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Human Rights & Repression in South Africa



The Apartheid Machine Grinds On

Published by the Human Rights Commission, the South African Council of
Churches and the Southern African Catholic Bishops' Conference

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May 1989

Cover picture: Afrapix

Dedication

We dedicate this booklet to the memory of David Webster and all those champions of human rights and justice in South Africa who have been assassinated.

David contributed the chapter on 'Informal, extra-legal and surrogate repression' which appears in this publication.

In it he stated: 'Assassinations have the effect of controlling government opposition when all other methods such as detention or intimidation have failed. It is a very rare event indeed when such assassinations are ever solved.'

On the 1st of May 1989, barely 10 days after submitting his article, David Webster was shot and killed outside his house by an unknown assassin in a passing car.

We cannot begin to describe the loss of such a life, or what David meant to that part of the community struggling against ever-increasing repression. We are extremely aware of the impoverishment of our society due to his death and the deaths of so many like him who worked tirelessly for change in South Africa.

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Introduction

Human Rights

The concept of human rights assumes that all humans have inalienable rights by virtue of their being humans. This is irrespective of whether or not the states of which they are subjects recognise these rights in their respective constitutions or legislation.

The modern human rights concept had its original setting in the decolonisation struggle of the British colonies in North America which later constituted the United States, and in the ideas of the Age of Enlightenment.

The insistence of the American Declaration of Independence that all men are created equal and endowed by their creator with certain inalienable rights comprises far-reaching ambiguities. This concept was not applied to women and also not applied to slaves. Though entailing the right of self-determination, it placed a one-sided emphasis on the right of the individual.

Protection of the individual against the abuse of power, equality of opportunities and self-determination and participation in political decisions are not rival interpretations of human rights, but complementary dimensions of the human rights concept. The degree in which one of the three dimensions has to be emphasised more than the other, depends on the cultural and socio-economic conditions of a society. For instance, in an impoverished society more emphasis will have to be placed on equal opportunities. Justice is safeguarded only if all the three dimensions are taken into account. Limitations and reductions of one dimension should take into account the welfare of the community as a whole, with a particular emphasis on the needs of the most needy and underprivileged sections of society.

The South African constitution of 1983/84 entrenches racial classification and discrimination; the transfer of uncontrollable dictatorial powers to the executive state president and the exclusion of the majority of South Africans from the legislature. This, coupled with the continuous rule of the country in terms of emergency regulations and the state of emergency constitute a fundamental denial of the validity of the three basic dimensions of the human rights concept.

According to the criterion of the human rights concept, the *de jure* legitimacy

of the South African government has to be denied. Denying the de jure legitimacy does not, however, imply that negotiations with the South African authorities have to be avoided in any case. These authorities are de facto in control. In crisis situations when the loss of human lives is to be avoided, or when the South African authorities have been sufficiently put under pressure so as to be forced to drop basic features of their repressive legislation, negotiations may be necessary. An important presupposition for such negotiations is the insight that the South African authorities will be bound by agreements and consideration of justice only as long as they fit their short-term objective of maintaining their minority regime.

Legitimacy of government

At its 1987 National Conference the SACC questioned the de jure legitimacy of the South African regime in an official resolution and called upon its member churches to support the structures which are recognised by the people as their legitimate authority in the eyes of God. At the same time it called upon the member churches to question their moral obligation to obey fundamentally unjust laws.

In a convocation of representatives of churches sponsored by the SACC and the SACBC on May 30/31, 1988, a resolution was taken to launch a 'Standing for the Truth' campaign aiming at the removal of the apartheid system by non-violent means.

Far-reaching resolutions such as taken by the 1987 National Conference and by the convocation on May 30/31, 1988, require clarity about valid criteria for testing the legitimacy of a government in order

- to distinguish clearly between legitimate acts of resistance against illegitimate authority and a destructive rejection of all political authority, and
- to work for the establishment of a new political and economic order in which generally accepted principles of justice are accepted and enforceable against the abuse of political power on the part of the authorities.

The churches and human rights

Already in 1971, two Lutheran church leaders in Namibia in an open letter to the

Prime Minister used the human rights principle not only to deny the legitimacy of the South African presence in Namibia, but implicitly also to question the legitimacy of the South African government that claimed to promote development through the implementation of the apartheid system. In a letter to the congregations, they explained their action from a pastoral and theological perspective.

Like the open letter of the Namibian Lutheran bishops, the 'Standing for the Truth' campaign in South Africa is based on the conviction that the mission and the confession of the Church is at stake and demands action on the part of the churches and their members if they are facing a fundamental denial of human rights principles on the part of the authorities.

The growing awareness among Christians in South Africa of the obligation of the Church to stand up for the recognition and implementation of human rights principles, is an outflow of the growing influence of a theology which aims at reading the Bible and interpreting the Gospel from the perspective of the marginalised and disenfranchised groups in society.

The three dimensions of the human rights concept (protection of the individual against abuse of power, equal opportunities and participation) show a considerable affinity to guidelines derived from the Gospel for social responsibility (e.g. the human being created in the image of God, God's concern for justice with particular regard to the needs of the weakest, the independence of the individual from recognition or from achievement by virtue of his/her acceptance by God through forgiveness in Christ, the Church as the body of Christ with special gifts and tasks of each individual member). On the other hand, the Gospel transcends the human rights principle and any legal principles in the sense that it places every person under the unlimited love of God and demands the passing on of such love to every human being including love of one's enemy.

The Gospel announces the Kingdom of God that has entered our situation and that shapes history until its consummation. Through the Gospel we become involved in the struggle that the Kingdom of God evokes in history. The concern for justice for all people is part of this struggle and obliges Christians in every new situation and context to strive for the best possible implementation and protection of the principles of justice in the political, economic and social order.

The dimensions of the Gospel that transcend the legal element inherent in the human rights concept protects the latter against the tendency of people

- to exclude particular groups of people from the validity of this concept, or
- to assign the status of a final implementation of their demands of justice to any political or economic order, however satisfactory it may be in regard to the particular needs of the people concerned at a given time.

The task of the churches

The concern for justice and for human rights still plays an insignificant role in the churches in South Africa at the level of the local parishes. The churches therefore face a very great task of helping congregations to understand the human rights concept in the light of the Gospel and to get involved in the struggle for justice in general, and in the 'Standing for the Truth' campaign in particular.

The South African churches face the task of training their members in methods of responsible non-violent resistance against an illegitimate regime.

There is also the task of challenging partner churches in Western countries to take a resolute stand against the destabilisation trend in their own culture, in particular against exploitative economic policies, which promote the impoverishment of the Third World countries (including the impoverishment and repression of the majority of the people of South Africa).

The South African churches are under an obligation to contribute to the liberation of theology in Western countries, from its association with the outlook of the dominant classes and groups in society which try to justify the economic policies of their countries. In a similar way the South African constitution in its theological preamble of the principle of 'effective competition', emulates this.

Churches in South Africa are under an obligation to develop networks of support and intercession for Christians who are ostracized, intimidated, defamed and persecuted because of their commitment to the struggle for justice and assure them of God's support and God's love for all people (Ps 85:10-14).

The persecuted and oppressed have been waging non-violent struggles against apartheid for many decades — through strikes, boycotts, stayaways and resistance to removals, to name but a few. Such resistance intensified in the 1970's onwards. The recent hunger strike is an example of the courage and desperation of the oppressed, leading to a successful non-violent action. It is such actions that have led to change, and these actions need the support of the Church.

Working for a new
South Africa: A
peace ribbon
displayed in
Johannesburg
during 1986, with
the words 'A place
in the sun for
everyone'.

Anna Zieminski, Afrapix



Foreword

Apartheid is a social system which not only violates virtually every one of the 30 articles of the Universal Declaration of Human Rights, but is fundamentally opposed to it. Unlike any other country, the abuse of human rights in South Africa is institutionalized in its constitution, its statute books, its parliament, its political practice and the consciousness of the ruling minority. Violations have been perpetrated in pursuit of conquest and domination in a system in which the ends justify the means, regardless of the injury to the human spirit. The pillars of Apartheid include the Land Acts, the Group Areas Act, the Population Registration Act, the Separate Amenities Act, which are reinforced by the plethora of racist laws which dispossess our people of their land and wealth. The Emergency regulations, refined over the thirty four month long National State of Emergency,

have intensified repression.

The law courts consistently interpret the law and the Emergency regulations in favour of the state rather than the individual, particularly blacks. This comes as no surprise since the legislature represents the white minority, whilst the courts are turned into organs of the apartheid system to punish those who resist it.

Our security legislation, developed over 25 years, upholds indefinite detention without trial. Since the beginning of the State of Emergency, over 50 000 have been detained, 15 000 of whom were children under the age of eighteen. These prisoners of conscience are incarcerated without legal recourse in apartheid's jails. Sixty-seven people have died in detention.

A generation of our youth will carry the scars of solitary confinement, torture and extreme deprivation.

Another weapon in the arsenal of repression, is the restriction order which, once gazetted, provides no legal avenue for appeal. Scores of individuals, and most recently, activists released from detention, have been silenced and, in many cases, house arrested and effectively denied the right to work. A restriction order simply exchanges one jail for another: ex-detainees are condemned to a half-life outside, shackled by laws which restrict their lives as effectively as prison walls and regulations. Since 1945, 50 democratic organisations have been banned. In the last year, 33, including the UDF, COSATU and AZAPO, have fallen under the axe of the restriction order.

Pretoria's gallows, dubbed 'South Africa's death-factory', have executed over 1 070 people in the last decade. A frightening statistic which positions South Africa as the world leader in hangings. The majority of those on death-row are victims of apartheid, whose crimes are rooted in their impoverished and socially deprived backgrounds. Of the approximately 290, 80 have been sentenced for political acts. Executions have become yet another means of silencing political opponents.

Forced removals continue unabated. Millions have lost their homes, land and means of survival. Like pawns they are moved around to populate the regime's bantustans and to perpetuate the segregation of residential areas. The newly promulgated, Prevention of Illegal Squatting Act will ensure that millions more will be left homeless. The humiliation and cruelty gains momentum.

The system of compulsory military conscription gives the young white South African man no choice. Either he must take up arms against his compatriots in defence of apartheid, or, in defence of justice, he must follow his conscience and go to jail or become an involuntary exile.

In the face of these aberrations, the state vainly attempts to maintain a veneer

of stability and a pretence of normality by controlling information by decree. Courageous newspapers have been attacked, suspended and banned, many journalists restricted and silenced. This simply because they exercised their fundamental freedom of expression and remained true to their calling to expose the truth.

Even the church has become a target of the regime, as those ministers and Christians who feel bound to 'Stand for the truth' in our land and bear a prophetic witness against apartheid, become victims of State and right wing propaganda, detentions, and sinister and violent attacks.

This catalogue of human rights abuses is by no means exhaustive, but it does demonstrate the evil and sickness of the social order which we are committed to ending. The history of our struggle for political rights is the chronicle of a proud and courageous struggle for human rights and justice. Over the years, a human rights culture has evolved in the struggle for change. The decades of opposition to exploitation and oppression culminated in the massive popular resistance of the 1980's. The devastating repression of the State of Emergency ushered in the state reform on the backs of caspirs. Reform which is meaningless and without legitimacy, which our people will continue to reject until apartheid is dismantled.

The regime may have maimed a generation and banned its organisations, but it has fatally underestimated the spirit of resistance enshrined in the consciousness of the people. The recent hunger strike, a humbling lesson for us all, bears witness to this. It re-focussed world attention on the plight of detainees and the abhorrent laws which, with the flick of a bureaucrat's pen, condemned tens of thousands to a sub-human existence. Their courageous 'life and death' struggle elicited an unprecedented response from the state: it was not a township revolt that they could easily quell by sending in their caspirs. The act of the detainees rendered the sophisticated and brutal killing machine of apartheid powerless, forcing them to negotiate meaningfully. Through their sacrificial act the hunger strikers created the climate conducive for meaningful negotiation. This will remain as one of the most powerful and inspiring examples of the pressure that can be generated by those who seem to be least free and most powerless.

A demand for human rights is a demand for freedom, and for justice, for political change, and most importantly, a non-negotiable demand for the abolition of apartheid to make way for a new order. It will be a new order in which all South Africans, blacks and whites, will live together in a non-racial democratic society where the rights of the individual will be sacred and inviolate.

Frank Chikane
General Secretary — SACC

The legal system and the courts of law

The Franchise and Race

The government is frequently at pains to eulogise the South African legal system. There is indeed much that is commendable in the Roman-Dutch and English foundations of South African law. However, fundamental rights and freedoms have been systematically eroded away by radical legislative intervention. The doctrine of parliamentary sovereignty decrees that Parliament may pass any law it chooses no matter how unnecessary, arbitrary or evil and it is the function of the courts to give effect to Parliament's will. In a democracy, this doctrine is unobjectionable. If the electorate is dissatisfied with its rulers it may elect new ones in a general election. In South Africa, however, access to the ballot box is deliberately denied to the majority of citizens.

The most fundamental right of all, the right to vote, is confined to those who are classified as 'white'. In 1984, those classified as 'coloured' and 'Indian' were extended a token vote with power effectively remaining entrenched in the hands of the white minority. (Those classified black were totally excluded.) Racial classification which is defined in terms of artificial criteria such as 'general appearance' and 'general acceptance' is the key to political power and regulates virtually every facet of life. The right to own and occupy property, to educate one's children and to have access to health care, are all dictated by skin colour.

Basic Apartheid Laws

Some of the main legislated pillars of apartheid are:

- **The Population Registration Act of 1950.** This act presumes to identify and classify from birth each person as belonging to one of four distinct races — on the basis of this law there is determined the destiny of each individual in terms of franchise, mobility, residential rights and social benefits and services

provided by the state. This is the basic apartheid act. If it was repealed, all other apartheid acts would become inoperable, including the constitution.

- **The Reservation of Separate Amenities Act of 1953.** According to this act, each individual, classified by the former act, is meted out educational and other social subsidies and has access to certain facilities, which differ greatly according to race.
- **The Development Trust and Land Act of 1936 and the Native Land Act of 1913.** This legislation allocated 13,6% surface area only of land for 70% of the population in South Africa. Blacks may not buy or own land outside these allocated territories (which form the basis of the homelands).
- **The Group Areas Act of 1966.** (First promulgated 1950) This seeks to effect a total social and residential separation between the four identified race groups (and makes a mockery of the hailed scrapping of the Prohibition of Mixed Marriages Act).
- **The Prevention of Illegal Squatting Act of 1989.** (First promulgated 1951) Greater penalties than ever before exist for squatters, the homeless and those who allow their presence, while the power of the courts to intervene and prevent removals of squatters has been severely eroded.

The last three laws, coupled with the **Homeland Citizenship Act of 1970**, and a chronic shortage of housing in the allocated black areas, are the new form of influx control in South Africa. The latter act is the instrument whereby black people are forced by residence in designated 'independent' homeland areas, to be citizens of that homeland, and denied South African nationality, the right to work

'However neatly one may attempt to organise or, rather, dress up the proceedings in courtrooms, it is nothing other than an attempt .. to camouflage what really is as stake — apartheid.' — *International Jurist*

'One thing emerges from our contacts .. For most of these people there is no distinction between the departments involved in the legal process — the courts are perceived as an extension of the police and prison systems.'

— *Black Sash report*

freely in South Africa, obtain passports and travel documents for international travel, etc.

- **The Bantu Homelands Constitution Act of 1971**, (later called the National States Constitution Act), is the act which allowed for the creation of such homelands. The territories allocated are by size and lack of resources unable to be self sufficient, and the survival of these areas is dependent on the continuing financial support of South Africa. Of course, such support means significant, if not decisive, control.

Resistance and Repression

The denial of political power to the black majority inevitably spawned resistance, initially passive in nature and eventually taking the form of armed revolt. Drastic security measures, initially intended to be of temporary duration only, soon became permanent features of the law and designed to stem the rising tide of opposition. Detention without trial for the purposes of interrogation, the power to restrict individuals and organisations and powers of censorship all form part of the ordinary laws of the land. These laws are supplemented by special powers promulgated under the various states of emergency. The political system is characterised by the denial of those basic rights which are inherent in any democracy.

The Judiciary

It is against this background that the role of the judiciary, frequently proclaimed by the government to be among the finest in the world, must be assessed. The absence of an entrenched Bill of Rights necessarily limits the powers of the judiciary in an unjust legal order. Although the powers of the courts are limited, judges are by no means impotent. On the contrary, they are able to protect individuals from the abuse of power in a number of ways. For example, where legislation is ambiguous, a judge is entitled to adopt an interpretation which avoids harshness and injustice. The Supreme Court is also empowered to ensure that those entrusted with discretionary powers exercise them fairly, for proper purposes and without ulterior motive.

The classic function of the courts is to administer justice to those who seek it

without fear, favour or prejudice, independently of the consequences which ensue. The ability of the judiciary to fulfil this function has often been obstructed and even removed altogether by legislation which has stripped the courts of their traditional powers. The willingness of the courts to protect individuals from executive excess, despite the existence of these restraints, has been dubious. The all white Supreme Court bench is not perceived to be champion of justice. In 1968, the International Commission of Jurists (ICJ) observed that 'in spite of a number of courageous decisions at first instance, the overall impression is of a judiciary as 'establishment-minded' as the executive, prepared to adopt an interpretation that will facilitate the executive's task rather than defend the liberty of the subject and uphold the Rule of Law.' Twenty years later, the ICJ was to comment that 'if a judge remains on the bench in such a repressive regime, there can be no excuse for failing to exercise his choice in favour of individual liberty, and whereas some judges have done justice in such cases in recent times, the majority of the South African bench have failed to do so'.

Ultimately, any system which institutionalises racial discrimination and which uses the law to perpetrate political, social and economic inequality is incompatible with justice. It is this system itself which has brought the entire administration of justice into disrepute.

QUOTE

'The court is free as it were as a fish is free, to swim in a net.'

— *President Paul Kruger*

INFO '87 — HAP.

The UN Declaration of Human Rights

Article 11: Everyone charged with a penal offence has the right to be presumed innocent until proven guilty according to law in a public trial at which he has all the guarantees necessary for his defence.

Repression under security legislation

In 1982 the government introduced the Internal Security Act (ISA) No 79 to streamline and consolidate previous security legislation. This act superseded, and included major aspects of the old ISA of 1976, the Terrorism Act of 1967 and the General Laws Amendment Act of 1963. This legislation has served as the basis and justification of many acts of repression in South Africa.

