompanying report for details.

Survey solution to black loafers

By MAURITZ MOOLMAN

A QUESTIONNAIRE circulated recently among the 125 members of the Afrikaanse Sakekamer in Kempton Park indicated a solution to the "No 1 problem" of the the presence of blacks in the town centre.

The questionnaire, which refers to blacks as "loafers", called for an "effective bus service to remove them to their own areas faster".

Results are to be presented to the town council, according to the Sakekamer chairman, Mr Smiley Schoon.

The survey, drawn up by a sub-committee of the Sakekamer and put to members at a meeting last month, stated that pavements and streets in the East Rand town adjoining Jan Smuts International Airport, were being overrun by blacks or "non-buying" members of the public.

It posed a number of solutions, which members had to arrange in order of preference, to the problem of "continued growth but diminishing buying power in the town centre".

It also stated that "the non-buyer should be lured to loaf outside the city centre through the establishment of buying centres within reach of his own area".

Members were expected to answer the questionnaire at the meeting held at the Kempton Park Country Club.

Mr Schoon said yesterday he did not believe the questionnaire was biased or tendentious because members were given the opportunity to make their own recommendations.

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Cape Times 18/8/83

Rikhoto endorsements

~~200~~ ~~205~~ 339

THE reference books of 8 ~~952~~ black people had been endorsed during the period June 25 to July 29 this year as a result of the Rikhoto judgment, the Minister of Co-operation and Development, Dr Piet Koornhof, said in reply to a question by Mrs Helen Suzman (PFP Houghton). — Political Staff and Sapa

Black councils 'must not be linked to Govt'

By PATRICK LAURENCE
Political Editor

BLACK village and town councils set up under the Black Local Authorities Act should be linked to the "national states" and not serve as stepping stones to black participation in the central Government of South Africa, Dr P J Riekert says in a new book entitled "Change in South Africa".

Dr Riekert, who is chief director of the Western Transvaal Administration Board and who has been involved in the administration of black urban areas for 35 years, advocates a formal bond between the new councils and the "national states" or "homelands".

"It would be undesirable and contrary to Government policy to administer black towns as part of the existing or future white, coloured, or Indian local authorities," he says.

"Such a step would irrevocably link blacks to the central Government of the RSA and not to the governments of the national states."

Dr Riekert, one of Pretoria's longest-serving and most influential administrators of black urban areas, envisages a political "safety valve" function for the new local authorities.

"These local authorities will serve to defuse pent-up frustration and grievances against administration from Pretoria," he says.

"Local authorities will affect the daily existence of these black people more directly and intimately than the more removed activities of the central Government.

"In the war in which South Africa is involved and the total onslaught against the country, defusion of this kind has become an urgent necessity which cannot be postponed much longer."

Dr Riekert adds of the councils: "It would be futile to establish (them) if residents are opposed or show so little interest that council members are elected with ludicrously small percentages of votes."

Elections for the new village and town councils which will replace the present community councils are due in the larger black townships in November. Whether they draw high or small percentage polls will depend in large measure on Inkatha.

Chief Gatsha Buthelezi, Chief Minister of KwaZulu, told the Rand Daily Mail yesterday the chances of Inkatha fielding candidates under Inkatha colours in the November elections were extremely remote.

The choice before Inkatha was whether to sanction participation of Inkatha members as individuals or whether to actively advocate a boycott by its more than 750 000 members.

At its recent meeting Inkatha's central committee declared its final decision would depend on two factors:

- A satisfactory explanation from Pretoria for a Department of Foreign Affairs and Information pamphlet which cited the establishment of the new councils as partial justification for the exclusion of blacks from the proposed tri-racial Parliament.
- A detailed account of how the new councils would be financed.

Chief Buthelezi has taken a tough line against the new councils because of the official view that they are a substitute for black participation in central Government.

In his address to the central committee he stressed that Inkatha's aim was the inclusion of blacks at all three levels of government — local, regional and central.

He appeared to advocate a strategy of waiting and then taking control of the councils at a more opportune time.

"We have learnt that we are involved in a long and bitter struggle and we know that we are powerful enough to bide our time if strategy so demands. We do not have to take a once-and-for-all decision right now.

"It is widely recognised that non-participation by Inkatha will be a blow as far as the central Government is concerned. They need our participation more than we need it and that need will be there next year and the year after ..."

Rikhoto ruling 'of wide benefit'

CAPE TIMES 31/8/83 339

Labour Reporter

EMPLOYERS as well as workers stand to benefit "considerably" from the Rikhoto judgment granting migrant workers city rights after 10 years with one employer, according to a University of Cape Town economist, Mr Charles Simkins.

In a paper published by the Southern Africa Labour and Development Research Unit (Saldru) this week, entitled "The Economic Implications of the Rikhoto Judgement", Mr Simkins argues that further relaxations of influx control would bring substantial economic benefits at a moderate cost.

Mr Simkins estimates that at most, a "backlog" of 145 000 people — 2,4 percent of the total urban black population of 6-million outside the homelands — would be legally allowed into the cities following the judgment.

These would be mostly the wives and children of the 130 000-odd migrants who would qualify for city rights, and already in the cities.

Mr Simkins argues that the judgment would create a more abundant labour supply in the cities for employers, a decrease in the difficulties of recruiting workers, and a removal of the requirement that workers travel back to the homelands every year to renew their contracts.

The prospect for migrant workers of gaining permanent city rights would lead to more stable employment, as well as a greater desire on the part of workers to invest in their own education.

Mr Simkins says the benefits for individuals concerned include a greater job mobility, implying greater access to the more desirable jobs.

For written reply:

359 Hansard 31/8/83
Q. Col. 2010

Administration boards: investments

1081. Mr. P. G. SOAL asked the Minister of Co-operation and Development:

(a) What total amount had been invested by each Administration Board as at 31 March 1983, (b) with what institutions had these moneys been invested and (c) what was the (i) nature and (ii) amount of each investment made by each Administration Board?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

As per attached schedule.

Administration Board	(a) Total Amount Invested	(b) Institutions	(c) (i) Nature	(ii) Amount
Eastern Cape	R2 569 000 (Committed R2 569 000) (Surplus Nil)	Building Societies	Fixed 2 Years	R 279 000
			Fixed 3 Years	R 90 000
		Commercial Banks	Fixed 88 Days	R 200 000
			Fixed 5 Months	R 1 000 000
			Fixed 6 Months	R 1 000 000
Western Cape	R5 657 250 (Committed R5 088 856) (Surplus R 568 394)	Building Societies	Fixed Deposit	R 1 506 223
			Special Savings	R 89 651
			Savings Certificate	R 75 000
			Shares	R 8 600
		Commercial Banks	Fixed Deposit	R 3 149 176
			Special Savings	R 230 334
			Shares	R 126 540
			On Call	R 471 726
Northern Cape	R3 480 000 (Committed R3 480 000) (Surplus Nil)	Building Societies	Fixed 1 Year	R 250 000
		Commercial Banks	Fixed 1 Year	R 180 000
			6 Months	R 750 000
			5 Months	R 200 000
			4 Months	R 700 000
			3 Months	R 400 000
			On Call	R 1 000 000

→

Oppenheimer: Local self-government vital

Cape Times 1/9/83 339

Own Correspondent

JOHANNESBURG. — Local self-government along the lines of the Black Local Authorities Act was important in enabling elected black representatives to be in a position to negotiate with the government at higher political levels, the chairman of the Urban Foundation, Mr Harry Oppenheimer, said here yesterday.

The former chairman of the Anglo American Corporation was speaking at the annual meeting the the foundation.

Mr Oppenheimer said that while it was no substitute for a proper share in government, local self-government along the lines of the Black Local Authorities Act was "vitally important to enable elected representatives of the black communities — who I hope would be thoroughly equipped to speak for that community — to be in a position to negotiate with the government in due course at higher levels of the national political system".

The executive director of the foundation, Mr Jan Steyn, said a "tortuous and uneven" road lay ahead of South Africa in the next 12 months.

"The twin enemies of progress in South Africa, fear on the one hand and distrust on the other, will provide fertile soil in which polarization and intolerance could prosper," Mr Steyn said.

Mrs D Mabiletsa, vice-chairman of the Transvaal regional board of the foundation, said there was some evidence of change.

"Tenure, even if it is the less than perfect 99-year-leasehold, the right to buy our humble homes at reasonable prices, are beginning to make us feel we also belong," Mrs Mabiletsa said.

Black attitudes towards the foundation had changed from suspicion and near rejection to a positive view, she said.

On educational reform, Mrs Mabiletsa said facilities were improving. "But we seek evidence that educational policy is also being reformed so that what we receive is not more inferior education, but equal educational opportunities for our young people".

339 Hansard 7/9/83
Rikhoto judgment
Q.61.2060

*17. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

How many Black persons qualifying for rights under section 10(1)(b) of the Blacks (Urban Areas) Consolidation Act, No. 25 of 1945, have had their reference books endorsed in accordance with the Rikhoto judgment in each Administration Board area since the date mentioned in his reply to Question No. 1010 on 24 June 1983 up to the latest specified date for which figures are available?

The DEPUTY MINISTER OF CO-OPERATION (Reply laid upon the Table with leave of House):

Figures for the period 14 June 1983 to 29 July 1983 are as follows:—

Administration board	Number
East Rand	5 144
West Rand	2 701
Eastern Cape	532
Western Cape	477
Central Transvaal	119
Orange Vaal	49
Port Natal	9
Highveld	2
Western Transvaal	1
Drakensberg	1

For written reply:

(1) (a) How much (i) industrial and (ii) commercial land has been set aside in each Administration Board area and (b) how much of each is serviced already;

(2) (a) how much additional land was provided for Black housing in the urban areas in the latest specified period of two years for which figures are available and (b) how much of this land is serviced already?

(339) Hansard Q. 61. 2095

Land for industries/commerce/housing

9/9/83

1110. Mrs. H. SUZMAN asked the Minister of Co-operation and Development:

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) (a) and (b)

Administration board	Industrial land (ha)	Commercial land (ha)
Western Cape	1,72 (serviced)	24,65 (serviced)
Northern Cape	15,74 (partially serviced)	9,22 (partially serviced)
Eastern Cape	16,6 (3 serviced)	38,2 (serviced)
Port Natal	Nil	2,5 (2,34 serviced)
Drakensberg	Nil	0,6 (0,6 serviced but no electricity)
Southern OFS	±34,05 (partially serviced)	±34,18 (partially serviced)
Highveld	±8,64 (±2,56 serviced)	±6,80 (±6,50 serviced)
Orange Vaal	42,10 (11,85 serviced)	207,75 (110,0 serviced)
Eastern Transvaal	1,86 (1,02 serviced)	6,63 (serviced)
Northern Transvaal	Nil	Nil
Central Transvaal	47,43 (not serviced)	31,29 (20,18 serviced)
Western Transvaal	Nil	46,31 (34,13 serviced)
East Rand	104,4 (1,7 serviced)	±30 (serviced)
West Rand	25,45 (16,1 serviced)	14 (identified for future use)

Note: In respect of West Rand Administration Board the land is combined—industrial and commercial land.

(2) (a) ±8 309,5 ha.

(b) +548,8 ha.

Bureaucrats are frustrating permanent residence rights

Star 6/9/83 (339)

By Carolyn Dempster

In the aftermath of the historic Rikhoto judgment, hundreds of hopeful black workers are still streaming to 80 Albert Street in Johannesburg to claim their permanent urban residence rights.

But many are being buffeted by bureacracy in their legitimate quest.

"Matanzima doesn't want you to have these rights"; "We don't trust these letters from your employer"; "Come back with a photostat of these forms"; "You took unpaid leave so there is no proof of continuous service" are some of reasons given for refusals by officials at the West Rand Administration Board offices.

And, after the long weary wait, which ends when they are turned away from Room 117, 118 or 119, some of the workers collect at the Black Sash Advice Bureau to plead their cases again.

● Mr Mzikawangenwe Shelembe, a cleaner at Johannesburg Hospital, seemingly did everything right. On August 22 he completed 10 years in the employ of the province and applied for the Wrab forms for section 10 (1)(b) workers.

With a letter from Johannesburg Hospital and the forms completed he returned to Albert Street -- where he was refused his rights without being given a reason.

"When I protested they said I was taking chances and should not come back," he said.

● Mr Sekelena Alfred Site worked at Dorbyl in Germiston from February 1971 to February 1983 when he was retrenched by the company and was left without a permit.

