

COMMISSION OF INQUIRY INTO THE RIOTS AT
SOWETO AND OTHER PLACES IN SOUTH AFRICA.

AFTERNOON SESSION:

25th FEBRUARY, 1977.

VOLUME 119

(Pages 5 687 - 5 738)

my Raad se kant 20%, wat hierdie tipe van sake betref. Ek wil net daardie getuienis regstel dat in Wes-Rand mag so 'n reëling bestaan, maar dit is nie gangbaar en geldig orals nie.

GEEN VERDERE VRAE.

DIE KOMMISSIE VERDAAG VIR ETE. DIE KOMMISSIE HERVAT OM 2 NM.

DR YUTAR: M'Lord, this afternoon I tender as witnesses three gentlemen. In the middle is Mr Z.Z. Mashao, on his right is Mr O.K. Mbhalati (and, M'Lord, he assures me the initials 'O.K.' has got nothing to do with the well known firm by that name) and then we have on his left Mr Cornelius Marivate. (10)
I would like all three sworn in and then I am going to lead first Mr Mashao.

MR Z.Z. MASHAO: sworn states:

MR O.K. MBHALATI: sworn states:

MR C. MARIVATE: sworn states:

DR YUTAR: Mr Mashao, you, together with your colleague on your right, have prepared what you have termed a memorandum of the Joint Advisory Board of Atteridgeville and Mamelodi and it is a memorandum which you also submitted to the Minister of Bantu Administration and Education through the Central (20)
Transvaal Bantu Administration Board. It was in that way that Mr Coetzee, the Chief Director of the Board had your memorandum to which, in that document which I gave you, he replied to the various points you made in your memorandum and you are now submitting this memorandum to His Lordship for consideration. Now, would you be so kind as to read it and as I said to you, we may want to ask you questions. -- Joint Advisory Board of Atteridgeville and Mamelodi. Memorandum to the Honourable Minister of Bantu Administration and Bantu Education through Bantu Administration Board for Central Transvaal. The (30)
Joint Advisory Board of Atteridgeville and Mamelodi hereby

express/...

express their grave concern over the insistent erosion of the riots of the urban Blacks, the rapidly deteriorating relationship between the Advisory Board on the one hand and the Bantu Administration Board and the Central Government on the other hand. We are also gravely concerned at the recent events that have caused the loss of life of many of our people and also the malicious damage to property which will cause millions of rands to restore and rebuild. We are deeply concerned over the social, political and economic upheavals caused by the unnecessary red-tape and the high-handed (10) attitude of the local and government authorities in matters affecting the Blacks in the urban areas. As legally elected members of the two Advisory Boards, we deem it our duty, that we should bring to your notice and attention some of the things we consider to have been contributory factors.

To start off with, Education is No. 1. -- No. 1 is Education. In view of the fact that Black parents are not allowed to own land, they have placed the importance and value of education above all else. It is the only inheritance they can leave to their children. When the education of their (20) children is interfered with, they feel frustrated and bitter. It has been brought to your notice by other representatives of the Black people and we feel that we must also reiterate what has already been said. The compulsory use of Afrikaans and English on a 50-50 basis, as medium of instruction from Std. 5 cannot be justified on educational grounds. When a decision is taken to select a foreign language to serve as a medium, such decision is a serious matter, and before it is taken, Black parents should be consulted and their opinion sought. (30)

When you speak of a foreign language, you mean a language
other/...

other than the mother-tongue of the Black children, and incidentally this is a subject which your colleague, Mr Marivate, is going to deal with in great detail, the question of education. -- Yes.

Both English? -- Both English and Afrikaans are official languages of the Republic of South Africa, and are entrenched in the law of the country. We believe adequate provision is already made that all children are to learn both official languages, in that whichever language is chosen as a medium, the child has still to learn as a subject the language (10) that has not been chosen. One may ask, why is it the Black child who has to be burdened with two foreign languages, whereas this is not applicable to the Whites, Indians and Coloureds.