Severe inroads have been made into the freedom of individuals — their speech, their association, their right to a fair trial. This of course, has been supported and consolidated by the State of Emergency. It has provided the security forces with a vast range of powers in the enactment of repression against forces working for change within the country. The issues below provide some insight into the level of repression in this country and the extent to which democracy has been eroded.

Detention without trial

Security legislation has allowed for the detention of people without trial for the purposes of interrogation. Police have been granted arbitrary powers through security legislation which culminated in the Internal Security Act No 74 of 1982.

The ISA of 1982 contained four sections that provided for the detention of people that are deemed by the security police as being a danger to state security.

Section 29 is the most notorious of these provisions. It empowers a security officer to hold a person indefinitely, specifically for the purposes of interrogation. Detainees are kept in solitary confinement. It is from these detainees that many allegations of torture and abuse have stemmed.

Section 28 allowed for indefinite preventive detention. It is used to remove activists from circulation in order to cripple the organisations to which they belong or to block them from an initiative in which they may be participating. This section does not allow for interrogation.



Strict division: An SADF patrol erects a fence around KTC squatter camp in Cape Town after raids by vigilantes.

Adil Bradlow, Afrapix

Section 31 allows an officer of the court rather than a security officer to detain a person who can act as a potential state witness. The period of detention may not exceed 6 months, or the duration of the trial in which their evidence is required. However given the duration of some political trials, it is not uncommon for detainees to be held for up to 2 years.

Section 50 introduced a 14-day period of preventive detention. A low-ranking police officer may detain a person deemed to be threatening public safety. For further detention after 14 days, permission must be granted by a magistrate. Usually people held under this clause are transferred to section 29 detention before the 14 days expire. Others are released before that date.

In addition to the above, the four 'independent' homelands have evolved their own respective security legislation modelled on the legislation of South Africa. From 1963 to the first six months of 1988, 21 863 detentions under security legislation had taken place.

Repression under security legislation

Detentions under security legislation

	<i>Interrogation</i>	<i>Witness</i>	<i>Preventive</i>	<i>Homelands</i>	<i>Total</i>
1987	532	84	—	286	902
1988					
(6 months)	149	1	—	28	178

Legislation also exists in the form of the Protection of Information Act of 1984 which prevents the press from publicising certain detentions.

Banning of persons under the Internal Security Act

Persons may be banned under the ISA which usually includes confinement to a particular district, prohibition from attending any kind of gathering and prevention from being quoted. In some cases, house arrest is included in the banning order which results in the person being confined to his or her house for a specified period each day. On 10 February 1986 10 people were banned under section 19(1) and 20 of the ISA. No persons have been banned under security legislation since 1986. (The State of Emergency legislation has been used for this purpose.)

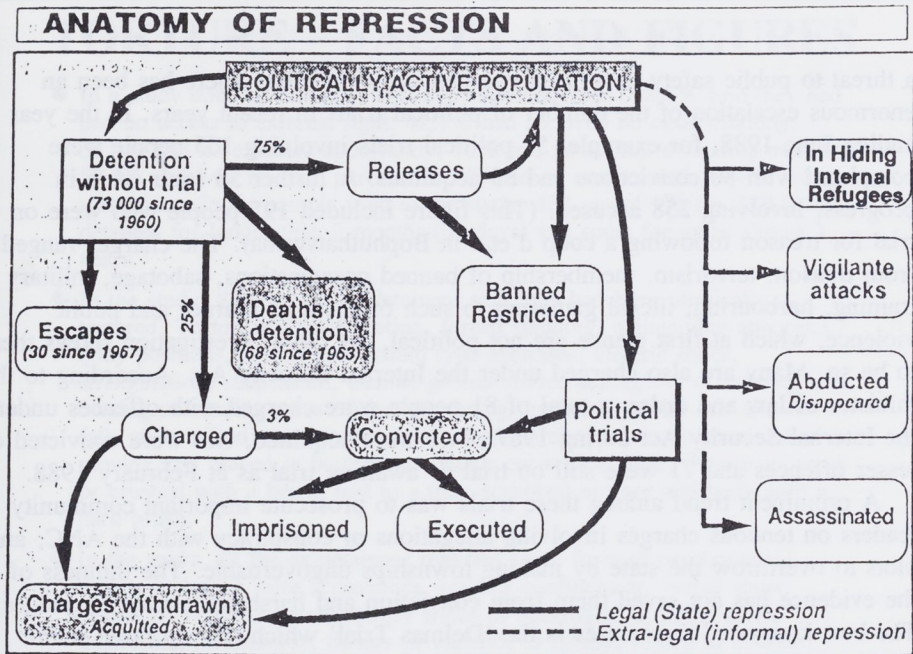
Bannings of meetings under the Internal Security Act

Since 1976 all outdoor political meetings have been banned unless held with the permission of the magistrate or the minister of law and order. Ministerial bans were also imposed on indoor political meetings. All meetings concerning school or student boycotts and work stoppages or stayaways are also banned. However in April 1987 the minister of law and order relaxed the restrictions on funerals and genuine sports meetings.

The minister of law and order, Mr Adriaan Vlok, said in Parliament that 316 people were arrested for attending prohibited gatherings under the ISA during 1987. (*Hansard* (a) 5 q col 352, 8 March)

Bannings of organisations under the Internal Security Act

Bannings of organisations have taken place under security legislation since the 1960's. Up to 1966, five organisations were banned under the Suppression of



Communism Act. Thereafter 19 organisations have been banned under the Internal Security Act. The similar security legislation in the 'independent' homelands has resulted in the bannings of 42 organisations.

Listings

In terms of section 56(1) of the ISA no 'utterance, speech and statement' of a listed person may be published or disseminated without the permission of the minister of law and order. The penalty for quoting such a person is a prison sentence of up to three years or a fine. In August 1988 a new consolidated list of people that it was illegal to quote was gazetted. Of the 417 names, 117 were living abroad in exile, 20 were deceased and the remaining 280 were either resident in South Africa or serving sentences in South African prisons.

Political trials

The use of the courts has been an arena where those who have been deemed to be

a threat to public safety have been charged and convicted. There has been an enormous escalation of the number of political trials in recent years. In the year ending June 1988, for example, 51 political trials involving 165 people were completed with 80 convictions and 85 acquittals. A further 58 trials were in progress, involving 258 accused. (This figure included 195 people who were on trial for treason following a coup d'état in Bophuthatswana). The charges ranged from treason, terrorism, membership of banned organisations, sabotage, military training, harbouring, illegal gathering to such offences as murder and public violence, which at first glance are not political, yet close investigation shows them to be so. Many are also charged under the Internal Security Act. According to the minister of law and order, a total of 81 people were charged with offences under the Internal Security Act during 1987. Two were acquitted, two were convicted of lesser offences and 71 were still on trial or awaiting trial as at February 1988.

A prominent trend among these trials was to prosecute important community leaders on tenuous charges involving allegations of conspiracy with the ANC, and plots to overthrow the state by making townships ungovernable. The thinness of the evidence has not saved them from conviction and harsh sentencing by judges. The best known of these cases is the 'Delmas Trial' which tied up three senior leaders of the UDF and various religious and civic leaders in a trial which took three years to end. It is significant that only five of the original 22 accused were actually jailed, receiving lengthy sentences.

The UN Declaration of Human Rights

Article 9: No-one shall be subjected to arbitrary arrest, detention or exile

TORTURE - FACTS AND FIGURES

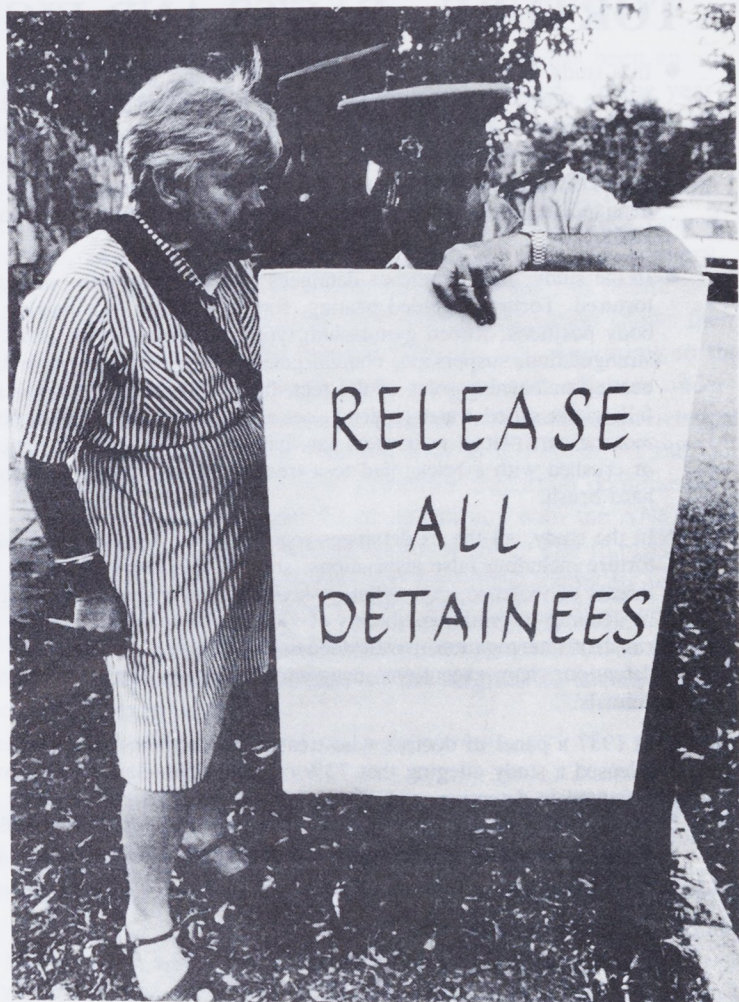
- In a study done of detainees between 1974 and 1984, 38,5% said they had had no access to external light; 42,7% had received no clean clothing; 38,4% had no exercise opportunity; 50% had no access to reading material; 58,4% received no food parcels; 22,9% had no contact with anyone except authorities. In the sample used in the study, 132 out of 176 (or 75%) were detained for longer than 2 months (60 days) and some for up to almost 2 years.
- In the study, 83% of the ex-detainees said they had been physically tortured. Torture included beating, forced standing, maintaining abnormal body positions, forced gymnasium type exercises, electric shock, strangulation, suspension, chains, genital abuse, pulling out or burning hair, beating or burning soles of the feet, being thrown in the air and allowed to fall, given salted water to drink, set alight, breasts squeezed, held out of a moving car, placed in boot of car, hands cut with a knife, fingernails burnt or crushed with a brick, tied to a tree, scrubbed on face and body with a hard brush.
- In the study, all the ex-detainees reported some form of psychological torture including false accusations, solitary confinement, verbal abuse, threats of violence, contradictory styles of interrogation, being given misleading information, threats of violence to family, forced to undress, constant interrogation, blindfolded, sleep deprivation, threats of prolonged detention, sham executions, drug administration, excrement abuse, use of animals.
- In 1987 a panel of doctors who treat freed detainees in Johannesburg released a study alleging that 72% of those seen claimed they were assaulted in detention, and of these 97% showed signs of abuse. The SA Police said it was 'a pity' they were expected to reply to serious allegations about the treatment of detainees 'which are not substantiated in any manner whatever'.

Said a police spokesperson:

'What seems to be conveniently overlooked is the strict code of discipline which ensures that all detainees are properly cared for, that they are not assaulted and that they receive proper medical, spiritual and other care.'

The doctors said detainees had evidence of bruises, lacerations, perforated eardrums and gunshot wounds.

(Sources: Detention and Torture in South Africa by Don Foster; Star 8.4.87; New Nation 9.4.87)



Take it away: A policeman removes a Black Sash poster, despite protests from one of the organisation's members.

Paul Weinberg, Alrapix

Repression under the State of Emergency

The Declaration of the State of Emergency

Mass resistance and protest against the Apartheid policies of the South African Government exploded in August/September 1984 in the face of attempts by the Government to formalise the exclusion of the black majority from political power through the introduction of the Tri-Cameral Parliament and unrepresentative Black Local Councils. Unacceptable rent increases triggered further anger and frustration, which was met by an invasion of the townships by the army. On 21 July, 1985 a partial State of Emergency was declared in 32 magisterial districts. This was lifted 7 months later only to be reimposed, throughout the country, on 12 June, 1986. Since then the Total State of Emergency has been redeclared annually in June and is currently in its third term.

The reason given for the declaration of the Emergency was that a 'revolutionary climate' existed which it was not possible to control using the ordinary laws of the land. The ordinary laws of the land are in fact extraordinary, so why were emergency powers needed? Three main reasons are:

- * Powers of arrest and detention without warrant are given to the lowest ranking policemen and soldiers, permitting large scale operation (ten thousand people were detained in the first three weeks of the total emergency);
- * Security forces are granted indemnity for their actions unless *male fides* can be proved;
- * Strict media control can be enforced, thereby ensuring a blackout on information, as in wartime.

Powers under the State of Emergency

The powers assumed by the authorities under the State of Emergency are very considerable, and although many were challenged in court in the early stages, they have now become virtually impregnable through modification and several Appeal Court judgements.

These powers include:

- * Control over persons, through indefinite detention without trial (including interrogation), restriction orders on released detainees or other persons and regulating movement in and out of specified areas;

DEATH OF A DETAINEE

A prison warder watched for 20 minutes while a young detainee wrapped a jersey around his neck, climbed onto a toilet below the cell's window, tied the arm of the garment to a bar on the window and slid from the toilet to his death.

Xoliso 'Dicky' Jacob's death occurred barely 24 hours before a certificate arrived, authorising his release after five months in Emergency detention, an Upington inquest court heard this week.

Warder Pienaar told Magistrate L J Brandt the 20 year old detainee had spent most of his detention in solitary confinement. He had been on a spare diet for one month.

Pienaar said at about 9.30 pm on October 22 1986, he had seen Xoliso tie the sleeve of his blue jersey to the bar of his cell window. The young detainee had told him he would hang himself as soon as he had written to a police

lieutenant asking why he had been detained when he had done nothing wrong.

The warder went to call a prison sergeant. When they and another warder arrived back at the cell, Xoliso had tied the jersey around his neck.

Pienaar said he had watched Xoliso tie his jersey sleeve to the window, slowly slide off the toilet and hang from the garment. 'All the time he did not speak or make any noise,' the warder said.

When the other warders returned with a master key, 15 to 20 minutes later, they hauled Xoliso down, but he did not respond to heart massage.

Pienaar said the warders took the detainee outside the cell and placed him on a concrete slab. They did not summon doctors or nurses to the scene.

(From the Weekly Mail 27.3.87)

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- * Control over gatherings, through banning of meetings, limiting attendance and actions at funerals, and 'legalised' powers to break up gatherings;
- * Control over organisations, through restriction orders forbidding certain listed activities or any activity whatsoever, by specified organisations;
- * Control over the media, by placing an embargo on the reporting of any security force action, and on the reporting of (or even being present at) any 'unrest' incident, other than the police version of such happenings. In addition there are numerous other restrictions, combined with the power to suspend or close down offending publications;
- * Banning of any boycott or stayaway forms of protest;

- * Control over presence or movement in and out of schools, and over what may be taught and what clothing may be worn;
- * Power of entry, search and seizure without warrant.

Effects of the State of Emergency

There has been a drastic impact upon all aspects of life stretching across all sectors of the population, particularly the black community, as a result of actions taken by the State under the Emergency powers.

Over 50 000 persons have suffered the experience of detention without trial during the last four years, some of them for periods totalling in excess of three years. For many of them their status can be likened to prisoners-of-war, interned pending the cessation of hostilities. The major target has been the leadership and rank-and-file supporters of the United Democratic Front (UDF) and its affiliates. To the everlasting shame of the South African Government, more than one quarter of this huge number have been children and young people, and over 10% have been women.

Another drastic incursion into individual liberty is the now extensive use of Restriction Orders mainly served on released detainees whom the Minister of Law and Order was obliged to set free through their own action of embarking upon tenacious hunger strikes. Nearly 1 000 persons are now restricted in terms of their freedom of movement, ability to engage in political activity and even their ability to earn a living or study.

Thirty-two anti-apartheid organisations, including the UDF have been banned from engaging in any activity whatsoever, while another, COSATU, the major trade union federation, is forbidden to engage in any 'political' activity.

Protest meetings and demonstrations are largely a thing of the past, and any efforts in that direction are quickly countered by the state using banning orders and often brutal intervention.

Black township life is pervaded by the presence of the police and the army, and any attempts by township communities to organise their own residents' structures are closely monitored and harassed.

A prime target for the attention of the security forces is the youth and students. Special restrictions apply to schools (see above) and the slightest attempt at political activity or organisation inevitably leads to detention. This is a particularly sensitive point of friction, since inferior black education is one of the

foundation stones of the design of Grand Apartheid, and has long been a source of great anger.

The media operate under suffocating restrictions, with every editor working in tandem with a lawyer, for fear of falling foul of the complex Emergency regulations. Several newspapers have suffered suspension for varying times of up to three months, and others work under constant threat of closure. A curtain has fallen on much of what is happening in South Africa in a State of Emergency.

The UN Declaration of Human Rights

Article 13: Everyone has the right to life, liberty and the security of person

Informal, extra-legal and surrogate repression

Under this heading, we identify a number of different activities which we describe as informal repression. These fall into two broad categories: (a) those activities carried out by organisations and structures which fall unambiguously under state control, and which operate with full legal sanction; and (b) activities which are clearly beyond the law, but which are pro-government or pro-apartheid, and which are carried out by anonymous agents or organisations, perhaps linked to the state, or by surrogate or right-wing groups. What all these activities have in common, is that they frequently step beyond the bounds of the law, and their activities are very seldom successfully investigated or the culprits punished.