When he applied for a work-seekers permit and/or section 10(1)(b) rights at the Germiston Labour Bureau, he was told to "go home to Pietersburg". With no work, no prospects and no permit he had no alternative but to return home to live off his family and join the ranks of the unemployed.

● Mr K (his employer refuses to publish the man's full name for fear of possible victimisation) worked in Sandton for the same employer from November 15 1972. When the employer took Mr K to apply for section 10(1)(b) rights he was told by Sandton administration board officials "without approved legal accommodation he cannot talk to us".

In another bid, the employer then went to 80 Albert Street where he was told that it was "no use" because Mr K had been employed in Johannesburg and then Sandton.

At the third attempt a Johannesburg official said there was "no problem" with residence, Mr K was entitled to his rights but, because he had worked in Sandton, he should go back to the original official.

And these are not isolated cases.

" It's very frustrating," says Mrs Sheena Duncan, president of the Black Sash, pointing to a pile of at least 500 cases the Sash has seen in the past month.

"The kind of obstruction we are seeing here shows that, if government departments and officials choose to disobey court rulings, nobody can make them adhere to them. Even if we have one or two test cases, this kind of thing will continue -- and we can't take every case to court," she added.

Mr John Knoetze, chairman of Wrab, vehemently denies that there is a concerted effort or desire by his board to frustrate the efforts of the black migrants to secure their rights.

"I cannot deny that there are some people who deal with these cases who enforce the law very rigidly. But the general policy of the State and my department is to lean over backwards to see that those who qualify in terms of the court ruling get their rights."

As things stand the situation regarding section 10(1)(b) workers is still not clear. As yet the Minister of Co-operation and Development, Dr Piet Koornhof, has not stated whether people from independent homelands qualify for the rights, or whether unpaid leave, even if built into the worker's contract, constitutes a break in continuous service.

Urban rights in theory — but in reality there's simply no room

339

Star 9/9/83

By Jo-Anne Collinge

Nine thousand migrants who have won the right to live permanently in the cities are finding their hopes of a normal family life thwarted by a formidable barrier: the desperate shortage of officially approved accommodation.

Housing has emerged as a solid barrier to long-term contract workers reaping the human benefits of their newly-won urban residence rights.

In theory 9 000 migrants, who have since the Rikhoto judgment qualified to live permanently in South Africa's cities, may now enjoy domestic comforts and the company of their families rather than stay in single-sex hostels.

But in terms of the Laws on Co-operation and Development Amendment Act passed last month, turning these paper rights into concrete reality hinges on securing accommodation that meets with official approval.

The Act lists four types of accommodation that the worker must secure in the urban area if his family is to join him: any house on a site held by leasehold right in his name; any house he erects on a site legally allocated or let to him for residential use; any house legally let to him; any married quarters provided by his employer.

The "self-help" squatter option may satisfy the worker's desperate need for shelter. But it won't get official approval, as recent shack demolitions in the Peninsula, Soweto and the East Rand indicate.

Neither is lodging — sharing another's house — an option for families entering urban areas.

The national president of the Black Sash, Mrs Sheena Duncan, said yesterday that the new Act effectively put a clamp on urbanisation.

"Under the conditions set down it will be almost impossible for workers to bring their families into town. Only those whose families were living in town before the Act came into force escape the new provisions."

Mrs Duncan envisaged problems in proving that families had been resident in city areas before the enactment.

Most approved housing in townships is supplied directly by the State. Although the rate of private housing provision has more than doubled in the last five years, only 918 houses were built privately throughout South Africa in 1981 for black occupation.

However Mrs Duncan observed that certain large corporations had very recently become "seriously involved in providing housing for their workers". She felt that only the small number of Rikhoto-rights migrants who worked for these companies had any immediate hope of family life.

The rest will be able to capitalise on their urban rights only by joining the State housing queue — which was about 168 000 families long in areas outside the homelands when the Viljoen Committee made its estimate a year ago.

Estimates of the building rate needed to wipe out South Africa's shortage of homes range from 50 000 to 60 000 a year. The sources of these figures are conservative — the Department of Community Development, Professor Jan Sadie of Stellenbosch and the Viljoen Report.

Achievements have fallen far short of this mark — peaking at almost 10 000 houses for blacks nationwide in 1979/80.

West Rand Administration Board officials are optimistic that housing production will soon turn sharply upward. Administrators for various townships within Wrab's area speak of a recent release of substantial Government funds for housing and see the lean years as a thing of the past.

But without a dramatic upswing in the building rate, the migrant who has waited 10 or 15 years for his city rights is likely to wait almost as long again for a house in which to live them out.

Star 13/9/85 (339)

Stream of blacks into cities will swell to a flood

Necessity, forced upon many by the drought and depressed economic conditions in rural areas, is driving blacks in increasing numbers to towns despite legal restrictions and lack of accommodation. But their arrival in urban areas is a part of an inevitable urbanisation drive, predicted by experts, which will change South Africa radically in the coming two decades. ANTHONY DUIGAN reports.

Nearly a million blacks will stream to South Africa's cities and towns each year for work and accommodation between now and the year 2000. This will create "the most radical changes yet in social and political life", according to a leading expert on urbanisation.

Unfortunately, believes Dr Flip Smit, vice-president of the Human Sciences Research Council and an adviser to the Government on black urbanisation, South Africans have little idea of the forces being unleashed by this massive urbanisation drive which is inevitable, unstoppable — and already happening.

"It is the most important socio-economic and probably political phenomenon in South Africa. It would be a great pity if it became a political football," he said in a speech earlier this year.

In an HSRC study Dr Smit predicted that three-quarters of the total black population would be urbanised by 2000 — which means an additional 15 to 20 million blacks would settle in urban areas during the next two decades or so.

In spite of a welter of restrictions, this black stream to urban areas and their peripheries has flourished over the years and today appears to have been swelled by the drought and economic downturn which has made rural living a burden too heavy to bear.

Interviews with homeland and community leaders produced a consensus that there is a bigger movement of blacks than ever between homelands and towns and vice versa.

The Chief Ministers of Gazankulu and kaNgwane said people were leaving their territories to try and earn a living in nearby towns irrespective of official retribution.

A spokesman for the Lebowa Government pointed out that the stream was two-way in many cases — retrenched workers heading home to rural areas as well as the jobless hoping for something better in the towns and cities.

Mr Gibson Thula, kwaZulu's chief urban representative now based in Soweto, said he had been approached by many people from kwaZulu who had left, threatened by starvation.

"Many of these people are in a Catch-22 situation," he said. "They leave their homes to escape hunger and thirst but often end up being forced back because they cannot get legal employment in an urban area."

Mr Tom Boya, chairman of the Daveyton community council on the East Rand, said there was a steady flow of people from Lebowa into Benoni and other East Rand areas.

Mr Hammond Tooke, economist of the Federated Chamber of Industries, said all the signs of a large outflow of people from kwaZulu were evident when he visited the area earlier this year.

The Institute of Management and Development Studies (IMDS) at the University of Transkei has studied the movement of migrants from Transkei and emerged with a disturbing picture of workers forced to leave their homes in increasing numbers because economic development has not touched them.

More than half Transkei's male labour force works as migrants in South Africa but the intake has declined in recent years and is expected to decline further, according to the latest Transkei Government White Paper on development.

The effect of this, coupled with drought, has been a huge leakage of people — women in particular — into South Africa in search of a livelihood. Most head for the Eastern Cape and Natal where they try, under threat of police action because of their illegal status, to find work and accommodation.

Their numbers are conservatively estimated at between 80 000 and 90 000.

One IMDS researcher believes this number will explode dramatically during the next five years until three of every four Transkeians working in South Africa will be "illegal".

The reason the researcher gives is simply that so many Transkeians rely totally on remittances from workers in South Africa for their necessities. "Ninety percent of the income of those families earning less than R1 500 a year comes from migrant remittances," the researcher said.

This economic dependence on the urban areas for the necessities of life was underlined by senior lecturer in development studies at the University of Bophuthatswana, Mr Johan Graaff, who did not agree that the drought was forcing people to leave rural areas.

"Recent studies by Unisa have shown that during the five years up to 1982, income from agriculture declined from 25 percent of the rural peoples' income to 10 percent," he said. "In other words, these people relied on remittances from the urban areas and the present drought has little to do with their actual income."

Research in several drought-ravaged areas of Bophuthatswana indicated that people remained at their homes, existing on poor relief and whatever they got from the urban areas.

But the reality of the future was that rural blacks would be moving to urban areas in increasing numbers during the coming two decades.

Rights of migrant workers blocked

By PHILLIP VAN NIEKERK
Labour Reporter

THE country's highest courts have become a battleground for the rights of migrant workers — and the Administration Boards seem determined to fight every inch of the way.

Last week the Cape Supreme Court refused the Western Cape Administration Board (WCAB) leave to appeal against a judgment made in April granting city rights to Mr Mdwaneni Mthiya.

Mr Mthiya had worked for one employer for longer than 10 years and lived in the city for 15 years. However, unlike Mr Mehlolo Rikhoto, who won the landmark Bloemfontein Appeal Court case in May, Mr Mthiya had taken three lengthy periods of unpaid leave while qualifying for city rights.

This becomes important when it is noted that a large number of migrants are being refused city rights by the WCAB because they took unpaid leave. In spite of criticism that they are ignoring a Supreme Court ruling, the WCAB has not yet indicated whether they will implement the judgment.

Now their legal advisors have said they will petition the Appeal Court for leave to appeal, their last resort.

When Dr Piet Koornhof, the Minister of Cooperation and Development, announced that the government would abide by the Rikhoto decision, there was a favourable response from employers and Western diplomats. They saw it as a sign that the government was at last facing up to the realities of urbanization and taking a more lenient approach to influx control.

Since then there have been numerous claims of bureaucratic obstruction, forcing many migrants to seek their rights in the courts. For instance, workers from the "independent" homelands are reportedly still being turned down by the West Rand Administration Board even though it is more than a month since Dr Koornhof conceded that they were eligible for those rights.

And employers have been irritated at having to fill in lengthy forms on their employees' work records when the Administration Boards have complete records on every black person's registrations in the area.

Even court action is no guarantee that workers will be granted their rights. After an exhaustive battle through the courts, Mr Mthiya, for example, still does not have the coveted 10 (i) (b) stamp in his passbook.

Statistics best tell the story. Of the potential 145 000 workers due for Rikhoto rights, little more than 9 000 have been granted them in the more than three months since the Rikhoto Appeal Court judgment.

And the value of city rights has been somewhat diluted by new legislation which bars people with city rights from bringing their families to live with them unless they are legal tenants or owners of a housing unit.

In Cape Town, people cannot get onto the housing waiting list unless they are already legal families in legal lodgings — what the Black Sash has called a Catch-22 situation.

● The annual conference of the Trade Union Council of South Africa (Tucsa) later this month could see the country's largest multi-racial union body facing up to some urgent soul-searching over its future direction.

The SA Boilermakers Society, South Africa's largest union with a membership of 60 000-plus, has called for a special congress of Tucsa early next year to discuss the organization's future. And there is talk that the union may opt for leaving Tucsa.

Tucsa has shifted to the right in recent years — due to an influx of predominantly white unions — and seems left behind in the struggle to win credibility among black workers, the major focus of unionization in recent years.

In addition, Tucsa's standing internationally as representative of South Africa's workforce has diminished considerably along with the rise of the independent union movement.

According to Mr Ike van der Watt, general secretary of the Boilermakers' Society, this month's congress is "crucial" and the special congress has been proposed because they are worried about Tucsa's lack of direction.

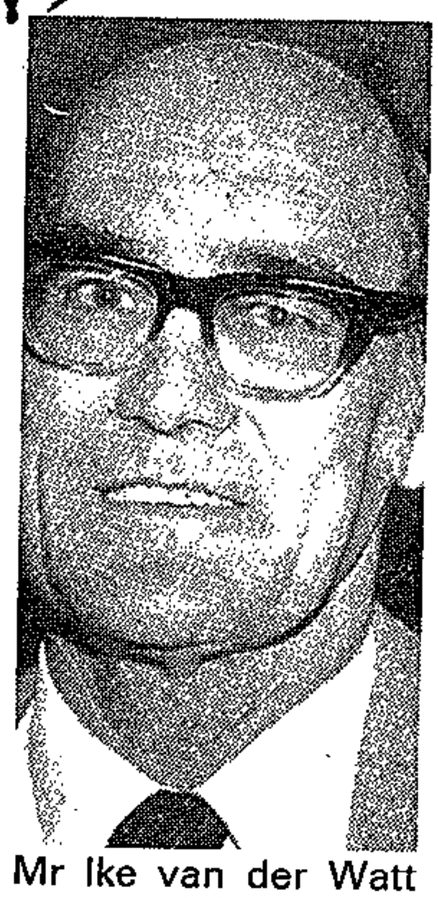
"We want to know if Tucsa has a future," he said. "It seems to have no goals beyond attacking other unions and has failed to bring all unions together under its umbrella."