I am not quite certain there what you mean. A White child at school has got to do English and Afrikaans; an Italian child that is two languages in addition to Italian; if it is a German child he has two other languages in addition to German. Now why do you draw this distinction? -- When it comes to the African child, from the sub-standards the (20) child is taught through mother-tongue and when he gets to Std. 5 in addition to the mother-tongue then he has got to be taught through 2 languages now, in other words, he has got to be taught through the medium of three languages: his mother-tongue, Afrikaans and English. Whereas from the mother-tongue he can be taught - subjects be taught in English and then Afrikaans or English can be taught as a subject.

Then over the page. -- It cannot be over-emphasised that the enforcement of Afrikaans as a medium of instruction on subjects such as Mathematics, Arithmetic and Sciences (30) was frustrating to the Blacks. Presently, products of Bantu Education/...

Education proceeding to medical school, are being rejected, because they were not efficient in official languages. Hence proposals that a medical school be erected at Ga-Rankuwa, which thing is viewed with suspicion by the Blacks.

I do not quite follow that. Why is it viewed with suspicion by the Blacks? I am not certain that I understand it. -- The medical schools that are in existence, like Wentworth and so forth they are institutions where all the groups are being taught. Now the question is why should the Blacks be given their own medical school, what is wrong (10) with continuing with the present set-up. So our people feel that by erecting perhaps a medical school specially for Blacks the education therefrom might not be as good as the one they receive from Natal Medical School or whatever medical school there is in existence at the moment.

But I understand specially in the field of medicine the .. (inaudible) .. is strictly controlled by the Medical Association and what is more, the examinations are held at the end of the year are not only entrusted for marking to the professors or lecturers of that particular university, but (20) they are what we term external examinations, other universities who are called in to act as external examiners in order to ensure that there is a definite minimum standard maintained. That applies to and will apply to all medical schools. -- My colleague tells me that ..

All right, never mind, carry on. -- Salaries. The salary gap between the various race groups is of such a nature that it is the Black who always receives the lowest salary, despite the fact he is able and perhaps more efficient than members of other racial groups. If the Black worker had the (30) franchise, their votes would count and such rights as Trade

Union rights and decent wages and employment conditions would be guaranteed. Lack of executive powers by advisory boards. The Advisory Boards were established by an act of parliament more than 40 years ago. In this period the functions of this body have become ineffective and meaningless and do not benefit the Urban Blacks. Advices given by the Boards are in most cases ignored. If our people had the franchise and were represented in parliament, they would be assured adequate votes in the budget, assuring them free and compulsory education, and adequate provision of other public facilities (10) and amenities needed, and if it must come, we would be assured a proportionately reasonable share of the country's wealth, unlike in the present set-up, where we Blacks are like foreigners in the land of our birth, poor and without rights or privileges. The urban Blacks of today are economically, socially and educationally in a position to share in the responsibility of governing the country. Citizenship Certificates: The establishment of the homelands, which comprise only 13% of the whole country is morally wrong. 99% of the urban Blacks are born and bred in the urban areas and have (20) no ties whatsoever with the homelands. The urban Blacks consider South Africa as their homeland and reject the homeland citizenship as recently published in the Government Gazette. General conditions of Blacks in urban areas: Housing: Building of houses was stopped in 1962 in Atteridgeville and in 1966 in Mamelodi. In the meantime the population in the two areas has increased tremendously. At present there are plus-minus 5 000 families on the waiting lists of both areas. In both townships there are plus-minus 23 000 houses, occupied by plus-minus 210 000 people; this does (30) not include the hostel inmates and many of those on the

waiting/...

waiting lists. Because of the stoppage of building houses, the Blacks are denied the basic requirements of a home and family life. The priority of building hostels instead of providing sorely needed houses for families is viewed with grave misgivings. Because of lack of houses, some families are compelled to make extensions to their existing houses. These extensions, we are told, are done at owners' risk. Services in our townships leave much to be desired. Residents are made to pay for repair to houses they do not own. Tarring of streets is more than overdue, rubbish removal, supply (10) of electricity and water is very poor, yet we pay for these services. Children over 18 years are either allowed to stay with their parents as lodgers and have to pay a lodger's fee, which we view as morally wrong and unjust, or are not allowed at all. Influx control: The urban Blacks view the enforcement of influx control regulations as their enemy No. 1. (a) Families are separated by these regulations. (b) Women married in rural areas are not allowed to join their husbands who qualify to be in the proclaimed areas and also qualify for housing accommodation. (c) Families so disrupted have no (20) future whatsoever. (e) - it should be (d) in fact - Widows in most cases are alleged not to qualify to take over the houses of their late husbands, yet these widows have been allowed in the proclaimed areas. (e) Influx control confines the urban Blacks to particular areas, thus depriving them of selling labour advantageously. (f) The rough and uncouth attitude displayed by young White officials at the influx control offices, is causing resentment and bitterness to the Blacks. (g) The constant raids by police for permits in the middle of the night is also a point of resentment and (30) bitterness. Recommendations: We wish to submit the following recommendations/...