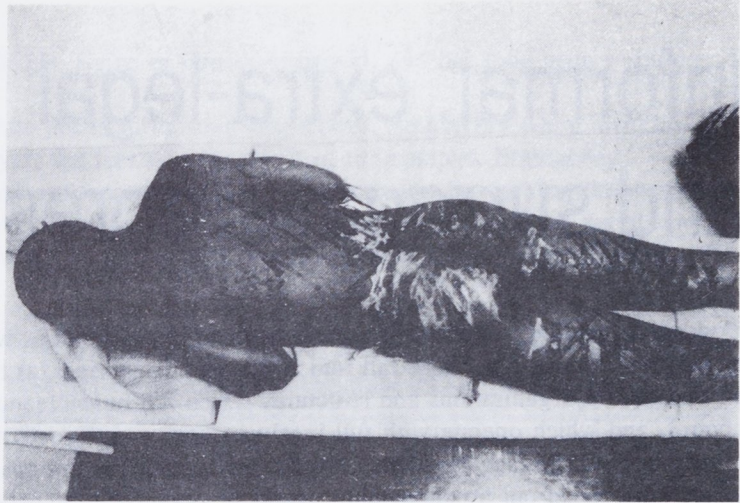
Legally Sanctioned Organs of Control and Repression

In 1987, some of the major new developments in the S A Government's reform policies were the decentralisation of repressive power to regional and local levels, administered by Joint Management Councils, reaching into townships, factories and rural communities. The JMCs implement the dual aspects of government policy: reform and repression. Reform takes the form of providing services and infrastructure which are genuinely needed, and which may improve some aspects of people's lives. Repression, which is exerted simultaneously, removes from circulation the leaders of the communities who articulate grievances and political aspirations. These leaders are either detained, or forced into hiding (thus hampering their ability to organise politically), or subjected to campaigns of intimidation. The JMC strategy appears to be to meet some of the community's expressed demands without giving credit to those who raised the public awareness of it.

The New Municipal Police

The main vehicle for repressive control under the JMCs is the new police force

The cruelty of the vigilantes: A young activist from Thabong in the Orange Free State shows his wounds. *Gill de Vlieg, Afrapix*



created to serve the needs of the unpopular Black Local Authorities. It has been noted that these municipal police are poorly trained (mainly by means of crash courses of 3—6 months), and a good number of them have been identified as township thugs or former bodyguards of councillors. The 'kitskonstabels' (instant police), as they are known, have an appalling record of discipline, and are frequently accused of assault. In October 1987, the Minister of Law and Order, in answer to a Parliamentary question, admitted that the guns issued to kitskonstabels had been used in at least 95 crimes, ranging from murder to rape and armed robbery. A survey in the Eastern Cape by the Black Sash revealed three major trends in municipal police activity: firstly, they were used to strengthen the power of community councillors; secondly, they act as auxiliaries to the SA Police, especially Security Police; thirdly, they have close links with vigilantes, often siding with them in confrontations with democratic community organisations.

Extra-legal or Surrogate Repression

Another aspect of informal repression is ostensibly illegal, yet appears to enjoy, if not official sanction, then at least a less than enthusiastic investigation. The activities detailed below are seldom brought to court, let alone successfully prosecuted. The activities are secretive, and often more violent, than other forms of repression. We refer here to attacks on individuals and property, such as the

massive blast which destroyed Khotso House in Johannesburg, a building housing the SACC and anti-apartheid organisations (see below). In the same vein, 'vigilante' groups abound which attack progressive groups and their members. There is a disturbing trend for these vigilantes to be recruited into the new municipal police units, and it is often difficult to recognise the difference between the two, save that the latter wear uniforms, and the arms they carry are officially sanctioned.

In the past 18 months, a trend first noted a year ago has continued. It marks a serious rethink by police in terms of control of the townships. In 1985, 66 per cent of people killed in township unrest were killed by the police. In 1987-88, the overwhelming majority of deaths are due to what government commentators refer to as 'black on black violence'. By stressing this, the impression is created that the state and its security forces are playing a peacekeeping role, and that the black community is tearing itself asunder.

The change in police tactics emerged after the enormous political opprobrium which descended on the police after the Langa massacre (21 March 1985) in which 22 died and over 50 were wounded (the state paid R1,3 million in compensation), and the Mamelodi massacre (21 November 1985), in which 12 people were killed. The change took a number of forms: first, the police became more pro-active, banning meetings, rallies and funerals rather than breaking them up while in progress; second, by controlling numbers who could attend, and laying down restrictions on the conduct of the occasions; third, to allow free rein to vigilantes, who perform the same divisive and disruptive work which the police formerly undertook.

A graph of deaths in township violence in recent years would show that, as deaths due to police action declined, the total number of deaths did not decline accordingly; in fact, in some areas, such as Natal, it increased. The victims of the violence are largely the same — members of organisations belonging to the broad democratic movement and trade unionists, but the perpetrators of the killings had a new identity; and it was black. However, the groups are generally identifiable in their support of broad aspects of apartheid policy. For example, the Ama Afrika group in Port Elizabeth, led by the Rev Ebenezer Maqina has conducted a concerted campaign, sometimes amounting to war, against UDF and COSATU members. This is a form of 'surrogate' repression.

The most significant of such groups is the Inkatha organisation, based in Natal. It is tribalist in ideology, regards Natal as its fiefdom, and is intolerant of other organisations which are operating in its sphere of influence. Despite its mobilisation along ethnic (Zulu) lines, Inkatha has met with only mixed success. In particular, it is losing ground among youth, especially schoolchildren, the

urbanised, and the workers. Over the last two years, Inkatha members have been involved in one of the most sustained periods of brutality ever witnessed in the Natal region. Here, the methods of confrontation and violence are naked, in opposition to Inkatha's public image, that of moderation and negotiation.

Intimidation, Violence and Assassination

The year 1988 witnessed a steady tempo of kidnappings and assassinations of anti-apartheid activists. These took place both within South Africa's borders and in foreign countries.

Attacks on individuals and property

A large number of attacks on individuals and property have taken place recently. The main purpose seems to be intimidation. It is true that a low-intensity war is being waged in South Africa, with guerrillas of the ANC engaging in 'armed propaganda' in the form of bomb blasts in strategic places. These have brought retaliation from pro-apartheid forces in the form of massive demolition blasts at COSATU House (the Johannesburg-based head office of the largest trade union federation in SA), Community House in Cape Town (which housed a large number of progressive community organisations and trade unions), and Johannesburg's Khotso House, (bombed in August 1988, which housed the South African Council of Churches, the Black Sash and many other church or anti-apartheid organisations).

These massive attacks on property can be crippling to organisations. There is the physical loss of irreplaceable records, and the need to find new premises, a difficult task, as potential landlords quickly learn the intended lesson of the bomb blasts: it could be you next. The sophistication of the explosive devices, and their size and expert placement, all point to a military or para-military connection. However, there have also been bomb placements which appear to be by right wing organisations, aimed at the black population, such as a bomb placed in September 1988 in the *Why Not* Discotheque in Hillbrow, Johannesburg, a venue supported by a black clientele. These bombs have an intimidatory effect, and appear to be meant as a warning to black South Africans who are moving into areas previously reserved for whites only.

'Mysterious' Robberies on Progressive Organisations

The past 18 months has witnessed an escalation in robberies and break-ins on the offices and property of trade union and political organisations. This is



Witdoeke at work:
Residents of
Crossroads flee
from the area after
an attack in 1986.
Afrapix

particularly common in the Eastern Cape. Frequently the only items stolen are important documents belonging to the organisations, leading the victims to suspect the Security Police. On other occasions, valuable equipment, including personal computers (which store important organisational information), typewriters etc., have been stolen. These have caused considerable disruption of work. The same organisations have also been subjected to arson attacks which have destroyed premises and property.

Dirty Tricks Campaigns

Progressive organisations have been subject to numerous dirty tricks campaigns. The most common form of this activity is the production of pamphlets or publicity material purporting to be from a progressive organisation, but which carries a disruptive message. The purpose of the dirty tricks campaigns is to sow confusion and to promote internecine argument and fighting. In Soweto the two main (but rival) anti-apartheid groups, UDF and AZAPO have been particularly singled out for this treatment. The perpetrators of these campaigns have never been brought to justice, but the events relating to the End Conscription Campaign are revealing. Here, three members of an army 'dirty tricks' unit had second thoughts about their activities, and told ECC of their activities. They were

Vigilante power:
The remains of a
settlement outside
Durban after an
attack.

Billy Paddock



court-martialled, but a subsequent court action by ECC drew an admission by the army of their direct involvement. Thus we know that military intelligence were involved in at least this issue. There are two other intelligence agencies in SA — the Security Police and the National Intelligence System (NIS), both of which take a keen interest in progressive organisations and disruption.

Kidnappings and Disappearances

The trend of the disappearance and/or kidnapping of activists continues. The kidnappings take two major forms: the abduction of activists from neighbouring countries, and internal abductions. In the latter, some of the 'disappeared' people have subsequently been discovered in detention, but some disappear permanently.

One problem in solving these cases is the very secrecy of the activities of the Security Police and the detention system. Disappeared activists may be detained, in hiding, in exile, or dead. This confusion works to the benefit of those who would disrupt political organisations, and is particularly welcomed by members of death squads. In one instance, Vusi Mashabane, from Duduza, was abducted, interrogated and tortured by a group of men who, it later transpired, were soldiers. Most alarming is the disappearance of one Stanza Bopape, an important Pretoria activist from the Mamelodi Civic Association and employed by CRIC. The police say that he escaped from detention on 12 June 1988, but he has never reappeared, and police led his family to believe he was still in detention for some time after this date.

Assassinations

Assassinations have the effect of controlling government opposition when all other methods, such as detention or intimidation, have failed. It is a very rare event indeed when such assassinations are ever solved. A recent reversal of this trend relates to the death of Eric Mntonga, an IDASA director in East London. Due to internal rivalries in the Ciskei Security Police, new facts about his death have emerged, and senior Security Police are now being charged with his death, on the 24th July 1987.

Recent assassinations include:

<i>Name</i>	<i>Organisation</i>	<i>Died</i>	<i>Perpetrator</i>
Samuel Seliso Ndlovu	SOSCO	2/9/87	unknown
Sicelo Dhlomo	DPSC, SOSCO	24/1/88	unknown
Linda Brakvis	UDF	29/1/88	unknown
Pearl Tshabalala	UDF	10/2/88	unknown
Amos Boshomane	SEAWU	25/2/88	unknown
Nomsa Nduna	mother of unionist	6/3/88	unknown
Michael Banda	POTWA	1/7/88	unknown
Sidney Msibi	ex-ANC	5/7/88	unknown

Conclusion

This section has attempted to draw together all the varieties of means used to neutralise or eradicate political activity which is opposed to apartheid. They should be seen as adjuncts to, albeit very important ones, the other forms of repression in South Africa — the legislating against opposition styles of politics, bannings and restrictions, and the detention of opponents.

Counter-revolutionary warfare and the National Management System

‘There can be no security without reform.’ This was the slogan of the P W Botha government in the early 1980s and it neatly summed up the intentions of the ‘total strategy’ reforms of the period. But the failure of those reforms to in any way meet black political aspirations and the threat of the ‘people’s power’ uprising from 1984 to 1986 have led the state to adopt a new set of more thorough-going and military informed strategies, known as ‘counter-revolutionary warfare’.

The essence of the new counter-revolutionary policies has often been expressed by Law and Order Minister Adriaan Vlok. To defeat the ‘revolution’, he says, the state must do three things:

- first, address the security situation (State of Emergency)
- second, address grievances and bring good government to the ordinary person (upgrading and municipal elections)
- third, and last, address the political question (the National Council — with limited black representation)

The National Management System and its 500 odd Joint Management Centres (JMCs) is the key co-ordinating structure in the implementation of this new strategy. It is designed, in the words of police counter-insurgency chief Bert Wandrag, to ‘nip the revolution in the bud’. But the government’s secretive network is struggling to fulfill the intentions of state security planners.

JMCs fall under the jurisdiction of the secretive ‘super-cabinet’ — the State Security Council — and are the regional, district and local extensions of the National Management System. According to the generals and police chiefs who set them up, they are supposed to co-ordinate the counter-revolutionary warfare strategy of ‘eliminating’ activists and ‘winning hearts and minds’ of the masses

Some Quotes

'To prevent (a) crisis, you will find the army, the police, and the JMC will co-operate.' — SSC member

'There is no denying a lot of influence is created by the military, because we military people are in the system and we are very proud of it.' — NSMS official

'In Brazil the military was careful not to dismantle the public institutions of civil government.

'These were kept largely intact in order to maintain the illusion of democratic government.' — Academic

'The NSMS, being primarily the creation of the police and security forces, is a sort of creeping coup d'état by consent, in which accountable politicians have abrogated their power to non-accountable members of the security forces.' — Helen Suzman MP

INFO '87 — HAP.

('WHAM') which has been put into action since 1986. But the growing economic crisis, increasing expenditure on the instruments of repression, the illegitimacy of minority rule and the depth of black political resistance are proving to be insurmountable obstacles to the 'crush — create — co-opt — reform' strategy of the National Party state.

It is in the make-up of a JMC that the overall intentions of the new security managed policies can best be found. A JMC has five committees — Intelligence, Security, Welfare, Communications and an Executive Committee which brings together representatives of each of the four functional committees. The committees are known by their Afrikaans acronyms, thus GIK (Gesamentlike Intelligensie Komitee — intelligence), Veikom (Veiligheids Komitee — security), Semkom (Staatkundige, Ekonomiese en Maatskaplike Komitee — welfare), and Komkom (Kommunikasie Komitee — communications).

The Intelligence Committee is staffed by the National Intelligence Service (NIS), the security branch of the South African Police (SAP) and Military Intelligence. It collects two broad kinds of intelligence on communities. The first is 'hard' intelligence on the intentions, plans, activities and problems of activists and their organisations. This intelligence is then channelled to the Security Committee. A second kind of intelligence, so-called 'soft' intelligence,

encompasses the universe of attitudes, grievances and perspectives which make up a community's overall stance toward the state, its officials and its reform programme. This intelligence is sent to the Welfare Committee.

The functions of the Security Committee and the Welfare Committee encapsulate the overall intentions of state security strategists. These are, to use the words of Law and Order Minister Vlok, to 'take out' activists while 'addressing grievances'. Thereby, it is hoped, the conditions will have been laid for eventual political reform through a new accommodating local leadership and the hearts and minds of the masses will be won over to the state instead of the 'revolutionaries'.

The Security Committee, which is staffed by riot police, security police, soldiers and officers of the municipal police and kitskonstabels ('instant police') is the repressive arm of the system. It co-ordinates the process of detentions, restrictions, bannings, spying, monitoring and allegedly also violent attacks and harassment which are made on those who are seen to represent an extra-parliamentary threat to the state. The Welfare Committee, on the other hand, takes responsibility for co-ordinating the functions of the civilian administration. In areas identified as of importance to the counter-revolutionary effort, in particular education and local upgrade programmes, it will help cut red tape and ensure that things get done. Its membership consists of officials of the non-security state departments such as roads, education, welfare, manpower and health as well as local and regional officials of the provincial administrations and Regional Services Councils (RSCs).

This overall Security Management strategy is sold to the public via the fourth of the JMC's committees, Komkom. Staffed by local representatives of the Bureau for Information, plus public relations personnel from government departments, Komkom attempts to ensure the maximum publicity for welfare type projects and government supporting 'counter-organisations' (such as counter-youth groups, gospel associations, sports bodies, and local authorities) while explaining the sincerity of state reforms by means of letters, pamphlets, film, radio, television, newspapers, meetings and organised tours, etc.

Business involvement in the JMC strategy comes essentially through its central role in the privatisation and upgrading effort. In addition JMCs have established so-called Community Liaison Forums and Joint Liaison Committees for the purposes of private sector liaison. Many businesses and civic and welfare type organisations which have participated in these bodies have been unaware of the full ramifications of their involvement. Although government ministers have several times stated in parliament that the system is not secret, they have certainly not gone out of their way to make its workings public. This has led both

opposition politicians and academic observers to allege that it has become a 'shadow state' unaccountable to elected officials. What cannot be disputed is that the system — which constitutionally has no status — has effectively appropriated many executive and decision-making powers for itself, and is able to lean heavily on departmental officials to implement policies determined within the security dominated JMCs.

Any assessment of the 'counter-revolutionary warfare' strategies of the JMC's must deal with the important question of whether the techniques of this kind of warfare learned in the twentieth century can deal with the immensity of the problems and the political basis of the South African conflict. Any dispassionate analysis must conclude that on present indications, they cannot.

In conditions of increasing isolation, South Africa's economy simply cannot meet the demands of the backlog in services, education, housing and jobs which apartheid has caused, let alone the demands of the rapidly growing population of the future. Thus the highly publicised township upgrade programme is having a major effect in no more than three or four townships around the country. Even if the state and the economy were able to meet the demands which have accumulated over the last 40 years, however, there is no evidence that a more materially comfortable population will forget that it lacks political representation. The converse may in fact be true — that as certain communities receive the benefits of upgrade programmes, the absence of political rights may be felt more keenly.

This is made all the more true by the fact that no-one understands where government policy is going to. It is very difficult to 'win hearts and minds' for the incomprehensible and exclusive constitution which the National Party imposed in 1984 or for the unknown schemes of the future. Winning hearts and minds is not made any easier by the state's continuing reliance on a class of collaborators who are very widely discredited in black communities. Too many candidates for co-option are unrepresentative individuals who take advantage of apartheid structures because 'there's money in that system'.

Mass democratic organisation, meanwhile, although weakened by the state of emergency, still wields immense power in black communities, as evidenced by the huge three day general strike in 1988, and the generally poor turnout for the October 1988 municipal elections. Authoritative surveys of political attitudes continue to record predominant black support for Nelson Mandela and the non-racial, democratic ideals of the ANC and the UDF.

Support for moderate black leaders such as Chief Minister Buthelezi is on a continuing downward slope — even in Durban surveys now show him coming in third behind Mandela and P W Botha. This political ferment will continue to grow

Regional Services Councils

All the local authorities, black, coloured, indian and white, are represented on a Regional Services Council (RSC).

The money for the RSCs comes from levies paid by businesses on turnover and wages.

The RSC is supposed to transfer wealth (money) from the rich white towns to the poorer black ones and to help black councils by paying for things like roads, main water pipes, main electricity works, and so on.

But on a RSC, the white councils control the voting power. It is the white councils which decide how much of the money collected by the RSC will be spent in the black areas.

If a white council refuses to spend the money in this way, the black councils have no power to force it to do so. This means that a black council is dependent on the willingness of white councils to give them money.

If the money is not given, the black council remains dependent on rents, service charges and levies imposed on the people for its income. That means that rents will go on going up **or** that the local authority will not be able to provide the services which people need.

'You and Your Local Authority' — Black Sash 1988

despite scattered upgrading, continued repression and the costly promotion of moderate and conservative black leaders who have few followers.