● For the first time in recent history workers employed by the same company in different parts of the country went on strike together this week over the same demand.

The strike was by about 1 000 members of the National Automobile and Allied Workers' Union (Naawu) at the motor components firm Autoplastic's plants in Cape Town, Pretoria and Port Elizabeth.

It was hailed by Mr Joe Foster, the general secretary of the Federation of South African Trade Unions (Fosatu) and Cape Town secretary of Naawu, as a "big victory". Not only did the workers win an immediate eight-cents-an-hour increase, he said, but their combined action showed a remarkable amount of solidarity.

The strikes were sparked by a management refusal to consider wage increases till the beginning of next year as a result of depressed economic conditions.

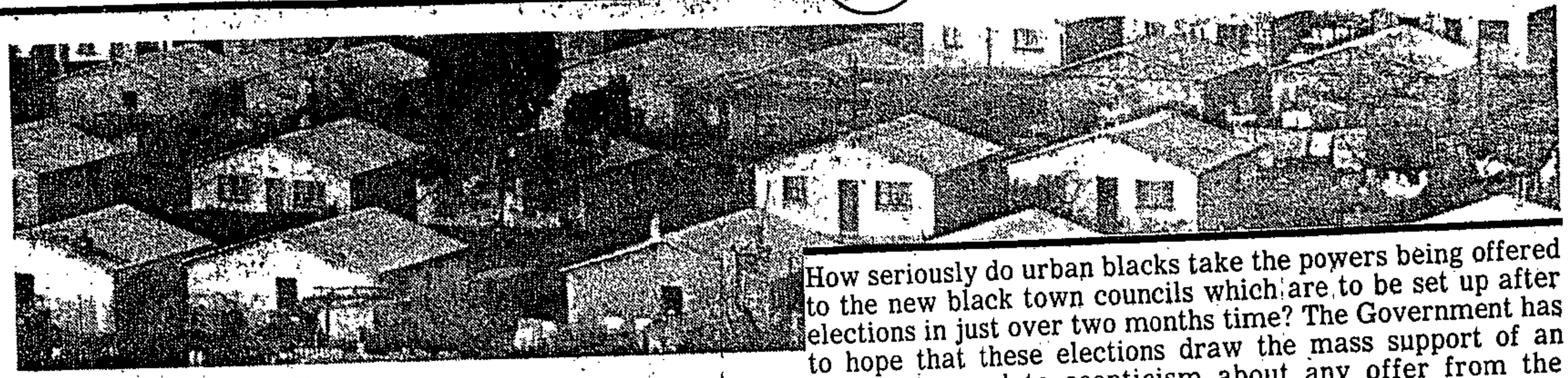


Mr Ike van der Watt ... crucial meeting

● As reports of retrenchments continue to flow in, Unemployment Insurance Fund (UIF) payouts have also risen sharply. Payouts for January to June last year were R52-million, compared to R87-million for the first six months of this year — a jump of 67 percent.

And that's excluding all those categories of workers excluded from the UIF, such as black contract workers from the "independent" homelands, farm and domestic workers, seasonal workers and people who have been out of a job for longer than six months.

Urban blacks: a final last chance



How seriously do urban blacks take the powers being offered to the new black town councils which are to be set up after elections in just over two months time? The Government has to hope that these elections draw the mass support of an electorate used to scepticism about any offer from the authorities. Anthony Duigan reports.

THE community council elections in many urban black areas during the late 1970's were a nightmare the Government would rather forget.

It was a final attempt to try and give urban blacks responsibility without power — and it flopped badly as the mass of the electorate simply ignored the polls.

Councils in some areas were elected with polls as low as six percent (Soweto) and Government opponents have gleefully used this to tear away at the credibility of these bodies which have never been able to shrug off this early setback to their image.

Last year, after several false starts and only with the skillful and patient behind-the-scenes pressure from organisations such as the Urban Foundation, Parliament finally passed the Black Local Authorities Act, mooted by Minister of Co-operation and Development, Dr Piet Koornhof, as the first part of a new dispensation for urban blacks.

This Act was generally welcomed because, for the first time, it provided for the election in urban black areas of proper town councils will powers over local matters similar to those excercised by white local authorities.

For the first time certain functions and areas of jurisdiction were to fall under the direct control of black authorities who did not have to refer decisions to the Minister for ratification.

Last week Dr Koornhof announced that elections for the first 26 local authorities — 13 of them in the PWV — to be set up under this new Act will begin on November 25.

"This time we must succeed in getting mass support for these local governments because they represent very real power which has never been there before," said one senior official who has been closely linked with new legislation.

The BLA Act was based on the Transvaal local government ordinance and paralleled the provincial ordinances governing whites, Dr Koornhof said at the time it became law. It conferred real autonomy on these local authorities and limited the power of the Minister to nothing more than that excercised by the Administrator of a province.

But even real power is no palliative if the inheritance is debt-ridden townships with no financial base except houses and the sale of infrastructural services, according to those who have been converted but remain to be convinced that the new system is workable.

Inkatha, the socio-political organisation headed by Chief Gatsha Buthelezi of kwaZulu, is one of the "converted but unconvinced". Informed observers such as Mr Jan Steyn, executive director of the Urban Foundation which has fostered the BLA Act, believe the Government has very limited time in which to show a positive financial base for the new local authorities in order to draw in a sufficient cross-section of the black leadership to make the system credible.

Discussions with Government officials indicate that there have been numerous recommendations put forward (by bodies such as the Croeser Committee which has been investigating the financing of local authorities in general). But the final decisions on these are often dependent on the new constitutional dispensation for second—and third-tier government.

At present the new black local authorities will have to rely on their housing stock — rentals and up to half the proceeds from the current mass sale of Government houses — and the sale of services.

There are no central business districts in the black areas that can carry any tax burden but possibilities that could ease the situation include central Government carrying the salaries of seconded white officials and the costs of services like ambulance, fire protection and law and order enforcement.

Mr John Knoetze, chairman of the West Rand Administration Board, points out that the greatest share of expenditure is on services such as water, sewerage, etc and that if these are phased from the old subsidised basis to an economic one then the era of running black areas like Soweto with huge annual deficits would become something of the past. "And we are getting towards this economic system," he said.

But while there is great optimism in official circles about this "new era" in black administration and local politics there is a very significant grouping implacably opposed to anything connected with the new local authorities.

The United Democratic Front, the recently-formed umbrella body co-ordinating opposition to the new constitutional dispensation, and organisations such as Soweto's Committee of 10 are in this group. The lack of a better financial base is among the arguments put forward against participation in the November elections.

But whatever the opposition there is little doubt that the Government will pull out all stops possible to make these new local authorities work. It is possibly the last chance to create a viable urban infrastructure for black people. □ — *Staff Reporter.*

Court actions pending on Rikhoto resistance

S. Times 18/9/83

By BRIAN POTTINGER

VARIOUS court actions are pending as legal-resource bodies and community organisations battle to force certain administration boards into stricter compliance with the Rikhoto appeal judgment.

The judgment allows migrant workers who have lived and worked for a specified period to qualify for permanent urban residence rights.

Dr Piet Koornhof, Minister of Co-operation and Development, has promised that the Government will abide by the judgment, but community workers are reporting wholesale "obstructionism" by various administration boards.

Mrs Sheena Duncan of the Black Sash described some of the methods being used by boards to thwart migrants from claiming their rights as "scandalous trickery".

The main fight between the migrants and the boards centre on the question of unpaid leave during the qualifying period and citizenship of the independent states.

Last week the Cape Supreme Court turned down an application by the Western Cape Administration Board to appeal against a decision granting city rights to a migrant worker who had taken three periods of unpaid leave in his qualifying 10 years' service.

A second major source of dissatisfaction with the application of the Rikhoto judgment appears in the West Rand Administration Board area, where migrants from the independent homelands are still being refused rights.

Mrs Duncan said the board's actions were not only a contravention of the Rikhoto judgment but also of the assurance given by Dr Koornhof that migrant workers from the independent states could also qualify for the rights.

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Inkatha scorns 'prop for farce'

Own Correspondent

DURBAN. — The Chief Minister of Kwazulu and president of Inkatha, Chief Gatsha Buthelezi, has made it clear that his movement will not take part in community council elections while they are regarded as a substitute for democratic involvement at central government level.

In a Chaka Day speech at Tembisa near Springs at the week-end, Chief Buthelezi said:

"When whites are involved in regional and provincial government structures, it is not a substitute for democratic involvement in the central government.

"I cannot be drawn into community council politics while they are being made into stage props for the political farce of the tricameral parliament."

Chief Buthelezi's statement followed an earlier announcement by Dr Piet Koornhof, Minister of Co-operation and Development, that elections for councils in 26 communities would take place in late November or early December this year.

Chief Buthelezi's stance on participation in community council elections has changed since 1980 when he called on blacks to use the system of community councils to their own advantage in the "liberation struggle".

'Could outwit'

He told a rally at Vosloorus near Boksburg then that black politicians could outwit white politicians in the community councils.

"We can do that in the community councils as we can do anywhere, and as in fact we have done in the Kwazulu Legislative Assembly."

However, Chief Buthelezi took exception earlier this year to the distribution of an information sheet by the Department of Information. This maintained that blacks had not been included in the constitutional proposals because they already had homeland governments, and structures such as community councils were being prepared.

He threatened at the time to withold Inkatha participation in community council elections if the information sheet were not withdrawn.

'Arrogant'

Chief Buthelezi said at the weekend that the statement that blacks need not be included in the tricameral parliament because they were evolving in their own political direction was "arrogant white propaganda".

"There is only one direction in South Africa for political development, and that is a national direction towards democracy in which power shall be shared by all," he said.

(Report by P Leeman, 12 Devonshire Place, Durban.)

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Buthelezi rejects community polls

339 ~~44~~ ~~107~~ Mercury 27/9/83

African Affairs Correspondent

THE Chief Minister of KwaZulu and president of Inkatha, Chief Gatsha Buthelezi, has made it clear that his movement will not take part in community council elections while they are being regarded as a substitute for democratic involvement at Government level.

In a Shaka day speech at Tembisa near Springs during the weekend, Chief Buthelezi said that, when whites participated in a municipal election, they were not expected to forfeit their right to vote for members of Parliament.

'When whites are involved in regional and Provincial Government structures, it is not a substitute for democratic involvement in the central Government,' he said.

'I cannot be drawn into community council politics while they are being made into stage props for the political farce of the tri-cameral parliament.'

The Inkatha president maintained that black community councils were retrogressive.

When the Black Local Authorities Act was first mooted, it was hailed as a step towards political advancement but that claim could no longer be made by the Government.

Change

Chief Buthelezi's statement followed an earlier announcement by Dr Piet Koornhof, Minister of Co-Operation and Development, that elections for councils in 26 communities would take place in late November or early December this year.

The Inkatha president's stance on participation in community council elections has undergone a change since 1980 when he called on South African blacks to use the system of community councils to their own advantage in the liberation struggle.

He told a rally at Vosloorus near Boksburg that black politicians could outwit white politicians in the community councils.

'We can do that in the community councils as we can do that anywhere, and as in fact we have done in the KwaZulu Legislative Assembly,' he said.

Chief Buthelezi, however, took exception earlier this year to the distribution of an information sheet by the Department of Information. This maintained that blacks had not been included in the constitutional proposals because they already had homeland governments and structures such as community councils were being prepared.

He threatened at the time to withold Inkatha participation in community council elections if the information sheet was not withdrawn.

The Chief Minister told the weekend audience that the statement that blacks need not be included in the tri-cameral parliament because they were evolving in their own political direction was 'arrogant white propaganda'.

(Report by P Leeman, 12 Devonshire Place, Durban)

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3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
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Admin boards' jackboot image 'not deserved'

Political Correspondent

GEORGE — Administration board officials are not "bullies without a conscience" and do not deserve their "jackboot image", Mr Louis Nel, the new Deputy Minister of Land Affairs, told the Cape Nationalist Congress yesterday.