recommendations, which we hope, if implemented, will alleviate the lot of the urban Blacks. 1. Adequate educational facilities must be provided without delay. The priority of building many beer halls and hostels should be seriously reviewed. 2. Before controversial educational issues are introduced, the authorities should seek the opinion of the Blacks and they (the authorities) must make sure that the Blacks understand and appreciate the significance of such issues. Under no circumstances should issues or measures be introduced without the cooperation of the Blacks. The (10) enforcement of Afrikaans as a medium of instruction without consultation is a point in view, and was the last straw that broke the camel's back. 3. The Blacks are aware that education for the Whites and other non-Bantu groups is free and compulsory. They are thus frustrated to realise that those who have the means have their children educated free, yet they (Blacks) have to pay for their children's education. We strongly recommend that free and compulsory education be introduced for the Black child. 4. In view of the fact that some children are not academically gifted, trade schools should (20) be introduced where these children can be taught a trade, that will benefit the child, his family, his community and the country. 5. In view of the fact that teacher training institutions in the homelands are not able to accommodate all the children desirous of becoming teachers, especially from the urban areas, we recommend that teacher training institutions be established in our areas. 6. We recommend that unilingual institutions be introduced. These institutions, we feel, will benefit the Blacks, and will eventually lead to specialisation. 7. The establishment of Bantu Education (30) concept has always been viewed with suspicion by the Blacks and/...

and has never been appreciated by them. We recommend that all efforts be made to place the education of all the racial groups of South Africa, under one Department of Education.

8. Mamelodi township has well over 120 000 people, yet despite repeated requests, appeals and pleadings, they are still without a hospital. We strongly recommend that a hospital and a clinic be built in this township. 9. We recommend most strongly that the government should strive to close the wage gap amongst the racial groups. 10. That houses be built in the two townships to alleviate the appalling conditions under which (10) the Blacks are compelled to live. We recommend also that flats and site and service schemes be introduced. 11. We recommend strongly that the practise of making our children to pay lodger's fees while staying with their parents, should be stopped immediately. 12. We recommend that urban Blacks be allowed to purchase houses without any conditions. 13. We recommend that an umbrella body be allowed, where the teachers, school boards, committee boards, advisory boards, urban Bantu councils could be represented. We believe that through sincere dialogue and serious mutual consultation and (20) discussion, a way can be found that will assure that our people can have the opportunity to make their contribution in the decision making and administering this beloved South Africa of ours. We request the government, in consultation with us, to seek ways and means of giving effect to this desire of providing a meaningful role to our leaders and participation in decision making and administration of national and local affairs, not purely advisory roles, such as in the Advisory Boards.

What you have here listed is in accordance with the (30) views expressed by a number of Black people who gathered last year/...

year when His Lordship and other members of the Commission visited the Showgrounds where we met you and other leaders of your community and I think it is as a result of that meeting that this memorandum has been drawn up. -- No, this memorandum was drawn before we met the Commission.

Before you met the Commission? -- Yes, before we met the Commission.

It was never placed before us until now. -- No. We just gave you a copy of this memorandum the day after our discussions at the Showgrounds. (10)

That is so. And then you have formally placed this memorandum before the Honourable the Minister of Bantu Development. -- In August last year.

Have you had any reply to it? -- Not as yet.

CHAIRMAN: That is a reply to what you have suggested. -- Recommendations we have made.