Although the JMC's and the National Management System can probably keep the lid on real political change for some time to come, this will be at the expense of peace and development for all South Africans. Far from resolving anything, nearly three years of emergency have seen the country slip deeper into crisis and expenditure on the police and army grow more rapidly than ever before. Two alternative responses have presented themselves. On the one side is the deepening impoverishment resulting from isolation and the corruption of long term political stalemate. This is the 'crisis management' strategy implemented by the JMCs. But the structural crisis caused by the exclusion of the majority race from government has really become too acute to manage for much longer. The alternative would therefore emphasise the importance of the option for democracy. Unlike the present policy, its primary concern would be with resolving, rather than simply managing the crisis. This would mean addressing the political demands of the democratic movement now.

Censorship in South Africa

Freedom of expression is an indispensable component of democratic government. The free flow of information is necessary to enable citizens to make informed decisions about their lives. Individuals who are deliberately kept ignorant of events and opinions and who are forced to rely upon 'official' or 'authorised' news are precluded from discovering the truth. It is precisely because South Africa is not a democracy that successive governments have found it necessary to impose severe restraints on the freedom of expression.

The pervasive system of censorship in South Africa goes far beyond the mere banning of books and films. It extends to official decisions as to what may or may not be taught in schools, to the inclusion and omission of news items by the media and to a wide range of legal constraints which ensure that certain facts and ideas are never published or ventilated. Broadly viewed, censorship serves to eliminate the propagation of information and ideas as a device to control and suppress the articulation of opposition.

Legislation

Censorship laws fall broadly into two categories: those which provide for the direct imposition of censorship by outright banning and those which inhibit or restrict altogether what may be published. Significantly, it is the activities of society's most important institutions such as the police, prisons services and defence force, which are shielded from public scrutiny by special censorship laws. Despite a permanent arsenal of an estimated 100 laws which impinge upon the free flow of information, news curbs were introduced with the various states of emergency declared every year since 1985. Apart from preventing publication of a wide range of matters, direct powers of censorship under the emergency have been placed in the hands of state officials whose actions are effectively immune from judicial control. These powers have been exercised to seize and close down

A journalist protests against harsh media curbs introduced by Home Affairs Minister Stoffel Botha. *Eric Miller, Afrapix*



newspapers. Other newspapers and publications exist under the constant threat of closure. Emergency powers serve only to supplement but not replace the permanent laws. Under the permanent laws, thousands of books and publications have been banned over the past 25 years. Many of these have been prohibited as allegedly posing a threat to the security of the state, (eg. the film 'Cry Freedom' was seized by police the day it was found not to be offensive by the censorship appeal board'.

Censorship is also effected by the banning of individuals and organisations both under the permanent laws and in terms of the emergency regulations. Under the latter, virtually all black extra-parliamentary movements (including the United Democratic Front and some of its major affiliates as well as the Azanian Peoples' Organisation) have been prohibited from 'carrying on or performing any activities or acts whatsoever'.

The precious right to peacefully assemble together in protest, generally recognised as an essential adjunct to the freedom of expression, has been emasculated for more than a decade. Since 1976 there has been a nationwide prohibition on outdoor gatherings. Emergency powers have extended this prohibition to ban a number of indoor gatherings.

Conclusion

Perhaps the greatest tragedy of censorship in South Africa is that it has bred

ignorance. The nature of the divisions in society created by the system of race classification and segregation has forced black and white South Africans to live in worlds apart. Whites tend to be ill informed about black opinion and black aspirations for a different society. Censorship also operates to shield and protect white South Africans from many of the unpleasant truths about the conditions under which the majority of the population are living and the root causes of anger and discontent. Censorship also serves to preserve prejudices, myths and misconceptions which have been nurtured over many decades.

It is doubtful whether drastic restrictions on the freedom of speech and association will ultimately be conducive to lasting peace and good order. The opposite may well be true. As the avenues of peaceful protest, whether by word or deed, are cut off, the danger increases that opposition will find violent expression.

The UN Declaration of Human Rights

Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedoms to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of any frontiers

Human rights in the homelands

The patchwork of land pieces that make up the ten African homelands in South Africa — four 'independent', the other six self-governing — is one of the lynchpins of apartheid policy. Some 13m people — more than half of South Africa's African population — are resident in them and they cover approximately 14% of South Africa. Along with the provinces, the homeland governments serve as second-tier regional administrations. The government originally planned the homelands as its solution to the problem of the political accommodation of the African people — who have no vote in the central Parliament of the land but only the right to vote in elections for the legislative or national assembly of their designated 'homeland'. More recently the government's constitutional plans have focused on ways of accommodating sections of the African majority in central government structures in a very limited way.

The fact that so many people live in the homelands is the result of many factors including decades of forced removals, evictions of Africans from white farms, the housing shortage in the white-designated area, the need to escape harsh influx control provisions, and the toleration of informal, self-built settlements in these areas. Homeland residents are in many respects worse off than Africans living outside the homelands.

Firstly, there has been the deprivation of South African citizenship in the case of 'independent' homeland citizens. As the Transkei, Bophuthatswana, Venda and Ciskei ('TBVC states') became independent (in 1976, 1977, 1979 and 1981 respectively) all their citizens — an estimated 8 million people — were deprived of their South African citizenship automatically, including those who did not live there. The Restoration of South African Citizenship Act of 1986 provided that TBVC citizens with a long period of permanent residence outside their designated homeland — some 1,75m people — could apply for the return of the South African citizenship. Those, however, who remain stripped of their citizenship are subject to the Aliens Act of 1933, and in law are aliens in South Africa. They are, however, exempted from visa and residence permit requirements, but



Opposition to the homelands:
Residents of Braklaagte in the western Transvaal at a meeting to oppose incorporation into Bophuthatswana.
Gill de Vlieg, Afrapix

the government can withdraw the exemptions at any time and arbitrarily 'deport' any community or person with TBVC citizenship to their designated homeland and refuse them entry into 'South Africa'. (This has already been done in a few cases for security reasons.) Also, the policy of the Department of Manpower, according to lawyer Geoff Budlender, is that TBVC citizens losing their jobs must return to their homeland in order to claim UIF (unemployment insurance fund) benefits, thereby removing themselves from the South African job market.

Secondly, the homelands are severely underfinanced. While each generates income of its own, the homelands are all heavily dependent on central government financing, as they are generally underdeveloped areas whose function historically has been, inter alia, to act as labour reserves, dumping grounds for the aged and unemployed, and the political 'home' of the African population. The boundaries of the Homelands were so drawn as to exclude almost all the economic (industrial and infrastructural) resources of South Africa, e.g. cities, harbours, mines, dams, etc. Their budgets totalled R7,65bn in 1987/88, an amount insufficient for the needs of the 13m residents of these areas. Inadequate finance means that the homeland administrations generally provide lower standards of services than those provided to Africans living in the non-homeland areas in areas such as education, health, pensions and infrastructure. This is one of the reasons why many

communities are resistant to incorporation into a homeland.

Thirdly, commuting distances from the homelands to jobs in white areas are in many cases extensive (the most notorious being the KwaNdebele/Pretoria journey of some three hours each way, each day).

Fourthly, repression in some of the homelands has been more severe than in the rest of South Africa. Most central government legislation, including security laws, is applicable in the six non-independent homelands. (They have the power to pass legislation of their own in an increasing number of areas.) The 'independent' homelands adopted central government legislation upon their respective 'independence' dates but are entitled to amend or abolish it and to pass legislation of their own on any matter. All four passed their own security acts, which are very similar to the security laws of the central government. (These are the Transkei Public Security Act of 1977, Bophuthatswana's Internal Security Act of 1979, the Ciskei's National Security Act of 1982, and Venda's Maintenance of Law and Order Act of 1985.) Their security legislation is in some cases more stringent than that of the central government. Bophuthatswana's, for example, provides for the imprisonment for up to ten years of anyone who advises or encourages people to strike unlawfully, boycott classes, engage in consumer boycotts, attend a restricted funeral or engage in civil disobedience. The same penalty can be applied to anyone possessing documents encouraging any of these acts. All four have non-aggression pacts and extradition treaties with the central government and each other. Detainees frequently appear to have been handed over from the central government to the 'independent' homeland administrations and vice versa, however, without benefit of extradition proceedings. Political trials are common in the 'independent' homelands which have their own supreme courts and appellate divisions. The 'independent' homelands have their own defence forces and both they and the non-independent homelands have their own police forces. These security forces are an integral part of South Africa's security structures.

In 1974 the government gave the non-independent homeland administrations the jurisdiction to order the removal of any tribe or person from one place to another within the homeland, restrict anyone to a particular place within the homeland, prohibit any organisation and prohibit the publication or dissemination of any document. Central government restraints over the exercise of these powers imposed in 1974 were removed in 1986. KwaNdebele was the first to pass legislation, in 1987, giving its minister of law and order these powers (in the KwaNdebele Public Safety Act).

Most of the ten homelands have police acts and civil defence acts of their own.

They're everywhere: An SADF patrol in the Bloedfontein area, which is threatened with forced removal. *Gill de Vlieg, Afrapix*



Lebowa passed an Indemnity Act in 1986 indemnifying the Lebowa administration and Lebowa police against legal proceedings arising out of the suppression of disorder in the homeland in 1985/86. This act, which temporarily stalled hundreds of cases, was declared null and void by the Appellate Division in 1988. KwaNdebele passed a similar act in 1988, covering the period of widespread resistance in that territory associated with 'independence' plans.

KwaZulu passed an Act on the Tracing and Detention of Offenders in 1987 which provides for 90-day detention without warrant for the purposes of interrogation of anyone suspected of having committed or having evidence about a crime.

The central government's emergency regulations of June 1986 were made applicable to all six non-independent homelands. KwaNdebele gazetted expanded emergency regulations in August 1986 which are among the most severe of all the orders issued in terms of the Public Safety Act. They were withdrawn in September 1987 just before they were to be challenged in the Supreme Court but most were reimposed a few months later. They include a 9pm to 5am curfew and forbid the presence of persons of school-going age in the area unless they are legally attending a school in the homeland.

The Transkei had a 10pm to 5am curfew in terms of its ongoing state of emergency for two years (the curfew was lifted in June 1987).

Violations of human rights in many of the homelands — torture, police

brutality, arbitrary police and army shootings, detention without trial, deaths in detention and custody, and arbitrary detention and arrest, have been extensively documented. Police misconduct in some of the homelands — KwaNdebele in particular — appears more excessive than that of the SAP and is often less open to the checks, safeguards and public scrutiny that offer some protection to the victims of the SAP. Harassment of opposition groups by the security forces and vigilante groups — most notably the Mbokotho in KwaNdebele — has been severe in some homelands.

Fifthly, while the homeland legislative/national assemblies provide a minimal right to political representation for homeland residents, this right is curtailed. All assemblies have not only elected members, but members appointed by the homeland chiefs, chief minister, etc. The ratio of elected to nominated members differs widely from one homeland to the next. KwaNdebele has only 16 elected members in its 93-member assembly, for example; the ratio in some homelands is roughly equal. Until a successful court application in 1988, KwaNdebele women were denied the vote in the homeland. In 1987 Venda passed legislation making the homeland a one-party administration: every member of the Venda National Assembly was required to be a member of the Venda National Party. Percentage polls in homeland elections are usually very low.

Sixthly, workers employed in concerns in the homelands — established in terms of the government's decentralisation programme — fare badly in comparison with their counterparts in white-designated areas. Rights to collective bargaining, union organisation and minimum wages are severely limited in the homelands. Industries based in the homelands enjoy exemptions from the minimum wage determinations applicable to the industry in the rest of the country, and wages are notoriously low. Many homeland administrations are hostile to established trade unions. For example, the Ciskei banned the SA Allied Workers Union in 1983, even though most of the union's members lived in the Ciskei township of Mdantsane and worked in East London. South African-based unions are not allowed to operate in Bophuthatswana in terms of its Industrial Conciliation Act. The Transkei's leader, Major General Bantu Holomisa, favours a union movement indigenous to the Transkei and independent of the South African union movement.

Homeland residents or communities resisting incorporation into a homeland have enjoyed some relief through the courts. They have granted many interdicts for the release or protection of detainees in some homelands. In 1988 the Appellate Division also notably reversed the incorporation of the Moutse community (central Transvaal) into KwaNdebele and the 500 000-strong township

Bophuthatswana — Repression

* Although Bophuthatswana has a Bill of Rights, almost every constitutionally guaranteed right in Bophuthatswana is contradicted by a provision in the homeland's Internal Security Act. It provides for detention without trial, declares meetings of more than 20 people unlawful unless authorised and provides police indemnity. Labour laws forbid workers employed in the homeland to belong to South African trade unions.

* There have been horrifying allegations of torture by the homeland's police. Five detainees are reported to have died.

* Quote from President Lucas Mangope:

'We cannot forget what it was like living under the chains of apartheid. And though we are fortunate to find a way to be free without sanctions and violence, we know there are those who feel their freedom will not come without resorting to such methods.'

INFO '87 — HAP.

of Botshabelo (Orange Free State) into QwaQwa. However, while the constitutional future of Moutse is the subject of a judicial commission, the government is set to pass legislation to override the Appellate Division's reversal of the Botshabelo incorporation (as well as to forestall any such future judgements). The legislation will remove the right of the courts to overturn proclamations issued by the state president in terms of the National States Constitution Act of 1971. The Braklaagte community tried unsuccessfully in 1989 to challenge its incorporation into Bophuthatswana. Residents feared, inter alia, losing their South African citizenship, as the Bophuthatswana administration is opposed to the concept of dual citizenship.

They (Braklaagte) are the most recent victims of the violence and upheaval caused by the South African government's policy of forced incorporation. This policy of redrawing boundaries to include land previously in South Africa in thebantustans has become a common phenomenon. As community resistance and local and international pressure has forced the government to back down on its forced removal policy, forced incorporation has moved centre stage as the new way of forcing black people to be in the homelands. Forced incorporation is a fundamentally violent policy. In the vast majority of cases the communities being

incorporated do not want to be in homelands. The decision to include them in these areas is usually taken without consulting the people concerned, and at the point that the incorporation is finally implemented the bantustan administrations feel compelled to show these communities that they have complete power over them.

BRAKLAAGTE'S 'BLOODY EASTER'

The Bus incident and its consequences

On Wednesday 22nd March, a contingent of Bophuthatswana police and Army personnel entered Braklaagte and set up a police camp in the middle of the village. When Braklaagte children schooling at Zeerust came home at about 6 pm that evening, their schoolbus was stopped at the roadblock. They were ordered off the bus and told to stand in two lines. They were then asked one by one if they were citizens of South Africa or Bophuthatswana. Those who said they were South Africans were then beaten up by the soldiers with their rifle butts.

On Thursday night the community again gathered to discuss the situation. By this time migrant workers were arriving home for the easter holidays and they wanted to be properly informed. The meeting was then broken up by the security forces using teargas, dogs and sjamboks.

By Good Friday, police activity had intensified. Residents were warned by police using loudhailers that they were not allowed to go near the chief's house. At about 10 am that morning, acting chief, Pupsey Sebogodi, was detained under section 50 of the Bophuthatswana Internal Security Act. The same morning the secretary of the local youth club was arrested with a list of youth club members. The police have since been hunting for all the people on this list. They are also looking for the tribe elders — many of them men in their late 70's. Many people including old people have fled the area or are hiding in the bushes.

... The people who were arrested were taken to Motswedi police station and held in terms of the Criminal Procedure Act. Attorneys acting for the community were refused access to these people on Sunday afternoon, 26th March.

... On Monday 27 March the community's attorneys again tried to

see their clients. By this time they had a list of over 100 names of arrested people. Despite the fact that the Criminal Procedures Act gives people right of access to an attorney from the time of their arrest, access was refused by the police officers present on the basis that they had been given orders 'from above' and from Mmabatho that they should not allow anyone to see the Braklaagte prisoners.

The next day as a result of intense pressure by the community lawyers 65 people were charged in the Lehurutse magistrate's court with public violence, arson and malicious injury to property. Acting chief, Pupsey Sebogodi is number one accused. George Mogosi was also charged, but he had been hospitalised and did not appear in court. Twenty three people were released on free bail. These were youths under 18 years and women. The rest are to appear again on Monday April 3rd.

The following day the lawyers returned to Motswedi police station in the belief that they would now be able to see their clients. However they were told that there were 'orders from Mmabatho' that they were not to be given access to their clients, or to Braklaagte itself. They were told that there was no access to Braklaagte for any non-resident and that relatives of the prisoners would also be refused access.

A few days later ... members of the legal team took statements from the 23 people who had been released on free bail. Amongst them were youths who had been beaten up at the roadblock the previous Wednesday, and people who had witnessed the incident ... Amongst other tortures they had been watered with a fire-hose, sjambokked, forced to frog-jump, been punched and beaten with leather belts, policemen had jumped on their backs and stomachs, their legs had been pinched with pliers, and they had gone without food for long periods.

... We do not believe that access for the lawyers will spell the end of Braklaagte's troubles. Years of experience of these situations shows that once the immediate crisis is over, if decisive action is not taken to resolve the situation, violence and conflict continue with the resultant destabilisation of the entire area ...

... It is only the reversal of the incorporation that will bring things back to normal.

TRAC Statement on recent events at Braklaagte — 31.3.89

The level of poverty in the bantustans, where more than half the African population live, has been documented in several studies that show meagre household incomes and a measure of the extent to which these incomes fall below survival levels. Thus, a recent study by Simkins indicates that in 1980, 8.9 million people in the bantustans, or 81 per cent of their population, had incomes below a harshly drawn minimum living level. The extent of absolute poverty within the bantustans has been increasing since 1960 as then 250 thousand people (5 per cent of the population) were in households that had no income at all, by 1980 such poverty had grown with 1.4 million people (13 per cent of the population) having no measurable income.

'The cost of apartheid' Michael Savage — Third World Quarterly

For example, in north-eastern Bophuthatswana a survey of 100 Pretoria commuters revealed that their average travel time to work was 7 hours 19 minutes, which was longer than the average time these workers spent sleeping ... in total the South African economy contains over 2.2 million migrant workers who are employed and live in 'white' South Africa on a semi-permanent basis. In addition, it contains over 600,000 'commuting migrants' from the bantustans and large numbers of workers who are forced through having to live far from their work, into becoming what could be termed 'daily migrants'. It is not unrealistic to state that approximately one out of every three workers in South Africa can be classified as a migrant worker.

'The cost of apartheid' Michael Savage — Third World Quarterly.

Land and homelessness

Homelessness is arguably the most critical socio political problem at the present time in South Africa. It is the direct result of apartheid policies and proper solutions will not be possible until apartheid laws are a thing of the past. Even then vast resources will be required to ensure that all South Africans have adequate shelter.