Mr Nel, who has succeeded Mr Hennie van der Walt, strongly defended the recent removal of a "black spot" in the Transvaal, and said there were two aspects to the policy — removal, on the one hand, but also resettlement.

A Cape Town delegate, dealing with the regular demolitions of squatter shacks on the Cape Flats, said these events should never take place, since they provided a constant stream of propaganda against the Government.

Dr George Morrison, Deputy Minister of Co-operation and Development, said the Government had no intention of making the Crossroads squatter camp outside Cape Town a permanent residential area. Crossroads had become a symbol of "taunting" and "blackmailing the Government and we want to destroy that symbolism".

This would be done by taking the large percentage of "legal" black people there up into "a normal community" by spreading them into different parts of Khayelitsha, the new township being built on the Cape Flats.

Dr Morrison said 11 000 "illegal" men and 12 000 "illegal" women were arrested in the Cape Town area last year.

(Report by J G Potgieter, 19 Baakens Street, Port Elizabeth)

Cabinet considers award

GEORGE — Those who helped prevent the bow section of the tanker Castillo de Bellver from running aground on the Cape west coast deserved medals for their bravery, the Deputy Minister of Environmental Affairs and Fisheries, Mr John Wiley, said in George today.

The Cabinet was considering such a recommendation, he told the Cape NP congress. He said the efforts to stop the broken bow section of the supertanker from running ashore took particular courage. — Sapa

E Cape: Govt is trying to find cash

Political Correspondent

GEORGE — The Government is giving attention to raising the large sums of money required to implement Mr Louis Rive's recommendations for upgrading the Port Elizabeth-Uitenhage townships.

This was made plain yesterday by the Deputy Minister of Co-operation and Development, Mr George Morrison.

Addressing the Cape Nationalist Congress, he said many of Mr Rive's recommendations had been approved by the Cabinet.

Mr Rive's investigation had again emphasised the "appalling conditions" prevailing in the slums on the Chatty River flood plain, and an infrastructure was now being established at Motherwell where they would be rehoused.

The sums mentioned sounded like a lot, but he stressed that these would supply only "sub-minimum standards".

UNLESS otherwise stated, political comment and posters in this issue are by N Woudberg and T Copeland; headlines and subediting by J Stassen, all of 19 Baakens Street, Port Elizabeth.



Among those who attended an insp
A R SAYSTER, Mr S F MEYER,

NAMC will fight for op

THE Northern Areas Management Committee would continue to press for open beaches in Port Elizabeth, the chairman of the committee, Mr Willie Dietrich, said today.

He gave his views after inspecting various whites-only beaches in the city yesterday afternoon.

He and other members of the NAMC, representatives of the Port Elizabeth Indian Management Committee, the Mayor, Mr Ivan Krige, the Deputy Mayor, Mr Ben Olivier, and several city councillors were present. An inspection of beaches in Port Elizabeth's northern areas was held in August.

Mr Dietrich said: "My committee and I are going to press on for open beaches in Port Elizabeth. I am sure this local issue can be resolved locally. I am optimistic that the beaches will be open to everybody eventually."

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Sorghum beer plan may rob local black councils of R70m

2/10/83 #167 339 S. Express

GOVERNMENT officials have been discussing a secret plan to strip black local authorities of control of the R300-million a year sorghum beer industry — just as they are poised to take over the running of their townships.

Sorghum beer is the major source of income for the administration boards which have hitherto controlled the townships. Without it the new local authorities may be crippled from the start.

Senior administration board officials claim they are still required to perform certain services in the black townships — such as policing and implementing the pass laws — and until they have an alternative source of income they are not prepared to hand over control of revenue from sorghum beer.

The secret plan to 'rationalise' the lucrative beer market, which first surfaced in select committee hearings in April, evisages the formation of 'private' companies in which the country's 14 administration boards would hold 80% of the shares.

This would allow the boards to shed the image of master brewers while hanging on to most of the profits.

The Minister of Co-operation and Development, Dr Piet Koornhof, has twice in the past two weeks promised to make a statement on the sorghum beer industry but has not done so.

More than 20 years ago the administration boards inherited from municipalities the right to be the sole producers and sellers of sorghum beer. They run 24 breweries which turn out 1 000 000kl of brew a year.



● Mr Harry Schwarz



● Dr Piet Koornhof

By WILMAR UTTING

Mr John Ewels, deputy director of the Department of Co-operation and Development said plans for "privatisation" of the industry were being worked out by the sorghum beer development committee.

The committee is chaired by Professor Marthinus van Vuuren of the Unisa business school. Its four members are white officials, three from the Department of Co-operation and Development.

"We expect the report to be sent to the Minister before the end of the year," Mr Ewels said.

Mr Ewels said he was unable to discuss possible decisions or options. The matter was "sub judice" and "very sensitive".

He stressed that "every cent" of the profits — which, the Sunday Express has learned, amount to R70-million a year countrywide — were ploughed back into the black communities, whether to meet the costs of clinics, or administration board officials' salaries, housing and cars, or the brewing of beer and "building tennis courts for township residents".

Prof van Vuuren also refused to discuss the issues of "marketing" and "rationalisation" of an industry which he said had an annual turnover of between R300-million and R400-million, and profits, countrywide, of roughly R70-million a year.

Prof Van Vuuren said a number of reports on the sorghum beer industry had been sent to Dr Koornhof, but these were confidential.

This week Mr Harry Schwarz, Opposition spokesman on finance, said the biggest problem of the new local authorities would be to find sources of revenue. He found the whole affair "strange" that the beer industry was being 'privatised' at this time and called for a halt to the planning until it could be discussed openly with black authorities.

The chairman of the Soweto Council, Mr David Thebehali, said this week he had never been consulted by the Department of Co-operation and Development over the future of the sorghum beer industry.

"I will speak to the department next week," he said. "And if I find they are considering sharing the market with white entrepreneurs I will object in the strongest possible terms," Mr Thebehali said.

'A matter of irony'

SOME light was thrown on the government's strategies over sorghum beer at a meeting of the parliamentary select committee on Public Accounts in April this year.

Mr R J Raath, director general of the Department of Co-operation and Development, told the select committee that the breweries had to be disposed of because the state was being criticised for its involvement in liquor trading.

"But", said Mr Harry Schwarz, Opposition spokesman on finance, "if the black local authorities handle it, has it then got anything to do with the state?"

"There are arguments both ways," said Mr Raath.

The then director of the Central Transvaal Area Administration Board, Mr C H Kotze, said his board and the East Rand Administration Board would form a company which would have fixed shares in the whole industry.

"A portion of the shares will then be sold to the private sector. We must then, however, just insure that the income which is at present available for the black people is not lost," said Mr Kotze.

Mr Schwarz: "How can you say you are getting out of the liquor industry when you are to control 80% of the shares?"

Mr Kotze: "That is the irony of the matter."

NATIONAL

'Rikhoto judgment will benefit employers, workers'

ARGUS 11/10/83

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Labour Reporter

THE implementation of the Rikhoto judgment will bring about considerable benefits for both employers and workers, according to UCT economist Mr Charles Simpkins.

The Rikhoto judgment, handed down by the Appeal Court in Bloemfontein, ruled that contract workers who had worked for 10 years for one employer were entitled to permanent urban residence.

In a paper published by the Southern African Labour and Developmnent Research Unit (Saldru), Mr Simpkins said that 130 000 contract workers currently in cities qualified immediately for urban rights.

He estimated that about 145 000 dependants of workers from the homelands would migrate to the cities — "2,4 percent of the total urban black population outside the homelands, a very modest increase".

The most important implication of permanent urban status was greater occupational mobility for the individual worker.

Permanent urban residents might switch jobs and endure spells of unemployment legally and free from fear of being sent to the homelands.

Wives of workers who qualified for urban rights would find themselves in "a very different position" from previously.

The chances of women finding work in a town was about three times higher than the chances of finding work in the homelands, according to Mr Simpkins.

"The greater chance of employment for wives will further add to the improvement of living standards of new Section 10(1)(b) qualifiers who choose and are able to bring their families with them."

Workers entitled to urban rights would also experience a reduction in the cost of living.

Research in some homelands had shown that prices of necessities in rural areas were higher than in the urban supermarkets.

Employers would benefit from the increased labour supply, a more stable work force and increased oppurtunities for education and training.

Zero poll won't sink Koornhof's new deal



●GILLES VAN DE WALL . . . "as long as someone is nominated".

IT DOESN'T matter whether there's a miserable turnout for November's Black Local Authority elections — "as long as someone is nominated, that is enough," says Gilles van de Wall, newly-appointed Director-General of the Department of Co-Operation and Development.

The man who has risen from being an agriculturalist and weather forecaster to the top man in the department — answerable only to Minister Piet Koornhof — spoke to City Press in an exclusive interview.

With regard to his staggering admission that nomination is enough for a candidate, he said that all that was needed was compliance with the Act.

By MONO BADELA and KHULU SIBIYA

"These new bodies will have to fend for themselves," he said. "Ways and means of helping finance the new town councils will have to be found.

"Services will have to be provided, these will not be free — and of course, residents will be required to pay these."

The 57-year-old director's appointment becomes effective on December 1, when he takes over from retiring Mr R J Raath.

He refused to be drawn into discussion on political issues, saying "I am an official, a civil servant, you must not expect me to answer political questions. We do what the Government tells us to do."

He did say: "The question of squatters is a matter of great concern to us. We do not regard those conditions as befitting human beings."

Mr Van de Wall will be wielding great influence and power over millions of blacks in South Africa — stretching from the little villages of Caprivi to Khayalitsha near Cape Town.

He firmly believes Soweto is a city in its own right and hates it being called "a black township".

He's a no-nonsense man and will take no buck from directors and other junior officials in the department who refuse to execute Government directives.

"I stand by Dr Koornhof in the implementation of the Rikhoto Appeal Court decision," he said. He would go out of his way to formulate his own philosophy regarding this.

He refused to be drawn into issues such as the freehold rights of blacks outside the homelands; allowing black businessmen to operate in white areas and forced resettlement of black communities such as Driefontein.

He said the future of the Crossroads squatters near Cape Town was "enjoying serious consideration by the Government on an on-going basis".

osters by B Cohen, headlines and sub-editing by D
•EAT, Johannesburg

Blacks pour into SA's major towns

Black people are moving march to the towns — in numbers equal to the white population of five of South Africa's biggest cities.

The equivalent of the white populations of Durban, Pretoria, Port Elizabeth, Bloemfontein and East London will pour into the cities this year — and every year from now on.

In many cases these rural dwellers will search vainly for work, for homes and for food.

These million men, women and children are trying to flee poverty and disease in their drought-ravaged lands.

But the Government still has no clear positive strategy on urbanisation, according to Dr "Flip" Smit, an influential expert on the subject.

He said the Government had refrained from clarifying the position of urban blacks despite the increasingly rapid migration of such people to South African cities.

Dr Smit urged the development of a positive urbanisation strategy and acceptance of controlled informal settlements in towns and cities as inevitable.

Few people had realised the enormous socio-economic and political forces which black urbanisation would unleash, he said.

South Africa had about 1,5 million squatters or informal settlers yet the nation's rate of urbanisation was 60 percent slower than that of other developing countries. This was caused by influx control and the relatively recent development of urban areas in the homelands, he said.

Nearly 75 percent of South Africa's blacks would soon be living in towns and 20-million more blacks — including those in the independent homelands — would have to be accommodated in urban areas before the end of the century, he said.

"The major reason for urbanisation is not the collapse of black subsistence agriculture or pressure on the land, although these are factors," said Dr Smit.

"In all countries when you improve socio-economic conditions, and especially if you educate people, they opt out of making a living from agriculture. They favour blue and white collar jobs which they hope to find in towns and cities."

Dr David Webster, senior lecturer in social anthropology at Wits, said if blacks could not get a job, they drifted into the "informal sector" of the economy — street hawking, watch and shoe repairing, gambling, shebeen running and theft.

The 24 Hours inquiry found that the number of arrests under pass laws (206 000 last year) was an indication of the huge urban drift problem confronting police and municipal authorities in South Africa.

● See Page 7. World section.

24 HOURS LOOKS AT

THE CROWDED CITIES

Huge exodus to cities

ARGUS 18/10/83

85 000 a month escaping rural hopelessness...