But you have had a reply to say that it had been received and so forth or did you hand it over to him? -- The memorandum was handed over to the Minister and it was discussed with him and the Minister promised that he would reply to this (20) memorandum point by point. In fact I think on the 18th of this month we had a meeting, the whole Board, wherein we asked the officials of Bantu Administration to find out when we can expect a reply from the Minister.

DR YUTAR: Well, I hope you get that reply in due course. In the meantime I have made available to you EXHIBIT 311, that is that blue book and you will find that what you have read out now is Annexure B to that memorandum. -- In fact it is the first time that we see this.

Yes, I know. Your memorandum is there? -- Yes, I (30) see it.

In/...

In the preceeding pages you will find the reply of the Bantu Affairs Administration Board to all the grievances that you have listed. May I ask you, I hope I am not doing anything wrong by making that available to you, may I ask you to study that reply and if you are prepared to draw up a further document by way of comment on that and let me have it, I will hand it in to His Lordship as an exhibit. -- Thank you very much.

You understand the position. Is there anything else you would like to say on this memorandum? -- No. (10)

Mr Mbhalati? --

MR MBHALATI: No thank you.

DR YUTAR: M'Lord, then I have no further questions to those two gentlemen. I proceed now to the last document. And here, Mr Marivate, you speak about it. M'Lord, may I go back. I forgot to ask you, Mr Mashao, your .. (inaudible - background noise) .. with regard to this Joint Advisory Board of Atteridgeville and Mamelodi. What are you on it? A member?

MR MASHAO: I am a member of the Atteridgeville Advisory Board and when the two Boards met, I was elected their secretary. (20)

DR YUTAR: Their secretary. -- Yes.

Unpaid? -- Unpaid. Well, I get my remuneration as a member of the Advisory Board.

It is in that capacity that you have presented this memorandum to His Lordship. -- Yes.

Mr Marivate, we turn now to you and by way of introduction will you tell His Lordship your position, official position and your qualifications.

MR MARIVATE: I am a professional language assistant at the University of South Africa. I hold a Masters Degree. (30)

DR YUTAR: Master of Arts? -- Master of Arts, yes.

Specialising/...

Specialising in? -- In African languages, particularly Tshonga which is my mother-tongue. And I am speaking on behalf of the Federal Council of Transvaal Bantu School Boards of which I am the chairman.

How long have you been associated with the university?
-- From 1963.

And do you lecture or do you act in a professional capacity as an adviser? -- I lecture.

What subject? -- Tshonga.

Only in that language? -- Only in that language. (10)

In your capacity as chairman of this Federal Council of Transvaal Bantu School Boards that you present this memorandum to His Lordship. -- That is right.

CHAIRMAN: Which memorandum is that?

DR YUTAR: M'Lord, it is the last one. -- The Federal Council of Transvaal Bantu School Boards. The role played by the School Boards and Committee Boards with regards medium of instruction. This is an attempt by the above Federal Council to explain clearly the role they played with regards the medium of instruction prior to the riots. In the (20)
Editorial of the Bantu Education Journal (Volume XVIII No. 9, November, 1972) on Teaching Medium: A new approach: It was stated among other things that:

".. either Afrikaans or English should be used."

The editorial went on to state that:

".. Afrikaans and English must have equal treatment, we shall however, apply one rule to all concerned. If the medium is Afrikaans, English as a subject will have two periods more than Afrikaans on the time table, and (30)
vice versa if the medium used is English."

2.1. This ruling in the editorial was followed by a press statement by the Honourable the Minister M.C. Botha (Bantu Education Journal Volume XVIII No. 10 of December, 1972, paragraph 6(c), (d), (e), p. 23) where he outlined two alternatives a secondary school could follow, namely using either English or Afrikaans throughout or using both on 50-50 basis. He also further stated that whatever language was not chosen as the medium of instruction had to be taught in two extra periods a week. 2.2 He further stated that the final decision as to the medium in any post primary school under the Department (10) of Bantu Education "shall be taken by the Secretary on the recommendation of the School Board, Circuit Inspector and Regional Director concerned". 2.3 He concluded by saying that "the main factor to be taken into consideration, will be the dominant language of the White community in the area where the school is situated". 3.1 A few months later the then Secretary of Bantu Education, the late Dr H.J. van Zyl sent a circular to all Regional Directors, Circuit Inspectors, School Boards and Principals (Circular No. 2 of 1973 (File No. 6/8/1) wherein he outlined the language policy again. (20) This is contained in Annexure 3.