Estimates of the number of people who are without adequate shelter vary between six and eight million, that is one in every six South Africans at the lower figure. The greatest concentration of homeless people are in the metropolitan centres, as is to be expected, but the homelands and rural areas also have many thousands of families who are landless, homeless and dispossessed.

Many white South Africans claim that the situation has been caused by the abolition of influx control in 1986. The removal of the pass laws allowed people to move to town for the first time without having permission to do so, but it is not true that the urban homeless are recent arrivals in the cities. Influx control legislation did not stop people coming to town. They came anyway in the search for economic survival, and in spite of constant arrest and imprisonment they stayed. In a thorough survey done by the Black Sash at Weiler's farm to the south of Johannesburg, it was found that 63% of the residents had lived in the area for more than 15 years and of these 24% were born in the area. Only 15% had been in the area for less than 5 years. The reasons why people came to this 'squatter' settlement were varied but all rooted in government policies. Some were squeezed off the land as white urban development took place, some came from areas which had been set aside for coloured and indian townships, some came from the black townships as they were pushed out by the existing overcrowding and the impossibility of finding a place to stay in the limited areas set aside for black residence and some had been evicted from farms where the family may have lived for generations. Communities such as that at Weiler's farm exist all over the country. Their shelters are often demolished by the police. The people are arrested and charged with trespass or illegal squatting but they continually rebuild in the same place or in the vicinity because they have no alternative.

Apart from those living in recognisable communities and settlements, thousands of individuals and small groups live where they can without even rudimentary shelter. They are in the parks and golf courses and backyards of white city

Time to rebuild: A squatter in Noordhoek rebuilds his shack after returning to the area in December 1988 after a court declared they had been evicted illegally.

Eric Miller, Afrapix



suburbs, under freeways and in doorways of the city centres, in public lavatories and railway station waiting rooms. These people are labelled 'vagrants' but most of them are not. Many of them are working men and women who have no place to stay. Thousands of domestic, farm and other workers are trapped in ill paid and exploitative jobs just because there is a room to live in.

The Causes

1. Most of the homeless in South Africa are black and have no vote for the central parliament. They can have no direct influence on the decisions made by parliament and no control over the disposition of the national wealth in the annual budget. The vote they are permitted to exercise for black local authorities or homeland governments is of no use because control of money and land vests in

the white house of parliament. The only power they can exercise is the power of extra-parliamentary organisation and civil disobedience.

2. In South Africa all land is basically white and reserved for white occupation. In 1913 the Natives Land Act set aside 7% of the total land area of the country for black occupation — the reserves. In 1936 this percentage was increased to under 14% of the total area and remains at that level. That is the total land area of the ten homelands. In addition parcels of land have been set aside for coloured and indian occupation in terms of the Group Areas Act and other parcels of land for black urban residential areas. No land can be used for black occupation unless it has been so designated by the white government.

There is no solution to black homelessness without land and no self-help initiatives, private development, church or NGO planning can begin to alleviate the problem without the freeing of the land.

We need to be aware that the present distribution of land is so distorted that under any future government there will have to be massive state intervention if there is to be justice. Free market principles will not address the problem. If it is left to that it will only mean that the wealthy of whatever colour will be able to purchase land and the poor will not benefit.

3. For more than three decades housing policies have been designed to further the exclusion of black people from the common society in the pursuit of the apartheid ideology.

In the nineteen fifties freehold title was taken away from those few black persons who had title deeds in the urban areas. A policy of urban removal was instituted whereby black residential areas were moved further and further away from the cities and towns. The destruction of Sophiatown was perhaps the best known example in the fifties when the residents were moved to the beginnings of what is now Soweto, their houses raised to the ground and the white suburb of Triomf established. That destruction has continued and even now the people of Oukasie at Brits are being removed to Lethlabile, 25 kms further away from the town where they work and shop because white people have moved nearer and covet their land.

With regard to the removal of Oukasie, Minister Heunis had claimed it was due to 'poor health conditions ... and because upgrading of

Homeless:
Crossroads during
1985 meant barbed
wire fences, poor
drainage and
ramshackle houses.
Anna Zieminski, Afrapix



Oukasie will prove more costly than relocating its residents.' TRAC (Transvaal Rural Action Committee) disputed Mr Heunis's claim .. and cited the estimates of professional consultants who said that the upgrading would cost in the vicinity of R3m. Although the cost of establishing Lethlabile was not disclosed by the government, TRAC said the provision of water alone cost R9m. The Brits Action Committee said the 'real reason' for the removal was to appease the conservative white voters living in Brits.

Race Relations Survey 1987/88

The people of Koster have to move from their old established place over the hill out of sight of the encroaching white area. Everywhere if there is any provision for new black townships it is further and further away from where people need and want to be — Khayelitsha in the dunes far from the Cape Town city centre, Motherwell at Port Elizabeth, Botshabelo (Onverwacht) 53 kms from Bloemfontein. It must be noted that all these three places have been established in

the so-called reform era.

After freehold title was abolished in the fifties a system of home ownership on a thirty year lease was substituted. Even this was abolished in 1968 after Dr Verwoerd announced the new housing policy — that there was to be no more building of family housing for black people in the urban areas. Family housing was to be built in the homelands and only hostel accommodation for migrant workers was to be allowed in the urban areas.

For the next ten years, existing housing stock became more and more crowded. Children grew up and married and another generation of children were born into already overcrowded homes. One man described the plight of the majority when he related how, when he came home from work in the evening, he could not put his feet on the floor because there were children and adolescents and middle aged aunts sleeping on the floor, under the kitchen table, and between the beds.

The South African Institute of Race Relations reported in 1987 that the average space in black areas is 3 square meters per person — that is housed people and does not include the homeless.

‘The average housed urban african or coloured in SA thus lives in a space not much larger than a double bed. This is not including squatters and shanty dwellers, of whom there are several million’ (*SAIRR Topical briefing 6.5.87*)

4. In 1978 following the 1976 Soweto revolt there was a reversal of the Verwoerdian policies. ‘Orderly urbanisation’ became the catch phrase. Great improvements have been made. 99 year leasehold title was introduced and has been followed more recently by the re-introduction of freehold title for black persons in the urban areas. Secure title means that financial institutions were able to lend money to individuals who wish to buy or build private dwellings.

Large companies have been able to institute housing schemes for their employees. Township developers have been able to move into the black housing market where good profits are to be made at a time when the white housing market is becoming saturated.

BUT none of this is addressing the problems of the vast majority of homeless people. They simply cannot afford to benefit from this ‘reform’ process which is designed for political reasons to ‘build a black middle class’; ‘to win the hearts and minds of the people’ — or WHAM as this part of the military strategy for maintaining white power is known.

‘The government has for the most part pulled out of black housing provision, leaving it to the private sector. But it is simply not feasible for developers to go

PEOPLE NOT STATISTICS

- Since the Group Areas Act came into operation, 66% of families moved have been coloured, 32% Indian and 2% white. More than 126 000 families (600 000 people) were moved between 1950 and 1984.
- A young African lawyer described how he was hounded from office to office, because of the Group Areas Act, when he tried to set up a practice in Potgietersrus. He said that as soon as he found new premises the town council would pressurise his new landlord to evict him.
- A white man was convicted under the Group Areas Act for living with his coloured common-law wife of 12 years in the 'white' area of Maitland, Cape Town. The magistrate warned him that he had to apply for permission for his wife and three children to live with him. Permit forms require the applicant to state whether neighbours support or object to the application. The man was charged, originally, because two of the family's neighbours complained.
- A white Villiersdorp man, who married a coloured woman, was told by the government that he had forfeited his right to be white and must move to a coloured area. The couple decided to marry after the scrapping of the Mixed Marriages Act. Section 12 of the Group Areas Act determines that when people of different races marry, they are both regarded as belonging to the race group of the male partner. When one of the partners is white, however, they are both regarded as belonging to the race other than white.

INFO '87 — HAP.

far enough 'down-market' ... the black housing shortage (is) estimated by official sources at around 800 000 units outside the 'homelands' and by the Urban Foundation at over 1,8 million units country-wide.' (*Weekly Mail* October 21 to 27, 1988.)

'In spite of the government subsidy for first-time buyers ... an estimated 60

per cent of families cannot afford “conventionally financed housing” ’ (*Weekly Mail April 15 to 21, 1988.*)

‘Most agree the only way to build houses for the poor is through mass-housing schemes — and government intervention — mass housing also requires that large chunks of land are allocated for development — something that doesn’t happen at the moment’. (*Weekly Mail October 21 to 27, 1988.*)

South Africa is now climbing on to the privatisation bandwagon adopted by the western democracies in recent years. The same moral questions are posed to the west as the west poses to us. South Africans are horrified by the homeless people living on hot air grids in the city of New York and by the inner city poverty in Britain and Europe.

We see the degradation of migrant workers whom Europe has imported from the poorer world and their dreadful housing conditions in some cities.

We in South Africa are doing the same thing on a much larger scale aided by racial legislation. It is estimated that at least 60% of the homeless population of the Witwatersrand cannot afford any of the housing options presently offered. The policy now is that people must pay for essential services in housing, health care, education, etc. If they cannot pay they will not get.

In 1988 the government amended the Prevention of Illegal Squatting Act to greatly increase the penalties which can be imposed on both squatters and on landowners who permit squatting, to reverse the burden of proof, and to reduce the protection of the Courts. Punishment will not make homeless people disappear.

What is required is vast tracts of land accessible to city centres and industrial areas, with subsidised services — and freedom.

The UN Declaration of Human Rights

Article 17: Everyone has the right to own property alone as well as in association with others;
No-one shall be arbitrarily deprived of his property.

Repression and trade unions in South Africa

Trade unionists in South Africa are subject to the same kinds of repression as many other activists in this country. Many trade unionists are also active in their communities so it is often difficult to say if they are victims of state repression specifically because of trade union or community activities. However, state repression does have very specific effects on trade union organisation.

What kinds of repressive tactics is the state using against unions? Below is an outline of the various forms of repression commonly used by the state.

Detentions

Detentions under both Section 29 of the Internal Security Act and Section 3 of the Public Safety Act (the Emergency Regulations) have been common amongst unionists. People are removed from key positions in the union or union federation for long periods of time.

Recently however, many unionists have been released from detention, owing to the massive protest hunger strikes which swept South African prisons. Donsie Khumalo, a COSATU (Congress of South African Trade Unions) Transvaal Regional Secretary for example, has just been released from detention after a protracted hunger strike to demand his and other detainees' release. Boy Sifane of TGWU (Transport and General Workers Union — a COSATU affiliate) was in detention in the Port Elizabeth area for over a year under the Emergency Regulations and has just been released following a hunger strike. Sifane was the TGWU local chairperson as well as being a key shop steward in his company. He was also very involved in community activity.

These unionists have still frequently been rendered almost ineffective in organisation because of bannings or restrictions placed on them. The restriction orders under the Internal Security Act vary in nature, but have one aim — to remove that person from effective organisation. For example, Tamsanqa Mfazwe,



War on workers: A mineworker shows injuries received during a clash with police at the National Union of Mineworkers offices in Welkom.

Paul Weinberg, Afrapix

the Orange Free State/Northern Cape organiser for TGWU was restricted (after a period in detention) to his township of Botshabelo. He is not able to work anywhere else and so obviously is rendered almost ineffective as an organiser.

Vusi Mavuso from CWIU (Chemical Workers Industrial Union — a COSATU affiliate) was recently released from detention (he has been detained on a number of occasions) and immediately restricted. His restriction includes the orders that:—

- (a) he may not participate in the Mohlakeng Crisis Committee (Mohlakeng is his home township)
- (b) he may not move out of the Randfontein magisterial district
- (c) he must be in his house at all times except for the period 8 am—4 pm (this is a relatively lenient restriction order — in some cases people have been restricted to their homes for all but 4 hours in a day)
- (d) he may not participate in any protest against government or local authority actions or policy
- (e) during the period 4—7 pm he must report to his local police station.

This is clearly the government's new way of removing activists from organisation — they get the international credit for releasing detainees, but have in effect simply imprisoned people in the outside world.

Trials

The state has also harassed union leaders through long and protracted trials. This has obviously removed experienced leadership from crucial positions in the union. Moses Mayekiso, the NUMSA General Secretary, after 6 months in detention (he was detained in June 1986) was then charged with Treason, Sedition, and Subversion, and has been on trial for 2 years. He was not granted bail for most of this period so could not operate in the union. His recent acquittal was a landmark judgement, raising many questions about treason trials, the right of

The acquittal of Alexandra leaders on charges of treason, subversion and sedition by Mr Justice PJ van der Walt has been hailed as a watershed judgement which may halt the steady increase in treason trials over the past 10 years.

The judgement was characterised by what legal observers saw as a rebuke for attorney-generals throughout the country for pressing treason charges too readily against blacks who oppose the status quo.

The state withdrew the treason charge in the closing phases of the mammoth trial, having failed to call a single witness from the thousands of Alexandra residents to support its allegation that the five men in the dock had conspired to seize control of the township and render it ungovernable.

The judge's implicit but unmistakeable admonition to attorney-generals was: 'A charge of treason should be carefully considered and very carefully reconsidered before being brought.'

unionists to be involved in political struggles, etc.

In the last 2 years there has also been an increasing trend towards judges giving the death sentence to shop stewards and other union members involved in strike activity. Most of these Death Row sentences are murder convictions involving scabs who operated in the extremely tense strike situation, often where hundreds of workers had been dismissed. In COSATU there are shop stewards and other union members on Death Row from NUM (National Union of Mineworkers), CCAWUSA (Commercial Catering and Allied Workers Union), PPWAWU (Paper, Printing, Wood and Allied Workers Union), ACTWUSA (Amalgamated Clothing Textile Workers Union of South Africa) and TGWU. It is clear that judges, as state appointees are not prepared to see the loss of livelihood of hundreds of workers as a mitigating circumstance in such murders.

Harassment

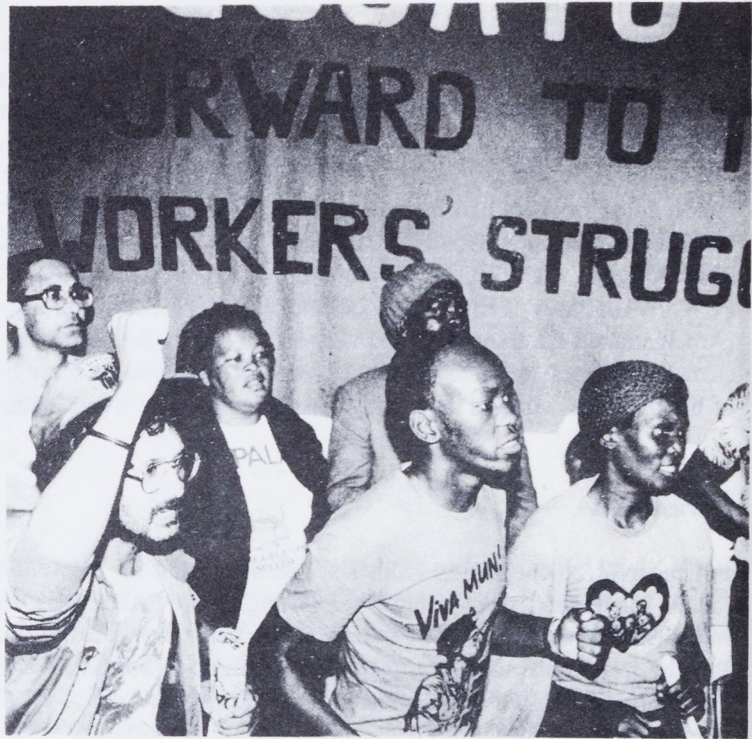
Police involvement during industrial action has left an indelible mark on the labour movement, most notably the killing of six SARHWU members; six NUM members and the injuring of over 500 workers during strike situations in 1987. But the trend continues, and last year hundreds of striking workers, shop stewards and union organisers were arrested and released on bail of R100—R1 000 per person, thus putting an immense drain on union finances.

Striking workers find it almost impossible to hold meetings in the face of police intervention. On four occasions police broke up meetings of Soweto Council strikers and one incident led to twelve workers being hospitalised. The price paid by workers in this popular strike breaking tactic is high, but minor losses in profit take precedence over human life.

Besides this formal state harassment there is also the informal or vigilante type violence against union and community activists. This includes such acts as assassinations, fire-bombings of homes in townships, and disappearances. All these attacks are attempts to either stop participation in organisation, or to intimidate such people from further activity often by forcing them into hiding.

In March 1988 a FAWU (Food & Allied Workers Union) member, David Mofokeng, who had recently been released from detention, mysteriously disappeared. He has not been seen since. More recently, in October 1988 Siyola Mashiqana, a CWIU member, also disappeared without trace.

Unionists are also subject to constant harassment when organising rallies, conferences, seminars and so on. In September 1988 the state banned the Anti-



Worker power:
Unionists celebrate
May Day, 1988.
Eric Miller, Afrapix

Apartheid Conference which on COSATU's initiative was to bring together different anti-apartheid organisations in South Africa to discuss various key issues. More recently a COSATU Transvaal Provincial Congress held at the University of the North was surrounded by army and police and had to be abandoned. As concerns union open air rallies, it is almost certain that magistrates will not grant permission for these to go ahead. So all peaceful efforts at organisation and protest are banned, as a threat to the peace.

The premises of COSATU affiliates have also constantly been vandalised to prevent urgent work continuing and ensuring the loss of valuable union documents. In 1987 and 1988 respectively the head offices of NEHAWU (National Education Health and Allied Workers Union) and TGWU were completely burnt out by unknown arsonists. In September 1988 the COSATU Durban Print Unit was firebombed, and as is wellknown by now, COSATU House, housing many unions, was destroyed by a powerful bomb in 1987. All

unions were forced to evacuate. These are just a few examples of such on-going harassment by unknown people. The perpetrators of such deeds are never found by the South African police or convicted in our courts.

Bannings

In February 1988 the state invoked the Emergency regulations to restrict COSATU's political role. COSATU, as a federation, was prohibited from releasing statements or taking any action around a number of political and economic issues stipulated by the state. The order was issued simultaneously with a banning order on 17 political, civic, youth and church organisations, leaving workers without any organised forum to defend their interests outside the employment arena. This was an attempt to confine COSATU to workplace issues alone and remove this powerful federation from the political arena. The restriction is still in operation.

Violent attacks

The situation in the Natal area needs special mention with regard to violent attacks against COSATU and other progressive organisations, and the resulting spiral of violence. Attacks by members of the Zulu cultural organisation, Inkatha, headed by the homeland leader, Gatsha Buthelezi, have cost hundreds of lives — reputedly more lives have been lost in this conflict than in the Beirut conflict.