Argus Correspondent

JOHANNESBURG. — Collapse of black subsistence agriculture through drought and over-population is pushing 85 000 people a month into South African cities.

"It is an irreversible flood that in another two decades will have seen another 20-million Africans cram South Africa's urban areas.

Devastation of agricultural land and the burgeoning population mean that a city existence is the only way out of the hopelessness of the rural poverty trap.

Homeland authorities report that two-thirds of their cattle herds and most of the pasture were lost in the drought of the past two years.

Much of the funds needed for development in the homelands had to be channelled into relief work to help people to survive.

Many thousands of people coming into the cities each month are lodging with friends and relatives in places such as Soweto and squatting in camps in Katlehong.

The huge influx was worsening the already severe unemployment, causing "unbearable strain on housing and other municipal services.

A Human Sciences Research Council (HRSC) report has warned that in 17 years the African population will be 37-million — 75 percent of them living in vast settlements around main cities.

The trend will continue in spite of Government efforts to bulldoze squatters and their shantytowns back into the distant veld.

Dying lands

Dr Flip Smit, who co-authored the HRSC report, said next to nuclear warfare and widespread hunger, "urbanisation" was the third biggest threat facing not only South Africa, but the world.

Dr Smit has just returned from a study-trip to the Far East, where he saw the same trends as in South Africa.

"People are moving from the rural areas into the cities and nothing can stop the process. It is historical, evolutionary and inevitable."

In most cases Africans were leaving behind a life of poverty and starvation on dying lands ruined by generations of over-use.

Dr Smit said by the year 2000 an extra seven-million jobs had to created for black migrants. That would cost R166 000-million.

The partial failure of the Government's industrialisation initiatives in the homelands has increased pressure on metropolitan areas.

An example is Ekangala outside Bronkhorstspruit, which has been much heralded as a key industrial decentralisation zone.

Row after row of houses built for black workers and their families are empty because of the Government's inability to attract sufficient industry to the area.

But, 70km away in crowded townships on the East Rand, authorities are forcing away people who are adding to the critical housing shortages.



Flashback to the baton charge against "illegal" Katlehong squatters earlier this month. Mrs Sheena Duncan of Black Sash has warned that the flood of Africans from the rural areas was unstoppable and would inevitably lead to more violence, like the clashes at Katlehong.

Dr David Webster, senior lecturer in social anthropology at the University of the Witwatersrand, said in the past migrant males went to the city alone for work. Now they were taking their families.

More angry

If they did not get jobs they drifted into the "informal sector" of the economy — hawking, watch and shoe-repairing, gambling, running shebeens, stealing.

A programme of increased industrialisation and a major reconstruction of rural agriculture was a priority.

He also saw the introduction of welfare benefits as the only short-term solution to the migrants' misery.

"And if no action is taken people will become more angry, desperate and political.

"The people who are really suffering will become more apathetic and resign themselves to the hopelessness of their plight," Dr Webster said.

"It's an unstoppable flood which will inevitably lead to more violence, like the clashes we saw at Katlehong," said Mrs Sheena Duncan, national president of Black Sash.

"And Piet Koornhof's Orderly Movement and Settlement of Black Persons' Bill could create more friction — not just among Africans but whites as well."

An indication of the size of the problem facing police alone is the number of arrests under the pass laws.

In 1980 there were 108 499 arrests. By 1982 the number had mushroomed to 206 022.

Mrs Duncan said a factor in the squatter crisis was the Government freeze on black homebuilding between 1968 and 1977.

"Had it not been for the freeze there would have been more accommodation available and far less pressure by migrants on township dwellers.

. . . and billions of rands are needed to cope

ARGUS 18/10/83

Argus Correspondent

JOHANNESBURG. — Billions more rands are needed to cope with the exodus of millions of rural Africans to the cities.

Today's urban population explosion is set to place an intolerable strain on social services and lead to an ever-expanding wave of squatter camps.

The urban black population is expected to reach 27-million by the year 2000.

If it were evenly spread over 27 cities the size of present Soweto it would need 27 000 doctors and dentists, 250 000 teachers, 18 000 pharmacists, 540 000 hospital staff, town planners, administrators, engineering staff and other professionals. That is a total of 835 000 people.

But Pretoria University has forecast that only 166 000 students with qualifications of Standard 10 and higher or 56 000 from bachelor-degree level upwards will be available to fill these positions.

The educational shortfall is a time-bomb in itself.

In his report to the main committee of the Human Sciences Research Council's investigation into education, Mr Andre Spier, head of the "think-tank" organisation Syncom, said the present global phenomenon of rapid urbanisation had its roots in several causes.

These were explosive population growth, mechanisation of agriculture in the developed world, rural decline in the developing world and rapid transport.

Rio de Janeiro had grown from three million in 1950 to nine million today. Jakarta's population had grown from 1,5 million to six million. And in most African cities 40 to 90 percent of the people were squatting.

He said far-reaching solutions had to be sought quickly.

The influx to the cities could also result in an overall decline of township living standards.

With so many people now living in each township home — an average of between seven and 14, say researchers — there was immense pressure on breadwinners to provide for children and the unemployed adults in those houses.

"Everyone is suffering now. They have to make do with less."

And as more people flock to the cities illegally, South Africa has tightened the screws on independent states and homelands such as Transkei.

There, from 1978 to the end of this year, the number of blacks allowed to work in South Africa legally will have dropped by 100 000 to 300 000.

Each year 27 000 young Transkeians start looking for jobs, according to the Black Sash. But in the past five years only 11 000 new jobs were created under a Transkei development plan.

CAPE Times 19/10/83

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Rikhoto's wife can also stay

Own Correspondent

JOHANNESBURG. — Mrs Rosinah Rikhoto was legally entitled to live with her husband, Mr Mehloto Tom Rikhoto, in the prescribed area of Germiston, the Rand Supreme Court ruled yesterday.

Mr Rikhoto, who brought the unopposed application on behalf of his wife, became entitled to remain in the area in terms of the Black (Urban Areas) Consolidation Act after an Appeal Court decision in his favour was handed down in May of this year.

Mr Rikhoto told the court in papers yesterday that his wife had a right to remain in the area as they were married, she had lawfully entered the area and she lived with him.

Mr Justice P J van der Walt yesterday ordered the East Rand Administration Board and the Municipal Labour Officer of Germiston to declare that Mrs Rikhoto was entitled to live in the area, and to endorse her Reference Book to that effect.

Mr Rikhoto, a machine-operator living in Katlehong, said in papers that he was qualified to live in the area as prescribed by the Act. He also held a "lodger's permit" issued by Erab.

Because he had worked as a migrant labourer under contract in Germiston for the past 10 years, his wife had not been entitled to join him and had lived near Tzaneen, he said.

When he became entitled to live in the prescribed area, Mrs Rikhoto moved to Katlehong on July 29.

Mr Rikhoto said he went to see a Mr Kruger of Germiston's Municipal Labour Office to have his wife's reference book endorsed on August 25.

However, Mr Kruger told him it was first necessary to enter his wife's name on his lodger's permit, Mr Rikhoto said. The superintendent in Katlehong entered Mrs Rikhoto's name and those of their four eldest children Hester, 10, Helen, 7, Tony 5, and Terrance, 3.

Mr Rikhoto said he returned the permit to Mr Kruger on September 1 who made a copy of it and told him to return the following week.

Mr Rikhoto said he visited the offices on two subsequent occasions. He was told each time that the computer had broken down and he should return at a later date.

He then contacted his attorney, Mr Geoffrey Budlender, because he was not achieving anything with his repeated visits to the labour offices.

Mr Budlender telephoned Mr Kruger on September 12. Mr Kruger acknowledged that he had seen Mr Rikhoto's marriage certificate and lodger's permit bearing Mrs Rikhoto's name. He said the application had been referred to the Chief Commissioner because of "internal arrangements", and that Mr Rikhoto should return to his office after September 20.

Mr Kruger agreed with Mr Budlender that it was the labour officer's decision whether to grant residence in the area and that the Chief Commissioner had no interest in the matter.

Mr Rikhoto said it was clear from the conversation that the labour officer did not dispute that he was qualified to remain in Germiston, or that he had a lodger's permit, or that his wife was living with him, or that her name was on the permit.

"I have been to the labour officer four times to have my wife's rights recognized. I have complied with all his requirements, but despite this he continues to fail to recognize my wife's rights. He also refuses to give any intelligible explanation for this failure," Mr Rikhoto said.

He said it was of great importance that Mrs Rikhoto's rights be recognized as she was liable to summary arrest by any authorized person because she was unable to prove that she was entitled to be in the area.

'Rural migration can't be halted'

The migration of people from the rural areas is an ongoing, historical process which cannot be halted, according to the Association of Chambers of Commerce of South Africa (Assocom).

"Laws and regulations, penalties and punishments might slow it down but the social and economic forces which impel this inexorable movement of people cannot be stayed," says an article in the "Assocom Review".

Cities were seen as centres of opportunity for people to better themselves.

"That very urge which is the motivating force behind private enterprise drives them to seek a better life than their present lot.

"The creation of slums, squatters' camps and shanty towns is proof of the hollow illusion that many find at the end of the rainbow trail to the cities.

"But this does not daunt the migrants; it never has," the article states.

A developing, expanding society must adapt to the process.

There were two courses of action which could be adopted:

- Accepting the process of social change by providing facilities which "give a feeling of permanence and a stake in society".
- Providing an attraction for quasi-rural areas.

"The Government appears to be realising this, not only by its change in attitude towards permanent residence in established urban areas, but also by the policy of regionalisation which will create new towns where there were none before," the article states.

NATIONAL

Plea for rethink on black housing

AKGUS 20/10/83

Staff Reporter

UNREALISTICALLY high building standards, coupled with continued State housing subsidies, might be blocking better housing for urban blacks, according to Mr J Kruger, national housing manager of the Urban Foundation.

Mr Kruger presented a paper on black housing and township development at the convention of the South African Institute of Civil Engineers in the city today.

He said that while a new State housing policy announced earlier this year signalled a move away from subsidisation, the largest proportion of the black community had a monthly income of between R150 and R450 a family, "which is clearly inadequate for active participation in an open unsubsidised housing market at conventional standards".

An asset

An intermediate phase needed to be introduced between a highly subsidised and a completely unsubsidised market. Guidelines should be sought for a more flexible approach which would allow certain standards for certain communities.

"As horrifying as a shanty town or a squatter camp may be, it does represent an asset, a stock of some value, both from a material and spiritual point of view.

"Can we not try to accommodate this spontaneous housing in our thinking — accept it for the time being? Surely the special circumstances dictate a setting aside of the edifice of building regulations, submission processes and the like, for a time?"

In view of the need for about 200 000 more housing units a year, the private sector, including the individual, had to participate as fully as possible to create a normal free enterprise market system rapidly.

Lasting

Professor David Dewar, of the department of urban and regional planning at the University of Cape Town, told delegates today that if a low income housing policy was to have a lasting impact, it had to be based squarely on the recognition that certain groups and individuals needed assistance in satisfying basic needs like housing.

"It is in society's interests to help these people satisfy their basic needs.

Govt black urbanisation strategy is under review

24 HOURS
The team that wraps up the news

By Anthony Duigan



Mr G van der Wall, director general of Co-operation and Development.

The Government's black urbanisation strategy was being revised, the Department of Co-operation and Development's director general said this month.

Mr G van der Wall said: "We have had an urbanisation strategy for many years and it is continuously being updated. Right now we are busy revising that strategy countrywide."

His announcement, made shortly after taking over the post of director general, comes at a time when the urban influx of blacks has been aggravated by the drought and the recession.

Experts were reported this week as saying about 20 million black people — more than a million a year — would have to be accommodated in urban areas (including new towns in the homelands) between now and 2000.

Mr van der Wall's comments are particularly pertinent in the light of what the Government's urbanisation adviser, Dr Flip Smit, said earlier.

He said black urbanisation was the inevitable result of population growth and economic development which could be channelled but not stopped. At the same time, few people realised the enormous socio-economic and political forces which black urbanisation would unleash.

Dr Smit, who is also vice-president of the Human Sciences Research Council, said the Government still had no clear strategy on black urbanisation.

Mr van der Wall said: "Black urbanisation cannot be seen in isolation. It is increasingly linked to the Government's decentralisation policy and will depend on that."

The Black Local Authorities Act, under which urban blacks will elect their first town and village councils next month, and growing home ownership among black families would give impetus to black self-sufficiency.