We can turn very briefly to that, then we need not look at it. Now that is a circular which was issued on the .. -- It is not dated.

It is not dated, but we have got a copy of that.

CHAIRMAN: May, 1973 is estimated to have been the date.

DR YUTAR: Anyway, it is Circular No. 2 of 1973. -- That is right.

There they set out the policy to be applied and arrangements to be made in the White areas. I do not think we (30) need read anything else in that circular. So that disposes

of/...

of Annexure 3. We go back now to 3.2. -- 3.2 In this circular Dr Van Zyl drew the attention of all concerned to the editorial in the November, 1972, issue of the Bantu Education Journal (see paragraph 1.0 above.) He reiterated the policy as outlined by the Minister in his press statement, that three alternatives could be followed, namely either English or Afrikaans throughout or the use of both on a 50-50 basis.

3.3 He also reiterated as follows:

"The decision as to which of the three alternatives will be applied in the case of any secondary school or Std. V class will be taken by the Secretary for Bantu Education. However, School Boards, Circuit Inspectors and Regional Directors may make recommendations in respect of all secondary schools and Std. V classes falling under them." (10)

3.4 Among other things in this circular, Dr Van Zyl said:

"However, it must be stressed that it will be in the interest of pupils to use one medium only." (20)

(See Section B, paragraph 5 of Annexure 3.) 4.1 Shortly after Dr Van Zyl's death, the two Regional Directors, Messrs Ackerman and Erasmus, sent out circulars which cut across this instruction. (Mr Ackerman: Circular No. 2 of 1974, file 28/1/9/2 dated 29.8.74; Mr J.G. Erasmus: Circular No. 4, file 6/8/3 dated 17.10.74.) Both circulars ordered that mathematics, arithmetic and social studies be taught in Afrikaans and general science and practical subjects be taught in English. These are in Annexures 4 and 5. (30)

Annexure 4, that is the circular of Mr Ackerman. -- Yes.

By/...

By the way there is a - I do not know whether Your Lordship's paging is in error - and page 5 is the one of Mr Erasmus. -- Yes. 4.2 Contrary to the policy outlined by the Minister and the then Secretary for Bantu Education, the circulars from both Regional Directors were addressed to all Principals and Circuit Inspectors. The School Boards, which according to the Minister and the Secretary had the right to make their recommendations, were completely excluded.

Reaction by the School Boards: 5.1. School Boards in Pretoria and on the Reef took great exception for being excluded (10) in deciding the medium of instruction. A number of them reacted by submitting memorandums to their Circuit Inspectors or the Secretary for Bantu Education, protesting against this ruling of the Regional Directors. (See Annexures 6(a) to (f)).

We can summarise that shortly by saying 6(a) was the memorandum from the Atteridgeville/Saulsville Joint School Board. -- Right.

Dated the 21st August, 1974, and signed by all the chairmen of the Atteridgeville/Saulsville School and Committee Boards. -- Yes. (20)

6(b) is the one from the Orlando/Diepkloof Zulu School Board dated the 29th October, 1974. Then we have 6(c), that is a memorandum from the Brakpan School Board referring to a meeting held by their Board on the 12th December, 1974. 6(d) is a memorandum from the Mdibane High School Committee Board and there is no date there. 6(e) is from the Machangana School Board, dated 15th November, 1974. 6(f) is from the Principals' Council, care of the Sakhelwe School, Kwa Thema, dated 7th February, 1975. -- Yes.

And all these memorandums make a plea for the reinstatement of the position as stated by Dr Van Zyl. -- Yes. (30)

That/...

That is right.

And it reads for itself and their pleas are couched in very moderate language and it is indeed a plea. Right. -- 5.2 All these memorandums fell on deaf ears and when all these protests came to nothing, the School Boards of the Northern and Southern Transvaal regions moved to form a joint body, hoping this would give them more muscle in negotiating with the Department of Bantu Education. The Federal Council of Transvaal Bantu School Boards held four meetings. (See minutes, Annexures 7(b) to (d)). (10)

CHAIRMAN: When was this Regional Committee formed? -- It was formed towards the end of 1974, on the 21st December, 1974, but only the idea that such a body should be formed, took place and in - on the 11th January, 1975, that is when it was formally really launched and formed.