Inkatha warlords in effect, carry out the state's work by operating as an extreme right wing force opposed to change in areas like Pietermaritzburg and its surrounds and in townships like Mpopomeni where NUMSA has a stronghold. Bus drivers from TGWU in the Sizanani area are under continual threat from Inkatha forces ever since they stayed away from work on May 6, 1987 to protest the all white elections. Inkatha youths have attacked buses causing them to career off the road, and at least 4 TGWU drivers have been shot and killed. COSATU members in other unions like FAWU, CWIU, NUM, and NUMSA have also suffered violent attacks from Inkatha members resulting in severe injuries and deaths. In a number of cases the families of trade unionists have also been attacked and killed.

Media

Union newsletters and pamphlets have been seized on a number of occasions, and two whole editions of Cosatu News were confiscated — 200 000 copies per edition were taken straight from the printer. In terms of the stringent media regulations, the Minister of Home Affairs has issued an official warning to the National Council of Trade Unions regarding its newsletter, Iziwlethu. Several publications have already been banned including particular editions of union newsletters.

Workers outside the Ambit of the Industrial Relations System

The labour movement continues the fight against certain clauses of the Labour Relations Act, but over 3 million workers from the most exploited sections of the working class are not even covered by the legislation. Farm workers and domestic workers are excluded from the Labour Relations Act, thus having no protection from the labour courts and no minimum standards on working conditions and wages.

Trade unions organising in these sectors face immense problems in dealing with employers who have free reign to pay starvation wages for long working hours and poor working conditions. In 1987, a large farming company, Sapekoe Tea Estate, dismissed 900 workers who were on strike and forcefully evicted them from their hostel. The company was paying an average wage of R40 a month at the time. With not even the most basic legal protection against employers, the union was not in a position to adequately defend its members. Domestic workers face a similar plight.

Passports

While South African cabinet ministers and the president P W Botha travel abroad trying to convince the outside world of their major efforts to end apartheid and bring about peaceful change, trade union leaders have been refused the right to even possess a passport. The entire COSATU executive with the exception of one person who has a Ciskeian passport, and most of the NACTU executive do not possess passports. Their passports were either seized by the police or their applications turned down. In addition, a number of trade unionists have been

restricted to particular magisterial districts, thus eroding the freedom to travel even within the country.

Repressive Legislation

In conclusion special mention should be made of anti-union legislation introduced at the end of 1988. This amendment to the Labour Relations Act is a direct attack by the state on workers' right to strike and defend themselves against exploitative employers. As the International Labour Organisation accepts, workers' interests not only revolve around better working conditions and pursuing collective work related demands, but also involves seeking solutions to economic and social policy questions. In South Africa, workers are being robbed of these rights. The amendment for example, stipulates that:

- sympathy and solidarity strikes will be against the law
- workers cannot strike over the same issue for a period of 15 months
- with an illegal strike the bosses can take the union to court and make the union pay for losses incurred by the company during the strike. This could destroy a union financially overnight
- the bosses can selectively re-employ workers after a strike
- the bosses can easily stop a legal strike by using the courts
- the bosses can legally dismiss a worker for no good reason in the first year of

**Let us speak of the wide land and the narrow strips on which we
toil ...**

**Let us speak of the dark shafts, and the cold compounds far
from our families ...**

**Let us speak of heavy labour and long hours, and of men sent
home to die ...**

Let us speak of rich masters and poor wages ...

Let us speak of freedom ...

— Appeal from the labour movement of the fifties

employment

- the representative or majority union in a workplace cannot demand to negotiate for the whole workplace. This allows for the reintroduction of racist parallel unions.

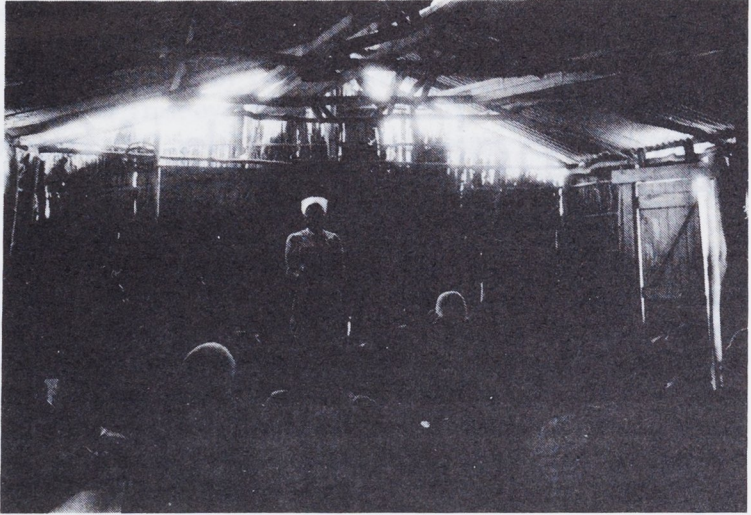
Despite widespread protest, including a three day stayaway (the biggest in South Africa) by over 2 million workers on each day, the state did little to accommodate workers' objections to the Labour Bill. The Labour Relations Act was promulgated on September 1988 — a sad day indeed for the Labour Movement.

It can be seen from the above examples that the state feels free to meddle dangerously in the relationship between workers and employers. Again this is done in the guise of regulating labour relations through respectable government legislation, but it is in reality just another sustained attack on the growing power of workers to demand more political and economic rights in South Africa.

The UN Declaration of Human Rights

Article 23: Everyone has the right to form and join trade unions for the protection of his interests

The quality of
schooling:
Banganeke Lower
Primary School in
Kosi Bay, Natal.
Cedric Nunn, Afrapix



Spending

The structure and spending in apartheid education speak for themselves. **The Star** (18 March 1989) gave the following figures for 1986:

White education R2 267 986 000

Black education R1 031 453 000

(DET controlled)

The amounts spent on children in different race groups in 1986/87 (most recent figures available) were as follows:

Black R 476.95*

'Coloured' R1020.40

Indian R1904.20

White R2508.00

* (This is for DET controlled schools — homelands have their own education budgets and spend even less per child). There is no compulsory education for black children in South Africa.

(Source: *South African Institution of Race Relations SAIRR 1987/88*)

Thus 5.25 times more is spent per capita on a white than on a black child.

'In the Department of Education and Training school system, the government indicated that there was a shortage of 3 327 Primary

Education in apartheid South Africa

Apartheid education is a policy of separation, division and deliberate inequality. This policy has resulted in the terrible impoverishment of all South Africa's youth. It is a system that inculcates a sense of superiority into some, whilst denying the vast majority what is their fundamental right — an education of decent quality. All South Africans are immeasurably damaged by it.

Both the history and implementation of apartheid education are well documented. This Paper looks briefly at the following:

The structure and expenditure of education in South Africa, the present situation in black education and the ideology of Christian National Education (CNE) on which white education policy is based.

However, the situation is so dynamic that any factor may trigger a new student/state confrontation and radically change the existing circumstances. Racially divided education is a time bomb ticking away in South African society.

The structure of apartheid education

There are currently 19 education departments in South Africa. Their composition is as follows:

A National Education Department

5 White — 1 National and 4 Provincial: Cape, Transvaal, Orange Free State and Natal

1 'Coloured'

1 Indian

11 Black — 1 for 'South African blacks' and controlled by the Department of Education and Training (DET), 6 in the non-independent homelands and 4 in the 'independent' homelands.

Among PW Botha's reform promises was a single education policy. Nothing has come of this. Rather, the Minister of Education announced in his 1989 budget speech that this policy was being abandoned due to the economic crisis in South Africa.

School classrooms and 2 448 Secondary School classrooms in 1984. It estimated that it would cost R420 million to meet this shortfall. The shortfall could be eradicated by switching the equivalent sum paid to the SA Development Trust over the past four years, for purchasing land to consolidate black areas, to building classrooms; it could be met in one year by disengaging militarily from Namibia; it could be met in just over two years by charging 15% of the cost of their education to white pupils.

Similarly apartheid expenditures on maintaining spare capacity in 'white' educational institutions, which currently involve having over 1 035 spare places in eight 'white' schools in central Cape Town alone, and 2 683 empty places in white teacher training colleges could be abolished in one exceedingly limited step toward addressing the educational crisis upon us.'

The Cost of Apartheid by Michael Savage, 1986

It is patently absurd to claim, as the State does, that the phenomenon of 'separate but equal' can exist where different amounts are spent on children according to their race group. To expect the recipients of this discrimination to accept such a false premise is deeply offensive.

Repression

Repression in education was as severe as in all areas of South African life in 1988. Many students and teachers were detained. Schools were suspended or closed. Teachers and principals sympathetic to the grievances of pupils were transferred, meetings of PTSAs (Parent/Teacher/Student Associations) and students were banned as were any discussions around the issue of alternative education known as 'Peoples' Education'. Many individuals and organisations were banned. This particularly affected the National Education Crisis Committee (NECC) which had continued to play a crucial role in diffusing tension and in addressing the issue of educational alternatives. Its top leadership was detained. Any local structure thought to be linked to the NECC was eliminated. Other organisations restricted were the National Education Union of South Africa (NEUSA), a non-racial body which had been actively involved in working for teacher unity. Many student organisations were restricted. Further forms of repression were the use of right-wing state supported 'vigilantes' and the instruction by the DET to principals to provide names of student activists. Students released from detention were not permitted to reregister in the schools.

'My name is John. I was born on 13.9.1969 in Cape Town and moved to Pietermaritzburg 6 years ago. I am at school at Maritzburg College and am starting Std. 10 in 1987. I am very interested in music and I play the organ and piano. I intend to study music when I have completed school.

I joined a local campaign about a year ago and have participated in their programmes. Realising the need for justice and peace in South Africa, I became involved, and this has made clearer the injustice in South Africa. I live a peaceful, comfortable life and I object to a policy which prevents others from enjoying a life similar to mine.'

'My name is Themba. I was born in 1969. At the beginning of 1986 I was in Std. 9, and I was vice president of the SRC. My home is in X Township but I am now in hiding. My ambition is to negotiate with other political organisations. My favourite things are music and the struggle. (sic)

I was born in Pietermaritzburg in Edendale Hospital. My father works in town. I started schooling when I was 5 years old. I failed only Form 3. I became involved in politics in 1984 when I joined a youth organisation. I left my home in April when Inkatha members attacked my home. I am in hiding from that day. Also I was held in detention for 16 weeks. I have not been able to complete school this year. I think the best solution among black students is to get a peoples education, and every problem will be solved like that.'

INFO '87 — HAP.

As for those students who did attend school, educationist Ken Hartshorne said recently: 'Pupils and teachers at black schools are often present in the flesh but not in spirit, because attitudes have not changed and the fundamental issues of separation, discrimination, isolation and white domination have not been addressed in an effective way'.

Others say pupils, many of whom have not known a year of uninterrupted secondary education, have been harmed psychologically by the on-going conflict. Former journalist and now university teacher, Phil Mtimkulu says: 'They are rootless and volatile. Any little thing that happens brings out their anger'. He says there is little point in pupils going to school while there is little motivation to learn.

Black Sash Magazine, September 1988

Black Education 1988/89

The situation in black education deteriorated sharply in 1988. In many urban areas there was an almost complete breakdown of the learning environment. In order to provide a picture of the situation, regional conditions are briefly described:

Soweto

Pupils engaged in lengthy stayaways. Several schools were closed by the Department of Education and Training (DET). A breakdown in discipline occurred, teachers were demoralised and intimidated. A high level of fear, frustration, anger and despair was felt by pupils. Conditions conducive to teaching did not exist and the SAIRR estimated that no effective teaching took place in 54 Soweto high schools. There was a strong security presence around the schools. This caused tension and anger amongst students.

Western Cape

Disintegration of education became the norm. Schools were wracked by conflict because of the DET refusal to allow large numbers of pupils to register and because of DET's prohibition of Parent/Teacher/Student Association (PTSA) meetings. Several teachers were suspended by the DET causing further tensions and conflict. In July an official estimate gave that there was a 50% attendance at schools..

Eastern Cape

Although there were no major boycotts during the year, appalling conditions existed with severe shortages of facilities. Repression was harsh and many student leaders were detained.

Natal

Serious conflict existed between Inkatha and non-Inkatha forces and the conflict spilled into the area of education. For political reasons, many pupils were not able to register. Many left Inkatha-controlled areas to seek alternative schooling elsewhere.

Matric Results

The start of 1989 saw thousands of matriculants seeking readmission to schools after disastrous results for 1988. Regulations introduced by the DET in November 1988 included a clause that refused matriculants permission to reregister. This situation caused chaos to erupt as many thousands of students were turned away. *The New Nation* (13-19 April 1989) estimated that 50 000 matrics would not be allowed to rewrite in 1989.

Summary

The situation in black schooling is near complete collapse. There is a critical

The spirit of resistance: Cape Town students demand an end to harassment.

Adil Bradlow, Afrapix



shortage of teachers, schools are seriously short of facilities, students and teachers continue to be detained or harassed and many thousands of children are receiving little or no education at all. The DET regulations, issued in November 1988 are a further measure to control black schooling and deny democratically elected PTSA's from participating in structures or formulating policy. They are a further cause of great anger and tension.

White Education

White children too are deprived and denied a fair and well grounded education, for they are indoctrinated with Nationalist Party ideology through the system of Christian National Education. This system entrenches the ideology of discrimination and the concept of racial superiority. It presents seriously distorted views. Very little resistance is offered by parents and educators, themselves recipients of this system which was introduced in the 1950s.

The policy of CNE makes no pretence towards an unbiased approach. Further, the State controls white schools in a vice-like grip and white education

departments fiercely guard their terrain. For example, white school principals in the Transvaal have been ordered not to allow any materials produced by several human rights organisations from being circulated or discussed in their schools. Human rights organisations attempting to provide alternative points of view have been accused of trying to involve pupils in politics — a great irony, when the whole system of white education is based on a political ideology

White children are not in any way being prepared for a post apartheid South Africa. Instead the concept of a God-ordained superiority is reinforced, damaging the minds of all white South Africans.

Conclusion

Article 26 of the Universal Declaration of Human Rights states: 1. 'Everyone has the right to education ... 2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms ...'

As in all aspects of South African life, the apartheid education system is a complete denial of this fundamental human right.

In accord with Article 26, the guidelines issued in 1988 by the African National Congress are emphatic about the need for full, equal and compulsory education for all in a post apartheid South Africa.

When a 17 year old youth says 'I feel hopeless and helpless' and another says 'Even though I try my utmost best to pass matric I can't make it. They are keeping us out of the schools. They are keeping us in the working force', then it is time to demand the end to apartheid education. For the emancipation of all South Africans, this is essential.

Much of this information was taken from an unpublished summary **Trends in Black Education 1988** *by V. Khanyile, Chairperson of the NECC.*

■ The UN Declaration of Human Rights ■

Article 26: Everyone has the right to education ... Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms ...

Militarisation and white South Africa

'If we saw a well-built kaffir we'd know he was a terr. If he had soft feet that would prove it beyond doubt, at least if we were out in the bush, because who else wears shoes? Sometimes you could also see marks on his shoulders or his waist from the webbing. We'd interrogate him, and if he was stubborn he could have trouble. Maybe we tie him to the front of the Buffel and do a little bundu-bashing. Feel it? Why should I feel it? I wasn't on the front of the Buffel. If he's still okay when we get tired of driving around maybe we give him a ratpack (a seven-day food supply) and tell him to shut up. Sometimes they shout and complain and then we have no choice, we have to finish him off. Sometimes he's finished off before we stop driving. Then we just untie him and say farewell' (SADF soldier, Frontline, August 1985).

Many South Africans who engage in acts of cruelty are terrifyingly normal. They are people who have been socialised into conformity; into an unthinking obedience to authority, or into the belief that some human beings are non-human and outside the boundaries which define human/humane treatment.

The extent of militarisation in South Africa is a crucial factor in shaping this socialisation.

Mobilising for war

Whether the level of militarisation is measured through military expenditure, the size and sophistication of the weapons systems, the scale of repression, or the political influence of the military, South Africa is a highly militarised society. Indicators of this are:

* defence expenditure. In June 1987 the defence budget was increased by 30%



Troops out of the townships: An elderly Soweto resident expresses her feelings.

Paul Weinberg, Afrapix

over that of 1986 to R6 686-million. And there are hidden items which make it far larger than that — almost R11-billion, according to one commentator;

- * the sophistication of its weapons system;
- * the progressive extension of compulsory military service for white male youths — now two years plus annual camps;
- * the domination of the political system by a National Security Management System controlled by the SADF and the SAP;
- * the local armaments industry (Armcor) is the third largest corporation in South Africa. It is the largest arms manufacturer in the southern hemisphere and the tenth largest in the world;
- * increasing militarisation of white schools through cadets, youth preparedness, and veld schools in the Transvaal — where selected Transvaal Education Department teachers now carry guns;
- * the rapid increase in gun sales, with one in four white South Africans now owning a gun;

- * reliance on the SADF to suppress resistance in arenas as diverse as education, health and labour. The SADF has been used to break the schools boycott in Soweto; for strike breaking at Baragwanath Hospital; in evicting squatters and rent boycotters; and in the registration and screening of students at the University of the North (Turfloop);
- * a vigorous and spectacular consumerist militarism evident in war toys, games and films which glorify military encounters.

Civilians and the SADF

There is a pervasive ideology which accepts violence as the solution to conflict and problems. It involves deep acceptance of organised state violence as a legitimate response, with a glorification of war in terms of which both actors and encounters are portrayed in heroic terms. There is an acceptance — among the white community — of the power of the military and its encroachment into civilian areas. Above all, war is viewed as 'normal'.

There are four direct and obvious points at which citizens connect to the SADF and the militarisation of society:

as conscripts with increasing length of service and all the disruption of work, education and family relationships that prolonged separation involves. Growing periods of compulsory military service reflect increased black resistance. And the SADF relies heavily on coercion to obtain its manpower: eight out of every nine members of the SADF are Citizen Force or National Service conscripts;

as taxpayers who are footing an enormous bill for the war in Angola. The Namibian war has cost South Africa more than R2-million every day;

as citizens increasingly ruled by an elaborate national security system and other extra-parliamentary structures shrouded in secrecy;

as eager and active **consumers** of a war culture.

The high costs of militarisation

The cost of militarisation is high, both in physical and psychological terms.

There is the 'final sacrifice' paid by young South African men killed in action far from home.

Professor Green of the Institute for Development Studies in Sussex has

What do troops do in the townships?