"The management of their own living conditions and the increasing provision of their own housing will be the keystone of black urbanisation in the future," Mr van der Wall said.

Although it might seem black housing still had to get off the ground, a lot of preparatory work had to be done. Many restrictions had been eliminated along the way. "Within the next year I can see a snowball effect as provision of housing on a large scale takes off."

Mr van der Wall said he could not comment on whether there had been a significant illegal influx of black people recently to urban areas, saying "I have no evidence on which to agree or disagree that this is happening".

However, there was no doubt the drought had hammered the homelands. "It has been a disaster for the animal production areas in the national states in particular.

"I think agriculture in those areas will recover in the long run. I don't say it will return to what it was though. The system of agriculture in the national states will undergo a change in the future, possibly gradually away from subsistence farming. Every incident like the drought precipitates that change."



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Star 20/10/83

(339)



The drought that has continued for up to three years in some parts of the northern Transvaal homelands is devastating lands that have kept families in basic foods for years. This woman, from Mathibeskraal in Lebowa, is one of the tens of thousands who are now getting virtually nothing from their lands.

Homelands in farming crisis

By Hannes Ferguson,
Farming Correspondent

The governments of black states are fighting a losing battle against drought, recession and increasing urbanisation.

A conservative estimate puts the number of urbanised blacks by the turn of the century at 20 million, a three-fold increase over the present 7,5 million.

Little is being done to accommodate the trend and adding to the enormous problems in store is the present lack of development.

For a start, subsistence agriculture as it is known today — still the major support of rural families — will disappear within the next two decades.

"The system of agriculture in the national states will undergo a change in the future away from subsistence agri-

cannot, and fall into poverty.

Another factor is the drought. The recession drives people back to the homelands. Drought drives them in the opposite direction, fleeing parched plots and cattle skeletons, seeking whatever crumbs the hard-to-enter cities may offer.

On average, about 40 percent of cattle have died. Only isolated areas — southern kwaZulu, for instance — have had any crops at all.

The subsistence agriculture of the black states is at the centre of the stage. Gone are the days when the small patches worked by peasant women provided a living for most of their populations. During the present drought this supplementary income dried up.

Capital-starved black governments have made desperate efforts to rebuild

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Homelands in farming crisis

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Little is being done to accommodate the trend and adding to the enormous problems in store is the present lack of development.

For a start, subsistence agriculture as it is known today — still the major support of rural families — will disappear within the next two decades.

"The system of agriculture in the national states will undergo a change in the future away from subsistence agriculture," said Mr G van der Wall, newly appointed Director-General of the Department of Co-operation and Development and former chief director of its agricultural advisory services.

Mr van der Wall said there was no evidence to confirm opinions that the basis of subsistence agriculture had been destroyed in some areas, forcing families to leave their kraals for the urban areas.

POPULATION PRESSURE

About two-thirds of the economically active population of the homelands work outside their borders, leaving their families in charge of their patches of tribal land. There are many indications that this trend towards relying on the urban areas will snowball.

The black states are in danger of becoming glorified townships — satellites of metropolitan areas.

The pressure of population against the borders of the white area with its industries is increasing. One result is a squatter problem — overt in the Western Cape, resulting in an administrative tug-of-war with political overtones, and less apparent but just as serious where kwaZulu or other homelands border industrial centres.

Concentrations of blacks, largely unemployed, live in unsatisfactory conditions around Durban. Near Newcastle a few blacks with freehold plots or tribal land rights make money by letting out building sites without services.

UNEMPLOYMENT MOUNTING

As the population outpaces the slow growth of the inflation-scarred economy of the white cities, unemployment mounts.

On the threatening long-term trend of rapid urbanisation, conflicting short-term trends are superimposed.

One is the recession. Employment is increasingly harder to come by. Retrenched workers stream back to their homelands, which still have to function as labour reservoirs.

Some can fall back on family and friendship ties which traditionally have to substitute for social security. Some cannot, and fall into poverty.

Another factor is the drought. The recession drives people back to the homelands. Drought drives them in the opposite direction, fleeing parched plots and cattle skeletons, seeking whatever crumbs the hard-to-enter cities may offer.

On average, about 40 percent of cattle have died. Only isolated areas — southern kwaZulu, for instance — have had any crops at all.

The subsistence agriculture of the black states is at the centre of the stage. Gone are the days when the small patches worked by peasant women provided a living for most of their populations. During the present drought this supplementary income dried up.

Capital-starved black governments have made desperate efforts to rebuild rural communities, upgrading peasants into small commercial farmers. Agricultural development organisations — especially in Bophuthatswana and Gazankulu — have been reasonably successful.

In kwaZulu an emerging class of small sugar farmers has in some districts reduced urbanisation from about 70 to about 60 percent.

But farm reform has still hardly dented rural decay. Much-needed funds have had to be channelled into relief work.

In kwaZulu much of the administrative effort is concentrated on bringing drinking water to the rural areas. In this rush, rural development has largely stagnated.

Meaningful industrial development has also not got off the ground. The much-vaunted showpiece of the new decentralisation policy, Ekangala, north of Bronkhorstspruit, has produced rows and rows of empty houses. Only a few Witwatersrand industries could be persuaded to re-establish in kwaNdebele.

Dr F J van Eden, manager-designate of the new Development Bank of Southern Africa, said that when the bank began functioning March; more capital for industrial expansion in the black states would be provided. He was hopeful that much of the irreversible urbanisation of blacks could be channeled into black cities to be built in the black states themselves. The decentralisation measures taken would still prove viable, he felt.

Other economists, while applauding the intentions of the Development Bank, fear it might prove too little, too late. There is a danger, they feel, that the State might try to pass the buck to private initiative. This, on such a vast scale, would plunge South Africa into social and economic disruption.

Professor Stef Coetzee, president of the recently formed Development Society of Southern Africa, stressed the urgency of the need for rural development.

There was no time to lose, the pro-

ARGUS 28/10/83

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700 at meeting support Mpetha against community council system

Staff Reporter

IF re-elected, the community council would bring more of a burden to the black community of the Western Cape than officials of the Administration Board did, Mr Oscar Mpetha said at an anti-community council meeting last night.

More than 700 attended the meeting organised by the Western Cape Civic Association (WCCA) at the Nyanga AME Church.

The meeting later rejected the community council.

Speaking from his wheelchair, Mr Mpetha, president of the Western Cape branch of the United Democratic Front (UDF), said that members elected to the community council next month would take over positions presently held by board officials.

Lack of funds would force them to raise rents in the townships, leaving residents in a worse position than they were with the present board.

Mr Mpetha said that those who claimed they were going to fight the struggle from within the community council were misleading the community.

"As a Government institution, the community council has been created to serve the interests of the Government and anyone who serves on it is bound to further the intentions of the Government."

If Nyanga residents were interested in the liberation of South Africa they should join the WCCA and UDF.

Because freedom did not depend on the oppressor but on the oppressed, blacks would decide how they wanted to attain their freedom.

He equated the struggle of oppressed people in South Africa with a boy riding a horse, pulling it one way and another.

Because the horse did not realise its strength, it tolerated the boy's cruel treatment.

RESOLUTIONS

He said the Prime Minister, Mr P.W Botha, was like the boy and blacks were like the horse. It was up to blacks to say they could not take it any more.

The meeting accepted three resolutions rejecting the community council, rejecting the establishment of Khayelitsha as a new residential area for blacks, and accepting the UDF as a means to freedom for "the oppressed people of South Africa".

(News by S Ntsane, 122 St George's Street, Cape Town).

FM.
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for 10 years or longer.

After his victory, Rikhoto set about obtaining permission for his wife to live legally with him in Germiston's Katlehong township in terms of another landmark case — the Appellate Division Komani judgment. This stipulates that the wife, unmarried daughters, or sons under 18 years of people with Section 10 qualifications are entitled to remain in urban areas once they have taken up residence with them (thus qualifying them as 10(1)(c) residents).

Numerous delays (some would call them obstructions) on the part of the East Rand Administration Board forced Rikhoto to resort to legal action yet again. Ironically, if Mrs Rikhoto's name had not been entered onto her husband's lodger's permit on August 25, she might not have won her case.

The Laws on Co-operation and Development Amendment Act adds a new paragraph with extremely rigid strictures to the Section 10 provisions. Central to it is that relatives of people with 10(1)(b) qualifications who wish to apply for 10(1)(c) qualifications must prove that they were living with them before August 26 — the day the amendment was promulgated. But there are other provisions — related to the highly vexed area of housing.

The 10(1)(b) person must live in either:

- ☐ A house bought under the 99-year leasehold scheme;
- ☐ A house built by the person on a site for which leasehold has been obtained;
- ☐ A rented house of which the person is the registered tenant (not a lodger); or
- ☐ Married quarters made available by their employer.

These factors clearly indicate that government is requiring extraordinarily high standards of accommodation for people who wish to qualify for urban rights. The waiting list for housing in all black townships is enormous. However, large numbers of blacks manage to live in townships by lodging with others. Now these people will not be able to get their families to join them unless they can prove that they were there before August 26. This will invariably be extremely difficult to do, especially as there will be no records of their presence in urban areas because people who are illegal quite naturally tend stay out of the way of officialdom.

According to Black Sash national president Sheena Duncan, the amendment undoes the Komani judgment in relation to 10(1)(b) people — the most significant proportion of families wanting to come to towns. "This represents an almost total clampdown on any future black urbanisation," she told the *FM*.

Duncan predicts that the approximately 143 000 people who government has said would qualify for urban rights in terms of the Rikhoto judgement will be the last to qualify. (According to statements made in Parliament just before it rose, only 9 000 people have obtained rights through this mechanism.)

She points out that the Orderly Movement and Settlement of Black Persons Bill, which Co-operation and Development Minister Piet Koornhof has said will be introduced in Parliament next year, eliminates Section 10 rights and any chance of migrants obtaining urban rights.

"The amendment anticipates the Orderly Movement Bill which creates a new way of defining what an urban resident is. Black urban rights are subject to accommodation. This means urban rights will no longer be legal rights," she says.

☐ Meanwhile, news of another limitation on migrant workers' tenuous ability to remain in urban areas emerged last week. The Steel and Engineering Federation of SA (Seifsa) has told its members that they are legally entitled to alter migrants' contracts (which usually apply for a year) allowing them to terminate employment with a day's notice.

Metal industry trade unions have reacted strongly against this move. Seifsa, however, says it has merely brought migrants' conditions of service in line with other employees in the metal industry whose service can also be terminated in a day.

URBANISATION

Tighter control

The Rand Supreme Court's recent affirmation of Rosinah Rikhoto's claim to urban rights has thrown attention on a little publicised new amendment to the Laws on Co-operation and Development Amendment Act. It has ominous implications for those who believe black urbanisation is inevitable.

Rikhoto is the wife of Tom Rikhoto, who made legal history in May when he became the first migrant worker to be awarded permanent urban residence rights in terms of Section 10(1)(b) of the Blacks (Urban Areas) Consolidation Act. To do so he had to prove that he had worked for one employer

NATIONAL/INTERNATIONAL

Cabinet committee meets on urban blacks



Mr Chris Heunis

By TOS WENTZEL
Political Correspondent

THE special Cabinet committee on urban blacks outside the independent or self-governing states is meeting in Pretoria today for the first time since the referendum.

The activities of the committee, which is investigating the rights of these blacks and which aims to get together a group of black urban and homeland leaders with whom the Government can negotiate, were suspended during the referendum campaign.

The Minister of Constitutional Development, Mr Chris Heunis, chairman of the committee, confirmed the meeting was being held today.

Premature

But he indicated that a weekend report that the Government would soon unveil a dramatic new plan for a broadly-based forum of black leaders to discuss the constitutional future of blacks outside the homelands was premature.

He said that certain processes and procedures still had to be considered.

The first task of the committee would be to decide how black community leaders could be consulted.

The committee would also consult white, coloured and Indian leaders because they, too, would be affected.

Mr Heunis said the committee would liaise with community leaders over a wide spectrum and several possibilities would have to be considered, including whether a geographic regional basis should be used.

In referendum speeches several prominent Nationalist leaders, including the Minister of Internal Affairs, Mr F W de Klerk, referred to the possibility of a confederal system where matters of common concern could be dealt with at the highest level.

One of the other members of the committee is the Minister of Foreign Affairs, Mr Pik Botha.

The committee met for the first time in May.