Giving evidence in support of a conscientious objector, an SADF conscript described some incidents he had seen involving SADF troops in the townships:

- Using catapults with stones against residents to provoke 'action'.
- Placing a 10-year-old boy in a small 'bin' behind a Buffel. A corporal then beat the boy with a stick.
- Blackmailing shebeen owners into providing them with liquor.
- Breaking up fences for firewood.
- Arriving at a congregation as they left a Sunday Church service and then teargassing them.
- Hiding among township houses while a Buffel was driven about in a manner which it hoped would provoke action.
- Assaulting residents using sticks cut from trees because troops were not issued with sjamboks.

'I asked him why he was hitting the boy. His words were "Prevention is better than cure".'

(Sources: Weekly Mail 12.9.86; Weekly Mail 15.5.87; Weekly Mail 26.6.87)

INFO '87 — HAP.

estimated that as a proportion of the white population, the number of white South Africans who lost their lives fighting Swapo is more than three times the number of American lives lost in Vietnam.

Increasing numbers of white South Africans are resisting military service: the numbers failing to report for duty at each call up is now secret, but by all accounts it rose very dramatically since the use of the SADF in the townships after October 1984. Growing numbers of conscripts have applied to the Board for Religious Objection. And many of South Africa's most competent and talented young men emigrate each year.

The costs of war go further than this.

For many young men, their two years of military service are a psychologically disturbing experience. Research by Diane Sandler involving case studies of soldiers who have done township duty reveals aggressive tendencies, and a deep sense of alienation and meaninglessness among these soldiers.

According to Rev van Arkel, 'South African men — particularly Afrikaans men — have the dubious distinction of committing more family murders than men in any other society in the world'. He relates this phenomenon to 'escalation of violence at all levels of our society'.

Public and private violence

The core component of militarism is a reliance on violence as a solution to problems and conflict. The public and private spheres are connected by a war culture, which includes a central notion of **security**. The state claims that violence (or force) is necessary to protect state security — but this violence spirals and spreads so that many are fearful and anxious about personal security.

A war psychosis or siege mentality creates the demand for these security firms and firearms.

Secrecy and security

One of the most alarming aspects of militarism — both here in South Africa and as a global phenomenon — is its secrecy. It is through secrecy, through silence — a silence which distorts and damages any attempt to gain understanding — that consent to militarism is secured.

After the October 1987 strike into Angola the minister of defence said: 'South Africa is prepared to pay the price (for freedom), and it knows the price is high'.

High levels of military spending drain resources away from urgent needs in the areas of housing, education and health. There is a clear link between this level of military spending and poverty and deprivation in the rest of the social order. Emigration is a further drain on the skilled personpower needed to tackle these social problems.

In social terms, a society has developed in which personal relationships are fragile and family units fractured as increasing numbers of young people leave the country.

In psychological terms, South African society has become a battlefield littered with the bodies of damaged people.

No society can afford a price so high.

(This article was adapted from a longer version appearing in WIP No. 53, April, 1988.)

Human rights and conscientious objection in South Africa

'I want to break down barriers which divide us and reject violence as a means to do so. If I were to serve in an institution such as the SADF which I see as perpetuating these divisions and defending an unjust system, it would be contrary to all I believe in.'

For saying and acting on these words Charles Bester (18) is serving a six year prison sentence.

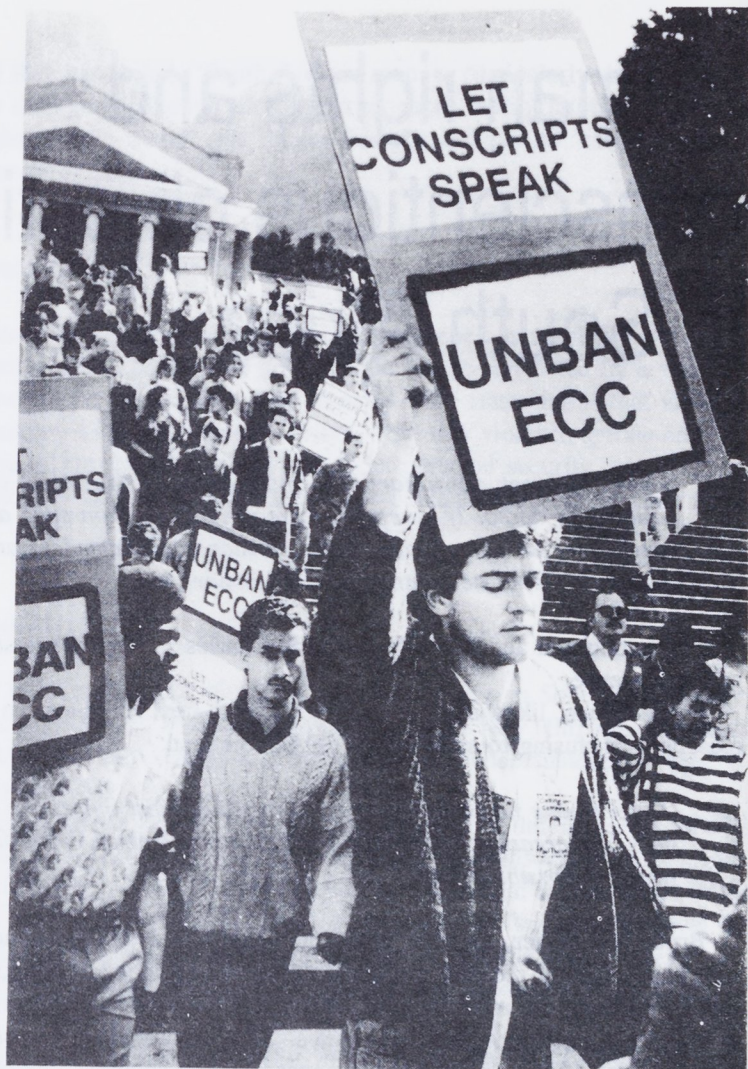
David Bruce, likewise, is a prisoner for the next six years. In stating his reasons for refusing to serve in the SADF, he said:

'I feel I have no choice but to set myself against those who choose the path of increasing racial violence and racial hatred in the firmest way which is possible to me.'

Bruce and Bester, together with other objectors Ivan Toms and Saul Batzofin who have recently received prison sentences of 18 months for their refusal to serve, represent the most forceful and visible demonstration of growing resistance to military conscription in South Africa. The heavy penalty represents the determination of the South African government to suppress this resistance.

Conscription affects all white males

Military conscription affects all white male South Africans. It was introduced in the 1960's and the length of military service has been progressively increased as



Hours after the banning of the End Conscription Campaign, students at the University of Cape Town showed their displeasure.

Eric Miller, Afrapix

the South African government has faced growing resistance to apartheid.

Up until the end of 1988 conscripts had to serve an initial two year period of service followed by shorter periods, called 'camps', usually of one to three months duration, spread over the following twelve years until a total of 720 days

has been completed. This has just been altered, but with little effect:

According to Mark Swilling, researcher at Wits University's Centre for Policy Studies, the announced reduction in the period of service will make little difference to the actual amount of time served.

He cited the 1986 Defence White Paper which stated that conscripts only served an average of 50,7 percent of their total 720 day camp requirement — which amounts to 362 days — or an average of 30 days a year over a 12-year period.

According to the new procedure conscripts will be required to serve up to 30 days a year over a 10-year period.

'What has happened is that the de facto situation has now become a de jure one,' he said.

Weekly Mail, April 28-May 4, 1989

Foreign male citizens are also conscripted by means of a law that automatically makes them South African citizens if they are between the ages of 15½ and 25 and have been permanent residents for five years. If a foreign citizen were to renounce his South African citizenship he would almost certainly be deported.

Conscription and the Law

Conscription laws in South Africa are harsh and wide-ranging. For example, it is an offence punishable by imprisonment of up to six years to encourage or aid a person not to do military service. Further in terms of the Emergency Regulations, it is an offence to 'undermine the system of compulsory military service'. Contravention of this regulation is punishable by imprisonment of up to ten years.

The primary mechanism used by the government to deal with conscientious objectors is contained in a section of the Defence Amendment Act of 1983. This prescribes that a conscript convicted of refusing to serve in the SADF must be sentenced to a compulsory prison term of one and a half times the service he owes the SADF or 18 months, whichever is the greater. An objector who has done no military service thus will be imprisoned for six years.

This heavy penalty was imposed to counter a growing number of conscripts

who were prepared to be imprisoned rather than do military service in the aftermath of the Soweto uprising in 1976. Within a few years 12 objectors were imprisoned for periods ranging from four to eighteen months.

Conscientious Objectors treated as criminals

Imprisoned objectors are regarded as common criminals by the authorities and are granted no recognition as prisoners of conscience. Nor have the authorities taken any special steps to ensure their safety. Ivan Toms was assaulted in prison by another prisoner. David Bruce has been held in a cell with an ex-policeman convicted of murder. Objectors imprisoned prior to 1983 were held with prisoners convicted of right wing violence and there were instances of assault.

Unlike common criminals, who may end up serving only a third of their sentence if granted remission and parole, objectors have thus far had to serve their full sentence.

Limited Accommodation of Religious Objectors

The Defence Amendment Act does however provide a limited alternative for those who can prove to a specially constituted board that they have religious objections to serving in any armed force. Such objectors are required to perform civilian service in a government department for a period of one and a half times the total service they owe the SADF in one continuous period. If a religious objector has done no military service he will have to serve six years civilian service. Despite the punitive length of service and low rate of pay, more than 1 200 conscripts have availed themselves of this option since 1984.

Consequences of the Defence Amendment Act

The Defence Amendment Act of 1983 initially succeeded in stopping the stream of objectors going to prison. The punitive and limited nature of the legislation, however, led to an increasing number of young white men, especially those with professional qualifications, leaving the country. The legislation also provided the impetus for the formation of the End Conscription Campaign (ECC) which highlighted the deficiencies in the law for conscientious objectors and articulated

END CONSCRIPTION CAMPAIGN (ECC)

ECC is a legal movement whose main aim is to campaign for a change in the law regarding compulsory military service in South Africa. ECC believes that conscripts should be given freedom of choice as to how they serve their country.

Short-term proposals include:

- Calling for conscripts to be allowed to choose not to serve in the black townships or Namibia — on similar lines to the situation in World War 2 where servicemen had the right to refuse to serve outside South Africa's borders.
- Calling for all conscripts and not only 'bona-fide religious pacifists' to be allowed to do alternative service in non-government bodies, and for a period of equal duration to that of military service.

Another important aim is to oppose all expressions of militarisation in South Africa.

ECC has 52 member organisations nationally. These include religious, civil-rights, youth, womens' and political organisations. It also has nine regional branches and five campus branches which involve several hundred active members. In addition, it has several thousand supporters throughout the country. Public meetings have attracted up to 4 000 people.

'The End Conscription Campaign (ECC) is a direct enemy of the South African Defence Force.'

— Minister of Defence General Magnus Malan

INFO '87 — HAP.

the opposition to conscription of many white South Africans.

The ECC has been targetted by the State in many ways, from dirty tricks campaigns, prolonged detention of office bearers, and has subsequently been banned.

Increasing resistance to service in the SADF

The township uprisings of 1985 and 1986, the imposition of the State of Emergency and the deployment of SADF troops in the black townships together

with the escalation of the war in Angola, led to a new wave of objection.

In August 1987, 23 men in the Cape Town area made a public declaration of their refusal to do military service. Shortly afterwards, one of the '23', Dr Ivan Toms who had already completed his initial service was called up for a camp. He refused to serve and was sentenced. Since then, David Bruce, Charles Bester and Saul Batzofin have been tried and sentenced.

'As loyal South Africans, we wish to contribute to the building of a peaceful and just society. The SADF violently maintains a fundamentally unjust and oppressive system. We cannot make a contribution to justice and at the same time be part of the SADF.'
(David Bruce)

In response to these and other developments the government, in effect, banned the End Conscription Campaign by declaring it a 'restricted organisation' in September 1988.

On the 7th February 1989, a group of women held a press conference simultaneously in Cape Town, Durban and Johannesburg. They presented a declaration as mothers urging the institution of 'constructive, non-punitive alternatives to obligatory military service':

GIVE OUR SONS A CHOICE

For mothers around the country the bi-annual call up once again highlights the moral dilemma of young men drafted into the SADF.

Many young men wish to serve their country but question the role of the SADF. They ask whether the SADF presence in the townships and beyond our borders is defending the country they love or the system of apartheid, which they find indefensible. For others, the whole concept of bearing arms is abhorrent. We share their anguish and stand in support of them. We call for constructive, non-punitive alternatives to obligatory military service.

We are deeply aware of the traumatic effect military service has on young men. For many of whom there is little real option but to serve in the SADF. The appalling choices are a six year prison sentence, voluntary exile or the twilight world of avoidance. If they are religious pacifists they face a punishing six years of so-called community service, often in meaningless jobs not necessarily utilising their skills. We support them all whatever their decision.

Instead of our young men being embroiled in moral conflict, civil strife, fear and violence we want them to have the choice of serving in other ways.

Without this choice South Africa loses their skills and contribution to a free, open and peaceful future for all.

We cannot afford this loss.

Conclusion

No-one should be forced to defend apartheid. However, the South African government has thus far given no indication that it intends providing a non-military alternative to those who object to serving in the SADF because they regard it as defending an unjust system. Until they do, opposition to conscription will continue to grow.

Destabilisation in Southern Africa

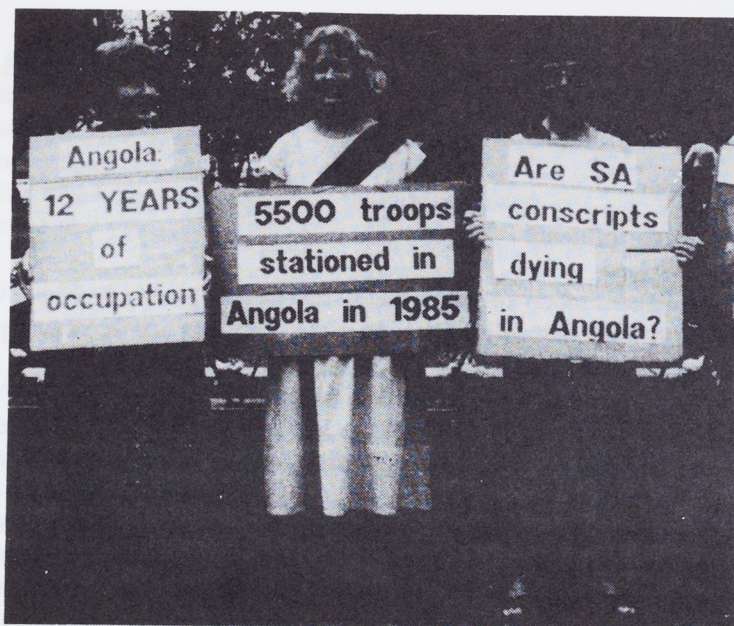
South Africa is waging a full-scale war against its neighbours. Action is not limited to isolated commando raids. South Africa also directly supports surrogate armies in at least five of the neighbouring states. The war is hidden and diffuse, but the cost is massive. Because of South African actions, more than 900 000 people have died since the beginning of 1980. The material cost is at least \$35 billion (R70 bn).

Joe Hanlon

(Forthcoming in Mark Orkin (ed) Sanctions against Apartheid)

We distinguish between three different interpretations of the term 'destabilisation' in relation to the South African context:

- * The South African government considers its policy to be a stabilisation policy. Opposition and resistance against the South African minority regime is interpreted as destabilisation.
- * In terms of political and economic analysis, destabilisation describes deliberate and systematically planned measures of the South African government of hostile intent against the neighbouring countries of South Africa, this makes their national reconstruction impossible and intensifies their dependence on the South African regime, thereby neutralising their resistance against the apartheid system.
Such a destabilisation policy relies on methods of economic pressure or economic aid, on military or police incursions against neighbouring countries, and on direct or indirect support of resistance movements operating in these countries against their respective governments.
- * In a more comprehensive than technical usage of the term, destabilisation pertains to the internal policy of the South African government as well as to the external destabilisation policy directed against neighbouring countries. Since the



Get out of Angola:
Protestors from the
Black Sash at a
picket in Cape
Town.

*Jonathan Kaplan,
Afrapix*

beginning of the 1970s, the South African government found it impossible to contain the intensifying resistance of the majority of the economically and politically dispossessed people. It responded to the pressure by defusing and diverting and repressing resistance with a variety of measures such as the creation of homelands, the 1983/84 constitution of the Republic of South Africa with the tricameral parliament, the state of emergency, the use of vigilantes to eliminate political opponents, the erosion of juridicial procedures, restriction of the press, deliberate use of the media for disinformation, and an indirect support of divisive evangelistic movements attacking the South African churches because of their resistance to the apartheid system.

In the comprehensive sense, internal and external destabilisation are dimensions of one and the same destabilisation policy.

The internal dimension of the destabilisation policy (reform and repression) and the external dimension (military or police incursions, hitsquad murders and offers of economic aid) are not contradictory, but complementary methods of one and the same destabilisation policy. Shifts in the choice of the methods occur in response to shifts in the influence of rival pressure groups within the South African government or the National Party, in response to varying international pressures, and in response to varying levels of resistance within South Africa.

The root cause of instability in the Southern African region is the minority regime of the Republic of South Africa and its refusal to comply with generally accepted principles of justice.

Western influence

The destabilisation policy of the South African government receives considerable support from destabilising trends in the traditions and economic policies of Western countries such as

- a reckless use of technology for their economic benefit. There is no consideration of the needs of the human community as a whole and no consideration of responsible stewardship over natural resources;
- a concept of development based on hidden racist assumptions and the belief in economic growth and the self-regulating forces of the world market. This is irrespective of the local context and the needs of the local population, resulting in the destruction of the subsistence economies;
- the granting of development aid for projects in the Third World, which benefit minorities in these countries. Also the insistence on the repayments of loans with high interest rates disrupt social structures and social services, erode democratic structures and result in the establishment of authoritarian regimes. The security of the state is emphasised and any resistance on the part of masses of the people is repressed;
- the promotion of the national security ideology and the support of military regimes.

Legitimacy and Destabilisation

The policy of the South African government is in principle a destabilisation policy resulting from its legitimacy crisis. The South African government does not dare to test by free elections in an undivided South Africa, whether it rules by mandate. It is not committed to generally accepted principles of justice if it feels its interests to be threatened.