High-powered talks held on blacks' future

By CHRIS FREIMOND
Political Correspondent

THE Government's high-powered think tank on the constitutional future of blacks outside the national states met in Pretoria yesterday and is understood to have mapped out a preliminary programme for its task.

The Cabinet committee headed by the Minister of Constitutional Development and Planning, Mr Chris Heunis, is expected to become one of the main focuses of the Nationalist's "reform" initiative in the coming months.

With the referendum behind it, the Government is likely to give increasing attention to the urban black situation — a mammoth problem for which no satisfactory answers have been offered by the National Party.

Yesterday's meeting of more than an hour was also attended by the Prime Minister, Mr P W Botha.

The committee, appointed in February, includes the Minister of Co-operation and Development, Dr Piet Koornhof, the Minister of Foreign Affairs and Information, Mr Pik Botha, the Minister of Internal Affairs, Mr F W de Klerk, the Minister of Law and Order, Mr Louis le Grange, the Minister of Justice, Mr Kobie Coetsee and the Minister of National Education, Dr Gerrit Viljoen.

Repeatedly during the referendum campaign Government spokesmen ducked questions on how the political aspirations of urban blacks living permanently outside the national states would be accomodated. They said the Cabinet committee would investigate the matter.

Senior Nationalists have indicated that they hope to consult a wide range of black leaders during the deliberations of the committee.

Child ...

UNIONS JOIN COUNCIL BOYCOTT

400 000 workers urged to boycott elections

By MONO BADELA

FIVE emerging trade unions — representing more than 400 000 workers — this week joined the anti-community councils campaign, calling on all their members to stay away from the polls.

The unions, most of them affiliates of the United Democratic Front (UDF), are the Council of Unions of South Africa (Cusa), SA Allied Workers' Union (Saawu), General and Allied Workers' Union (Gawu), Motor Assembly and Components Workers' Union (Macwusa) and the Commercial, Catering and Allied Workers' Union (Ccawusa).

The call has added impetus to existing active opposition to the Government-created township bodies, which got underway ealier in this month when several meetings were held in the townships urging voters not to vote on December 3.

The 100 000-strong Cusa this week issued a strong statement condenming the Black Local Authorities Act and the other two Koornhof Bills.

"Cusa believes in common citizenship in an undivided South Africa, and separate community councils are in conflict with the fundamental belief. We reject community councils."

The union called on all its members to demonstrate their commitment to "the struggle" by refusing to vote in all future community council elections.

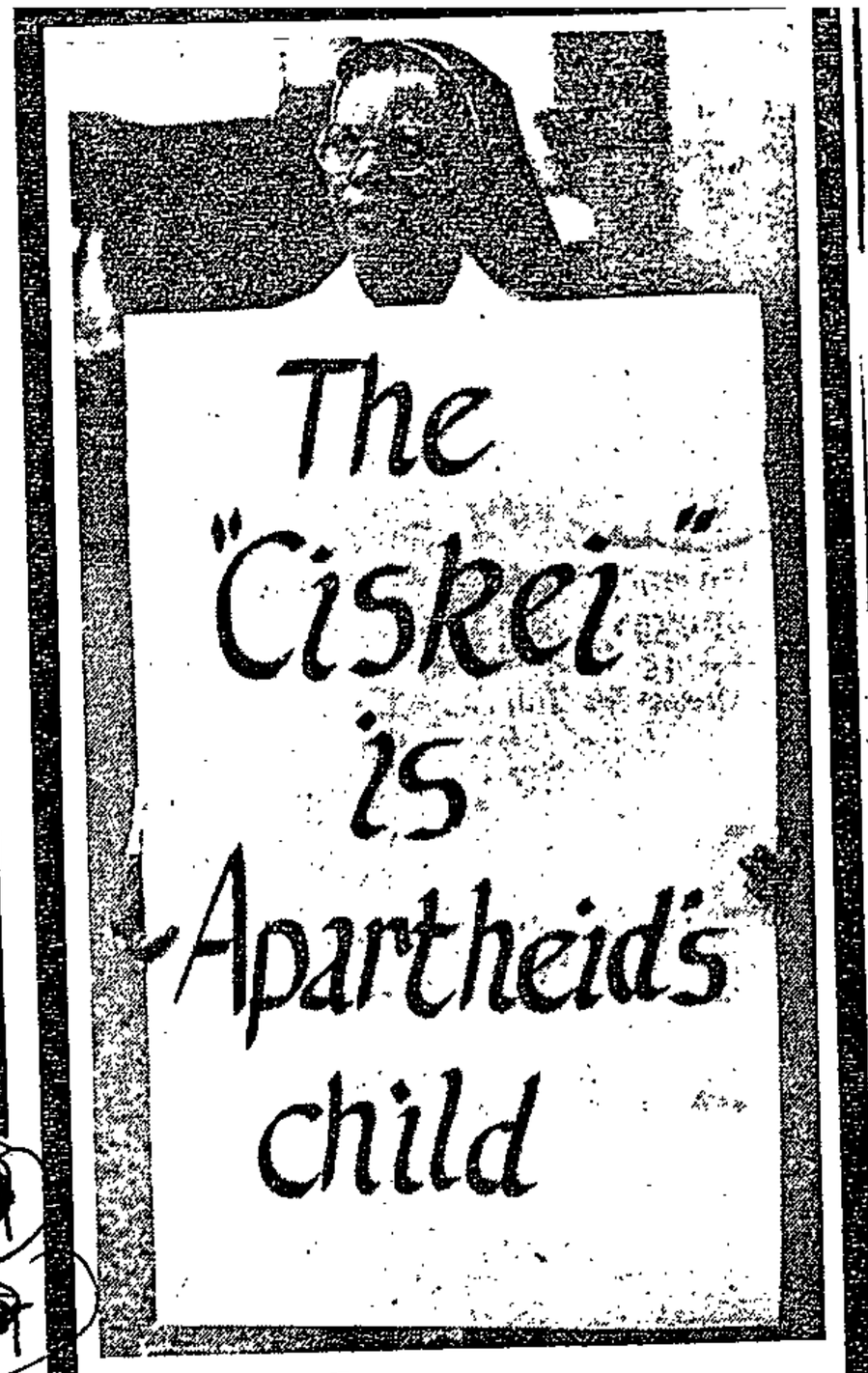
Saawu organiser Herbert Barnabas said Saawu did not believe in any Government-created institutions.

Gawu secretary general Sydney Mafumadi said workers should not only stay away from the polls next month, but should also join existing structures formed to combat oppressive conditions.

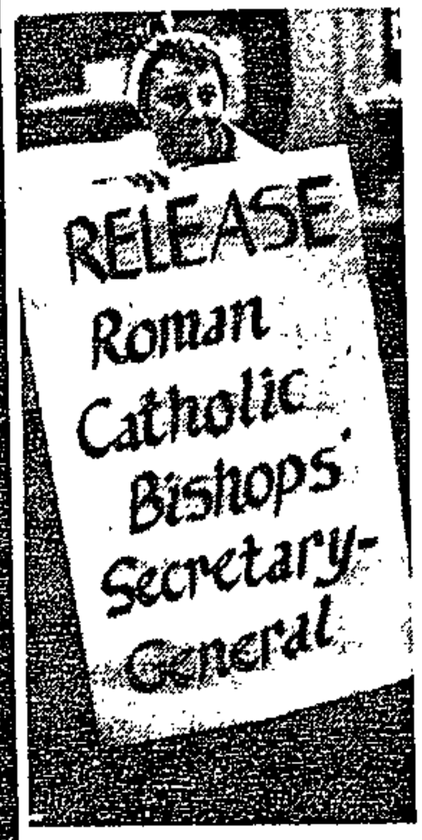
In Port Elizabeth, UDF members Macwusa and its sister union Gwusa are actively engaged in the campaign against the council elecions in Port Elizabeth on November 26.

Meanwhile Cape Town-based UDF president Oscar Mpetha is scheduled to head an array of speakers at the UDF Anti-Community Council Elections rally in Soweto on Sunday November 27.

Area committees have already been set up throughout the Transvaal to mibilise the UDF's "Do Not Vote" campaign.



The heavens wept



● Catholic nuns Sister Theodora (above) and Sister Benard (left) were among the more than 20 churchworkers who took to the rain-soaked streets of Johannesburg this week to protest against the continued detention by the Ciskei Security Police of Father Smangaliso Mkhatshwa, General secretary of the Catholic Bishops' Conference.

The Roman Catholic Bishop of Johannesburg, Bishop Reginald Orsmond, led the lunch-hour picket, which called for the immediate release of Father Mkhatshwa who has been held for three weeks.

Pix: EVANS MBOWENI

NOMINATIONS CONTESTED

THE nomination of candidates for Witbank's local authority elections are to be challenged in the Pretoria Supreme Court today.

Khanya People's Party (KPP) leader Simon Masango claims there were certain irregularities in the nominations for the elections in Witbank's three townships.

Mr Masango said residents of the township had raised money to take the matter to court.

"We believe we have a strong case," he told City Press.

Meanwhile the assistant electoral officer for the area, Mr W S Serfontein, has confirmed that complaints has also been received about the nomination of candidates in Middelburg.

(Report by M Ndlazi, 62 Eloff St Ext, JHB).

Black poll turnout improves

ARGUS 28/11/83

Argus Correspondent

JOHANNESBURG. — The poll in the first elections for full-fledged black local authorities was generally up on voting in previous community council elections.

In Kwathema outside Springs there was strong community interest in the results, with voting in one ward reaching a high of 55 percent and about 2 000 people singing songs and marching round the township centre as they waited for the results.

In Tembisa, near Kempton Park, there was a 31 percent poll in an election marked by a silent demonstration by youths carrying posters urging people to boycott the polls.

Ousted

Three sitting councillors, Mr David Twala, Mr Abel Nemahunguni and Mr M Mphela, were ousted.

The biggest upset was in Kwathema, where the chairman of the old Community Council, Mr Gilbert Motlhaping, was ousted by newcomer Mr Nimrod Luthi.

The campaign involving these two civic leaders was marked by bitterness and intense rivalry, but Mr Motlhaping was expected to retain his seat.

In Kagiso, outside Krugersdorp, where only three of the 11 wards were contested, the poll was more than 30 percent.

Daveyton and Wattville on the East Rand showed a slight drop in their polls over previous elections, with 18,6 and 16 percent respectively.

Daveyton's two veteran civic leaders, Mr Tom Boya (previous Community Council chairman) and Mr Shadrack Sinaba, were both returned with big majorities.

At Mangaung, near Bloemfontein, the poll was a low 15 percent.

No officials were available to give a full breakdown of voting and the percentage poll.

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TOWNSHIP POLLS FM 9/12/83

The fatal flaws

Government analysts are arguing that the low polls in the recent elections held in terms of the Black Local Authorities Act were due to poor timing. But the local government structures provided for in the Act, while having many advantages, seem fatally flawed for two reasons:

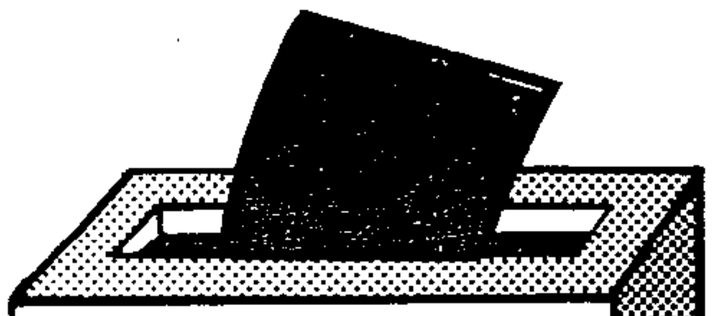
❑ They retain the hated, paternalistic mechanisms of administration boards (to be phased into semantically more acceptable-sounding community development boards); and

❑ They lack the rudiments of a viable financial basis.

"Blacks were asked to vote for boots without laces," a senior government official admitted this week. Despite Minister of Co-operation and Development Piet Koornhof's talk of "progress" (from a 6% poll in Soweto in 1978 to 10,7% last week and an average 21% poll countrywide, with two small townships yet to vote), there is deep disappointment in Pretoria that blacks did not embrace the new system with open arms.

The official attitude is, in many ways, as

continued on page 43



POOR TURNOUT

Percentage poll in Black Local Authorities Act Elections

	— % —
Seeisoville (Kroonstad)	33,53
Lekoa (Vaal Triangle)	14,72
Evaton (Vaal Triangle)	5,05
Mamelodi (Pretoria)	27,97
Thabong (Welkom)	29,69
Kwa-Guqa (Witbank)	29,58
Rini (Grahamstown)	5,87
Kayamnandi (Port Elizabeth)	18,70
Soweto (Johannesburg)	10,7
Diepmeadow (Johannesburg)	14,7
Dobsonville (Johannesburg)	23,53
Galeshewe (Kimberley)	26,9
Manguang (Bloemfontein)	25,5
Kagiso (Krugersdorp)	36,05
Tokoza (Alberton)	20,08
Katlehong (Germiston)	22,69
Tembisa (Kempton Park)	16,89
Vosloorus (Boksburg)	11,78
Daveyton (Benoni)	18,61
Wattville (Benoni)	16,82
Kwa-Thema (Springs)	20,36
Jouberton (Klerksdorp)	31,72
Ikageng (Potchefstroom)	25,5
UNOPPOSED	
Kwanobuhle (Uitenhage)	—
Lingelihle (Cradock)	—
Mhluzi (Middelburg, Tvl)	—
Alexandra (Johannesburg)	—

NOTE: Results of elections in Atteridgeville (Pretoria) and Bohlokong (Bethlehem) were unavailable when the *FM* went to press.

alarming as the abject apathy displayed by the people who were the object of Koornhof's "reform." The Minister's optimism could yet become a serious embarrassment to the P W Botha government. His policies indicate that he is either badly informed or is not in control of his department. Either that, or he is the victim of the Cabinet's indecision about the real status of black local government and, in particular, the financial structures that should support it.

At issue here is a fundamental policy decision between two options. Government must either choose a method of local authority financing that will consign blacks to an eternal apartheid ghetto existence, or recognise that a sound financial base must be related to the entire urban community. Such recognition need not sacrifice government commitment to racial purity.

The weakness of separate development, apart from its racist basis, is that it perpetuates, even intensifies, the cycle of poverty in the black townships. This is because it draws largely on the restricted resources of the community to provide services necessary for basic existence.

Ideology

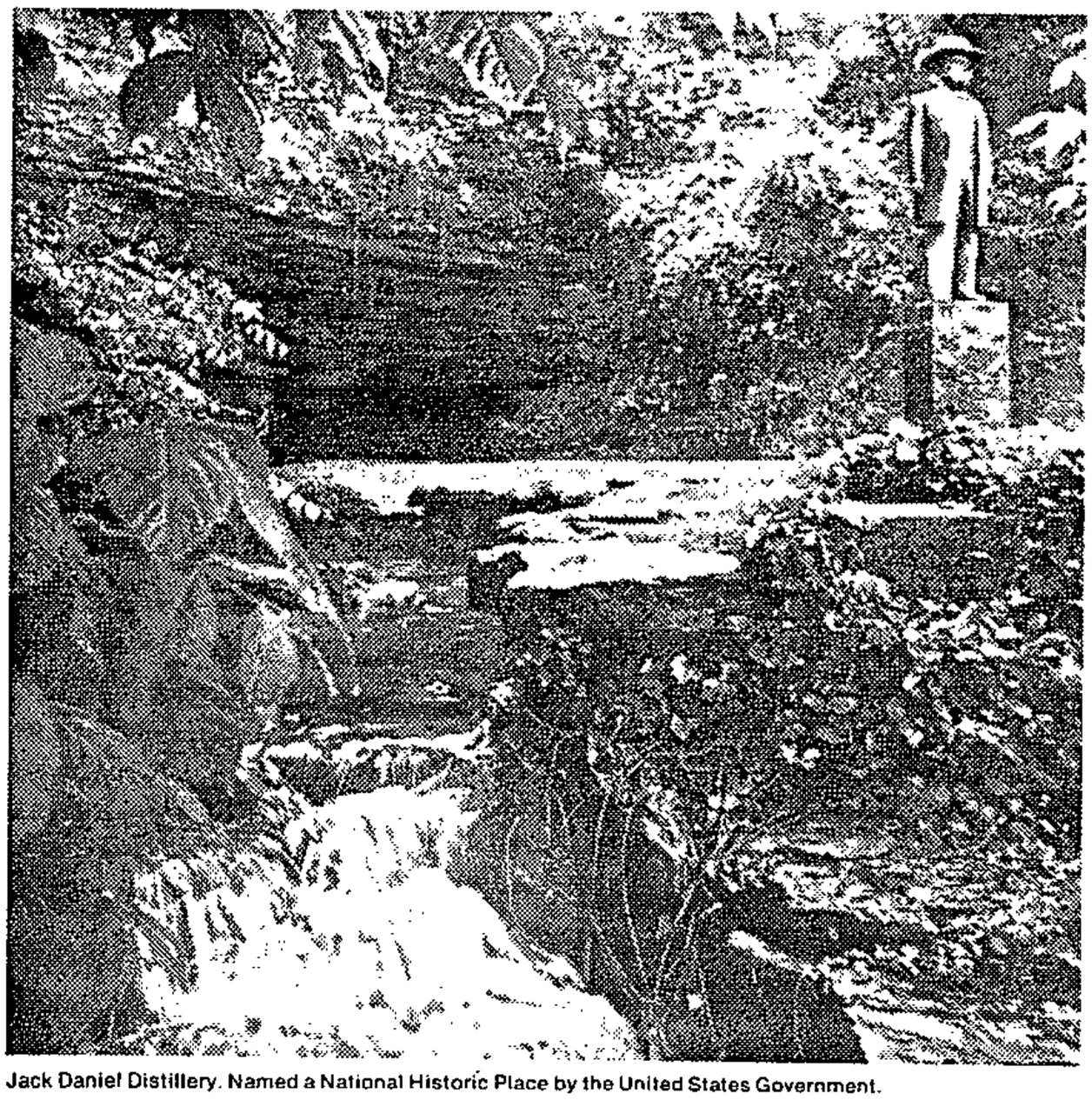
Government ideology ignores the fact that Soweto is as vital to the prosperity of metropolitan Johannesburg as Sandton. The infrastructure supporting an urban community is linked to the needs and capabilities of the industrial, commercial and industrial sectors. Black townships do not have an industrial and commercial base to speak of.

To break out of the cycle of poverty and create minimum standards for all members of an urban community, regardless of residential zoning or group areas, would require some form of autonomous financial authority operating on behalf of the entire community without usurping the powers of local authorities. Such a regional financial authority would have to operate on a non-racial basis and provide infrastructural services for an entire metropolis, as well as; planning and co-ordination of land usage, water supply, sewerage, power supply, fire protection and urban transport in its broadest sense.

Able to raise money on the capital market, it would also draw revenue from user charges for services and from three sources of taxation: a limited form of turnover tax, an employment tax and an investment levy — all pitched at very low rates (a few tenths of a percentage point) with upper and lower cut-off points to avoid the cascade effect.

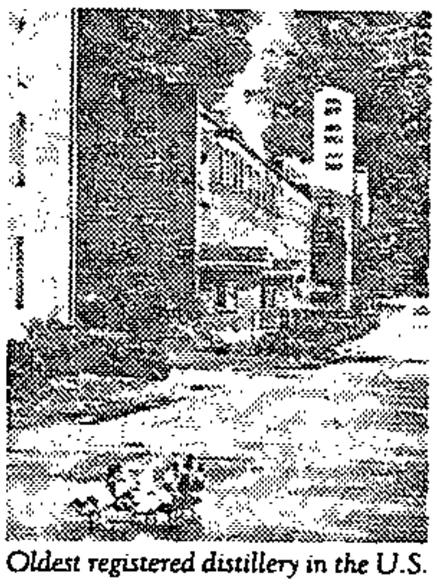
It is understood that proposals to this effect are before members of the Cabinet, most likely Minister of Constitutional Development and Planning Chris Heunis and Minister of Finance Owen Horwood. But it may be some time before anything emerges.

The real problem probably lies in the



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BLACK ELECTIONS

Assessing the result

Fm 16/12/83

The first round of elections to create town and village councils in 29 black urban areas is over — complete with official statements rationalising the low polls.

Co-operation and Development Minister Piet Koornhof made the familiar remarks about agitators in Soweto interfering in the electoral process. He claimed that, under the circumstances, the results there represented "progress" and were "reasonable" countrywide.

The last two results became known early this week. Pretoria's Atteridgeville township's poll was 14,8%. Bohlokong, near Bethlehem, had a 24,3% poll. The overall poll for the first round of elections remains 21% — unchanged from last week.

Local authority elections in SA have never attracted much interest from voters — even when they are white. But a number of factors detract from the credibility of the black poll:

☐ In many cases the polls recorded were lower than for the community council elections staged in 1978-1979 — despite the fact that the councils had considerably fewer powers than are being granted to the new authorities.

In Greater Soweto, for example, Dobsonville had a 43% poll in 1978 and only 23,53% this time. Diepmeadow dropped from 16% to 14,7%. The exception is Soweto which had a 6% poll in 1978 and a 10,7% poll this year.

However, many blacks seem pleased at the defeat of former Soweto Community Council chairman David Thebehali who has taken a propaganda hammering as "a government stooge." His successor, Sofasonke Party head and wealthy businessman, Ephraim Tshabalala, rates higher in the popularity stakes. But he is going to have a hard time fulfilling some of his election promises — especially his pledge to keep rents low;

☐ The age limit for voters this time was 18, which considerably increased the potential electorate over 1978 and 1979 when voters had be 21 or older;

☐ All the candidates in four townships — Kwanobuhle (Uitenhage), Lingelihle (Cradock), Mhluzi (Middelburg) and Alexandra (Johannesburg) — were elected unopposed because no-one bothered to stand against them; and

☐ The voters' rolls in many of the townships were in a bad state. Although the onus was clearly on voters to register, there were allegations about huge discrepancies between the number of people eligible to vote and the number actually registered.

It's impossible to measure the impact of Inkatha's decision not to participate in the elections. The same applies to the boycott campaign by bodies like the United Democratic Front, the Azanian Peoples' Organisation and numerous other township groups like Soweto's Committee of Ten. In some townships they must have had considerable influence — especially in the more politicised communities like Soweto.

Uncertainty about future financing arrangements (because of government tardiness in releasing details about sources of revenue) may also have been an inhibiting factor.

Despite the low polls, government seems dead serious about implementing the new local authority system and is not going to be deterred by criticism.

The Department of Co-operation and Development's Director of Local Government, John Hitge, told the *FM* some months ago that although the department would consider a low poll a "disappointment," it would not give up. The process of creating town and village councils to replace the 232 community councils in SA was one which "must continue," he said.

The second phase of the transition process, in which 84 community councils will be elevated to town or village council status, is due next year. The third phase, involving the remaining councils, will begin in two or three years' time.

The importance government attaches to the creation of the new councils is not undermined by the elections. They are just one element in government's plan for reform. The councils are partly intended to compensate urban blacks for their exclusion from the new constitution: "first-tier" political expression for blacks remains in the homelands.

It is significant that the completion of the first round of elections has coincided with an announcement that the Department of Co-operation and Development is to be enlarged. Officials say this has to be done to cope with its extensive duties, particularly regarding the new black local authorities and the department's role in the "development of black populations."

Despite its failure to sell the idea of new local authorities to the bulk of the black communities, government will press on in its usual fashion. It did the same when it imposed community councils on black townships. Those bodies were largely rejected by the people they were meant to represent and attracted minimal participation. It will be interesting to see how the new authorities perform.

'Voters are a law unto themselves'

339 City Press 18/12/83

By KHULU SIBIYA

BLACK PEOPLE are not forced by law in South Africa to register as voters. As a result, thousands of voters eligible for the recent local authorities' elections were not on the voters' rolls.

West Rand Administration Board chairman John Knoetze said this week that efforts were made to encourage people to register their names on the voters' roll.

Unlike whites, he said, black people were not compelled by law to register as voters. Many people therefore did not appear on the voters' rolls in the recent elections.

"But we are quite satisfied with the number of people who come to vote," he said.

Mr Knoetze was reacting to statistics compiled by the Transvaal region of the United Democratic Front that more than half-a-million people on the East and West Rand who were eligible to vote, were not included on the voters' rolls.

The Government's official percentage poll for the Transvaal is 19, but the UDF says it should be 9,8 percent if the real voing population is taken into account.

Mr Knoetze added that the voters roll was compilled in time, giving everyone a chance to register. "That is why we are not bothered about those who did not come forward to register," he said.

Candicates also claimed that they had to pay up to R40 for copies of voters' rolls. Mr Knoetze said this was standard practice.