From the perspective of the South African government, a destabilisation policy

is indispensable for the maintenance of its regime. Recent events and the agreements reached in the negotiations concerning Namibian independence, the war in Angola and the support of Renamo in Mocambique do not indicate that the South African government has abandoned its destabilisation policy. They are a shift in strategy due to military, economic and political pressures:

- the military defeat in Angola;
- the inability of the South African economy to sustain the expenses of the war in Angola;
- the initiative of the Soviet Union to defuse tensions in international crisis areas and the impact of this initiative on the United States.

From the perspective of the majority of the people living in the Southern African countries, this shift in the strategy of the South African government signifies progress because it has potential to reduce the **terrible** loss of life in the neighbouring countries of South Africa and because it offers the opportunity of being utilised for efforts to stabilise life in these areas. The shift in strategy does not as yet however imply possibilities for the stabilisation of life in South Africa itself, that is in the Republic of South Africa, and the 'homelands'.

The cost of apartheid

An examination of how this nation channels its resources reveals much about the shaping of South African society and of the priorities around which it is organised. In turning public funds toward existing educational, health or economic programmes, conscious decisions have been made to support selected policies and not to favour others. These decisions determine the degree to which any group of people have access to health, education and to the basic necessities of life such as food, housing and employment. The probabilities of access to these are not randomly distributed but are constructed and can be statistically calculated to demonstrate the effect of decisions about the allocation of resources in South Africa.

At one level to examine the economic cost of the apartheid system is to engage in a narrow book-keeping exercise, albeit one fraught with very considerable difficulties. But at a more important level attempts to assess the cost of apartheid provide an indication of the economic resources that this policy consumes and which, were it not to exist, could become available to help reconstruct South African society along non-racial, democratic and more equitable lines. The costs of reconstructing the basic institutions of this society along such lines will be enormous and some measurement of the resources available to begin this task should be attempted.

On Costing Apartheid

Apartheid structures permeate the total society and an indication of the extent to which this is so can be made by identifying seven areas of its cost.

First, there are the *direct costs* involved in implementing and maintaining apartheid programmes. These costs include those of supporting 10 'homeland' governments, of providing duplicated services in areas such as health and education, of carrying out black population removals from 'white' areas, of implementing Group Areas legislation.

Second, there are *indirect costs* involved in implementing apartheid, which again are enormously varied. These include capital expenditures on buildings used in carrying out the policy, on transport systems needed to accord with territorial



A call for sanctions:
A crowd supporting
Archbishop
Desmond Tutu says
sanctions will do
less harm than
apartheid.

Zubeida Vallie

segregation, and expenditure on the vehicles, machinery and communications used in implementing the system.

Third, there are the *enforcement costs* involved in applying and policing apartheid. Police, courts, magistrates, prisons, officials and the Defence Force are all involved in greater and lesser degrees in enforcing the policy of apartheid. In addition there are the costs paid by those on whom apartheid is enforced in, for example, having to spend time in courts and prisons because of apartheid legislation.

Fourth, there are *lost opportunity costs* arising from apartheid. These are substantial and involve the cost of lost investment to South Africa and consequent lower rates of economic growth; the cost of artificial limitations on the use of economic and human resources that result in the loss of potential skills and in foregone economic growth.

Fifth, there are the *punitive costs* to South Africa of apartheid flowing from the application of embargoes and sanctions. These directly involve the loss of trade but also involve premiums that South Africa has to pay to obtain key materials, such as oil, and the costs of stockpiling these materials and attempting to become self-sufficient in the production of them.

Sixth, and most importantly, there are the *human costs* of the apartheid

system. These are enormous, involving the suffering and brutalisation of life experienced by large numbers of South Africans as a direct result of apartheid policies. Some of these costs can be directly seen in the prisons, townships and rural areas of South Africa but most are to be viewed within the daily fabric of South African life.

Seventh, there are the *regional costs* of the apartheid policy, paid by South Africa's neighbours in terms of increased military expenditures due to apartheid policies, direct war damage, lost exports and lost economic growth.

There is the problem of disaggregating the cost of apartheid policies from the cost of providing those services that would be supplied by any non-apartheid state. While the South African budget reveals some of these direct costs of implementing apartheid policies, the bulk of direct costs are hidden from immediate view. Thus, for example, the 1985/6 budget indicates that over R10 million was allocated directly for black population removals from white areas. This cost can only be a partial one, for not only does it exclude the considerable individual expenses faced by the people removed but it takes no account of such items as the salaries of officials implementing this policy, the capital expenditure on machinery and the buildings used in population removals, nor the costs of the legal and judicial apparatus of the state underpinning these removals.

Another difficulty in costing apartheid is the impossibility of using any figure coldly to price the individual costs of the human suffering, humiliation and anger that occur as a result of this policy. Some estimates of the economic costs that individuals face as a result of removals under the Group Areas Act, or being imprisoned under discriminatory statutes may be arrived at, but such figures reflect only faintly the appalling toll that apartheid exacts on its victims.

The Current Costs of Apartheid

One can begin by providing an estimate of the impact of lost opportunity costs on rates of economic growth. There can be no doubt that the South African economic growth rate had severe internal restraints placed on it through restrictive racial legislation and as a consequence of the international actions against apartheid. In terms of economic growth it is not unreasonable to assume that had apartheid not existed the real Gross Domestic Product over the period 1980-1985, instead of increasing by 1,1%, would have increased by an additional 2,5% per annum to provide an annual growth of 3,6% in GDP over this six year period. This

assumption is based on the growth rates experienced by semi-developed countries over the period and also is grounded in an estimate made in the last Economic Development Programme that South Africa should experience a 3,6% rate of economic growth.

This cost undoubtedly will increase in future, as the withdrawal of foreign investment escalates and further sanctions are imposed. It is inevitable in an economy so extensively involved in foreign trade, that last year its exports represented the equivalent of 34% of GDP and its imports some 23%, that international actions against the policies of South Africa will have a considerable impact on its rate of economic growth. The cost of apartheid in terms of economic growth foregone is likely to expand greatly in the immediate future.

A second economic indicator of the cost of the apartheid policy can be used, not by looking at growth foregone but by examining the Gross National Product of South Africa and focusing on the effect of this policy on the output of the economy. The most significant past estimate of the costs of apartheid on this basis was made by a prominent business man, Mr L G Abrahamse in 1977. In adopting what he termed a very conservative approach he stated that 'on the assumption that over the past thirty years there had been natural integration on the economic front instead of segregation' and 'a consequent elimination of such factors as wasteful expenditure aimed at segregation and higher levels of labour utilisation, labour skills and investment' then 'it would not be unreasonable to assume that GNP per capita would have been some 50 per cent higher'. He concluded that 'on this very conservative basis' that for the year 1976 the cost of apartheid was R13 000 million. Such a cost represented a loss for all time as it led to lowering overall economic growth rates and produced low rates of employment and capital

Academic researchers believe that there could be as many as six million unemployed Africans — and that this is a conservative estimate. The academics criticise the government's figures for being based on the registered unemployed. As many African unemployed workers are excluded from the benefits for which people register, and as even those entitled to the benefits only receive them for six months, only a small number of the African unemployed register as unemployed. Also, the 'independent' homelands are not included in official figures. The academics calculate that every second African worker may be jobless.

creation. One can update this calculation, and using the same 'conservative' assumption that GNP would be 50% higher without apartheid, it can then be concluded that in 1985 apartheid cost South Africa over R56 000 million.

The direct cost of apartheid is most clearly seen in a third measure, derived from examining state expenditures on the large, complex and active apparatus required to implement and enforce apartheid programmes. The direct annual cost of apartheid in budgeted state expenditure in the 1985/6 financial year on a low estimate amounted to R2 800 million, on a medium estimate to R3 900 million and on a high estimate to R5 700 million.

Specific areas of direct State apartheid expenditures can be identified as major contributors to its cost, but these so overlap and interlock with each other that they cannot easily be separated. At the formal apex of the apartheid state lies a complex and intricate network of legislative machinery containing the organs of direct and indirect rule. Some of the basic components of this legislative structure can be detailed to indicate its extent and complexities.

The South African political system has given birth to 13 Houses of Parliament or Legislative Assemblies, as well as the President's Council with quasi-legislative functions. There are three legislative chambers in the Central Parliament, six Legislative Assemblies in what are termed the 'non-independent black states', and four legislative Assemblies in the 'independent states'.

Occupying seats in these 14 bodies are 1 270 members consisting of 308 Members of the 3 Houses of the Central Parliament; 60 members of the President's Council; 501 members of the Legislative Assemblies of the 'non-independent black states' and 401 members of the Legislative Assemblies of the 'independent black states' of Transkei, Bophuthatswana, Venda and Ciskei. Of these 1 270 persons, 121 are Ministers of government (approximately one out of ten) and in addition there are at least 21 Deputy Ministers. The Central Parliament has 33 Ministers, 21 Cabinet Ministers and 12 Ministers of 'Own Affairs'; the 'non-independent black states' have 45 ministers and the 'independent black states' have 43 ministers.

Each of the legislative organs has government departmental structures which, by August 1986, had spawned at least 151 Government Departments in South Africa. This Legislative network of 3 Houses of Parliament and 10 Legislative Assemblies, with 1 270 members, with 121 ministers and 151 government departments is not cheap to run.

One indication of the cost of this machinery is provided by examining the rising expense of administering and running the Central Parliament. In 1981, prior to the existence of the tricameral System and the President's Council, the costs of administering Parliament and the Office of the State President, together with the Salaries and Allowances paid to Senators and MP's amounted to R8 720 660. By 1986 under the new constitutional system with the changed role of the State President and the President's Council and two new Houses of Parliament, the annual cost of salaries, allowances and administration had risen from R8,7 million to R40 448 000. Measured in 1980 rands this amounted to an increase of 140% over a six year period.

Added to the costs of running the central Parliament are those of running the legislative assemblies. As financial accounts of all of these are not easily obtained only one comparable indication of cost can be given in the area of salaries. In the period 1984/5 the amount paid in salaries to Presidents, Vice Presidents, Chief Ministers and members of these Assemblies amounted to R8 659 000: with poverty stricken areas such as Qwa Qwa paying salaries to members of its Legislative assembly of over half a million rands and with other areas, such as Bophuthatswana, paying over R1,8 million in salaries and allowances to members of its Legislative Assembly.

It is difficult to offer more than an estimate of the costs associated with the creation of 151 government departments in South Africa, particularly as one of the chief costs is in inefficiency. The fragmentation of services has produced a patchwork of badly coordinated and overlapping services, which has led to the birth of additional bodies and committees in efforts to coordinate different departments' activities. This has become most evident in the area of Health. It has for instance been reported that two hospitals, 40 km apart, were unable freely to cooperate with each other in a polio immunisation campaign during an epidemic in 1982, as they were separated by the boundary between Lebowa and Gazankulu. Cooperation required diplomatic negotiations between separate governments, while the epidemic ran its own course.

The economic costs of running 151 Departments, each having separate managerial and administrative staff, separate budgets, separate accounting procedures and often providing duplicated facilities and services is difficult to probe. One estimate of the cost of duplicated services alone was provided in the

sphere of education where it was claimed last year by MP Dalling that the cost of duplicated facilities amounted to R100 million annually. If one accepts this figure and applies it throughout, then the overlapping and duplicated services provided by the Government Departments cost South Africa over R130 million annually.

An associated and major economic cost of apartheid lies in the expenditure on the vast bureaucratic administrative apparatus involved in implementing apartheid. While all countries require a civil service to provide basic social services and administrative ones, the more authoritarian and regulated a society is, the greater will be its need for an army of public officials to control and administer it.

Intermeshed with the grand apartheid design of territorial segregation and the creation of so-called 'homelands', has been the policy of industrial decentralisation aimed at creating jobs near, or within, 'homeland' boundaries so as to prevent people migrating to urban areas. While aspects of the industrial decentralisation policy have been directed at efforts to enforce a spread of economic development throughout South Africa, the programme forms one of the major parts of apartheid spending. It is founded on apartheid ideology and is intertwined with the creation and support of ten 'homelands'. As an economic programme it has failed to produce either the jobs, or the economic development required, in the areas where it operates. Even the Deputy Governor of the Reserve Bank is reported to be convinced that industrial fragmentation, or what he termed 'decentralisation into the bush', will continue to fail as a policy.

In 1985/6 this programme cost R776,5 million to operate, R551 million of this sum being directly spent by the Department of Trade and Industry on decentralisation. In other terms about 3 cents out of every rand spent by the State is devoted to the discredited policy of Industrial Decentralisation. This again is a conservative estimate not taking into full account the cost of the 26 government departments, development corporations and para-statals involved in running the programme; nor the large capital costs involved in its operation.

Conclusion

Many other areas of the cost of apartheid could be probed — including the enormous cost involved in the forced removal of over 3¹/₂ million South Africans since 1960 from 'white' areas; the costs involved, because of government political policy, of being engaged in Namibia; the costs to the state of financing a transport system promised on geographical segregation, and the costs to individuals of

having to spend long hours in travelling to work.

The point is clear that the cost of apartheid, however calculated, is considerable and amounts to a squandering of the resources of this nation.

Both the areas of unemployment and education point to the enormity of tasks ahead in reconstructing this society to deal with needs of its people. The profligate waste of resources to entrench a system of minority domination does not enable South Africa to set about seriously tackling the major problems it faces.

The critical issue is not how to lower the costs of apartheid domination and release some of the resources it consumes into the existing economic system but rather how to excise apartheid and use the resources it squanders to build an equitable society. Decisions concerning the allocation and distribution of resources are the central political issue: who makes these decisions and how will determine the future shape of South African society. Large numbers of jobs, houses, educational opportunities can be created with the resources that South Africa is currently devoting to apartheid, as this paper hopefully has indicated. The reconstruction of South African society will require a redistribution of its resources and re-ordering of its priorities.

(This paper is a condensed version of Michael Savage's inaugural lecture delivered at UCT in August 1986.)



Free them all: A demonstration outside parliament in Cape Town during March 1989.
Eric Miller, Afrapix

Conclusion

The fact that there has been a significant reduction in revolutionary violence in South Africa is proof that the State of Emergency has succeeded in curbing the revolutionary situation in South Africa, the Minister of Law and Order told Parliament in April 1989, during the budget debate of the ministry of Law and Order.

Minister Vlok proceeded triumphantly to inform Parliament that the budget allocation of the police had gone up 28% compared with the average of 17% increase for other departments. It is safe to assume, therefore, that the level of repression in South Africa that is illuminated by the contributions to this booklet is not going to abate in the coming year.

Minister Vlok says that an investment of South Africa's scarce resources in the Police Force, during the same budget year in which Minister De Klerk announced that the attempts at the equalization of education have been abandoned due to the poor performance of the economy, is justified by the fact that a 'revolutionary climate' still exists in South Africa.

Vlok's statement is an admission that, in spite of the government's sophisticated repressive measures outlined above, resistance to Apartheid has survived. The strategy of the government of winning the hearts and minds of the people (WHAM) which included the elimination of activists and upgrading certain townships has hit two snags. The first one is related to sanctions against Apartheid. Due to South Africa's inability to raise funds in the international capital markets as they did when they implemented the Rive report on the upgrading of Soweto in the late seventies and the poor performance of the economy due to, inter alia, an inability to attract international capital, the South African government has been unable to implement its upgrading programmes. The upgrading of selected townships was intended to divert the attention of the people away from visible grievances and to legitimise the black local authorities by crediting the improvements in the standard of living of township residents to them and their collaborationist politics.

The second snag is related to the recent hunger strike action by detainees who forced the government to release hundreds of detainees that otherwise would have been held until the authorities felt sure that the undemocratic and moderate

leadership that was supposed to have supplanted them had taken root in the townships. The recent detainee hunger strike has, therefore, succeeded in getting a significant number of leaders of the Anti-Apartheid organisations out of the prisons and has, already, demonstrated that action against Apartheid is possible even under the most extreme conditions of repression, those of detention.

The failure of the government's repressive policies to totally eradicate opposition created what one of the papers in this booklet refers to as an 'uneasy equilibrium'. One of the consequences of the strenuous opposition to Apartheid in the years between 1984 and 1987 was that the government ended up having no coherent policy for South Africa except its determination to hold on to power.

Whilst at the beginning of the Botha administration the slogan was, as one of the essays points out, 'there can be no security without reform', it changed as opposition to the government's policies grew into 'there can be no reform without security'. Therefore security became, as all the essays show, a touchstone that informed every action of the government. Essentially though, the South African government's repressive policies are a holding operation. They are meant to create a situation, or, to use their favourite word, 'a climate', internally and externally, that will make it possible for them to claim that they are reforming Apartheid again by talking to the black 'leadership' they have cultivated under the shield of repression. The mass democratic movement in South Africa, on the retreat as it is from state repression, is not prepared to grant the South African government the space in which it can achieve this objective. One cannot be too sure about the willingness of the international community though, to be as steadfast on this issue as the internal opposition has been.

The South African regime's overkill with repression and the indications it is giving that it cannot live without the State of Emergency is indicative of a political paralysis that has gripped it. Its retreat from the very reform that it has defined and initiated, under pressure, no doubt, means that it does not have a clear vision as to how South African society can move from where it is today to a reconciled and just South Africa. The implication of this fact is that the engine for change in South Africa lies outside of the structures of the government and is, in fact, the mass democratic opposition that is being battered by the repressive measures outlined in this booklet. The mass democratic opposition in South Africa has, by the very fact of surviving South Africa's total onslaught against it, shown that it is the only hope for change and the creation of a better society in South Africa. The international community remains challenged, thereby, as to whether it can play its role by encouraging policies towards the South African government, that will discourage her from enacting more measures for pulverizing the

opposition or applying existing ones.

All the papers in this booklet raise, indirectly perhaps, the issue that, given South Africa's present repressive methods and strategies, the critical strategic intervention by the international community is that of creating space, for the true engine of change in South Africa, the mass democratic movement, to continue burrowing at Apartheid until it finally crumbles. Therefore, policies of the various governments on the South African situation must be aimed at making it possible for internal opposition movements to regroup publicly and to continue the struggle to eliminate Apartheid. The creation of space for the opposition in South Africa clearly goes beyond the so-called positive measures that have largely characterized the EEC policy at this stage. It also involves restrictive measures designed at making it costly for the South African government to attempt to eliminate the opposition to Apartheid or to muzzle and shackle it as they have done since the declaration of the State of Emergency.

As for the organisations inside South Africa, the struggle continues against increasing repression. All the while, however, there is a growing unity and determination from blacks — and an increasing number of whites — to demolish the inhumane monolith of apartheid and establish a structure in a South Africa where there will be human rights, democracy and an end to the rule of fear.

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