When was the new circular? On the 8th January? There was a circular on the 8th January to say that these two letters should be read with the original instructions. -- Yes.

DR YUTAR: That is early in 1975.

CHAIRMAN: Yes, I think it was the 8th - I haven't got the (20) dates before me.

DR YUTAR: Annexure 7(a) to (d) - (a) is the meeting of the Joint School Boards and Committee Boards of the Northern and the Southern Transvaal Regions of Bantu Education held at Pretoria on the 21st December, 1974 at Atteridgeville. -- That is right.

Signed on the 11th January, 1975. The second, (b): Joint School and Committee Boards of the Southern and Northern Transvaal Regions which was held on the 11th January, 1975. It indicates who were present, what was said. 7(c): (30) Joint School and Committee Boards of the Southern and Northern Transvaal/...

Transvaal Regions held on the 27th April, 1975, again minutes of the meeting. 7(d) The Federal Council of Transvaal Bantu School and Committee Boards, that was held on the 16th November, 1976, at the Diepkloof Hotel, Soweto and these are the minutes of that meeting. Is that right? -- That is quite correct.

We continue now with paragraph 6.1 under the heading: Memorandum to the Secretary for Bantu Education. -- 6.1 At their first meeting, the Federal Council appointed a delegation of 12 members (6 from the Northern Transvaal Region and six from the Southern Transvaal Region). This delegation was (10) given a mandate to coordinate all the memorandums from the different school boards and draw one memorandum to be presented to the Secretary for Bantu Education.

That was in fact done as Annexure 8 which is a memorandum of the Joint School and Committee Boards of the Southern and the Northern Transvaal Regions of Bantu Education, addressed to the Secretary for Bantu Education on the 30th December, 1974, and under the heading: Medium of Instruction: African Schools in White Areas. -- That is correct.

And I would like you to read of that circular the (20) last two paragraphs, Nos. 4 and 5 please, on page 2 of Annexure 8. -- 4. We have the highest regard for Afrikaans as a language and we have no personal ill-feeling against it, but circumstances which now prevail in the homelands compel us to conform. 5. As one of the official languages in the Republic of South Africa, we should like it to be taught in our schools and to this end we are prepared to ensure that it receives adequate time in our school time-tables.

We turn back now to page 3 of the memorandum, paragraph 6.2. -- The delegation of the Federal Council of Transvaal (30) Bantu School Boards met the Secretary for Bantu Education,

Mr/...

Mr G.J. Rousseau on the 7th January, 1975, and presented their co-ordinated memorandum. 6.3 While claiming that there was "no such thing" as joint school boards, Mr Rousseau accepted the memorandum from the delegation on the grievances of the school boards. 6.4 After a lengthy discussion, Mr Rousseau, among other things, suggested that schools could apply for exemption through their school boards or committee boards. (See Annexure 9.)

We turn to Annexure 9 and that deals with the interview with the Secretary for Bantu Education which was held on (10) 7th January, 1975. And in addition to Mr Rousseau being present, there was also Mr F.J. Erasmus, the Regional Director of Northern Transvaal Region and Dr B. Fourie, the Deputy Secretary for Bantu Education. The members of your delegation are given there. -- 6.5 Immediately thereafter, school boards began applying for exemption to teach in English only, and were given their biggest shock yet. Applications were turned down wholesale and with their rejection came a terse note from the Circuit Inspectors. (See Annexures 10(a) to (h)).

Now we turn to Annexure 10(a). I would like you (20) to read that, it is a short one. It is signed by Mr Van Zyl, Circuit Inspector of Bantu Education Pretoria West Circuit. He is not to be confused with Dr Van Zyl. -- No, no, this one is M.J.A.

Right, will you read. -- Witness reads:

"In reply to your letter of the 7th February 1975, I wish to draw your attention to the fact that the question of medium of instruction is a professional matter and therefore not part of the duties, powers and functions (30) of a School Board as set out in the regulations.

However/...

However, the school is recommended to make serious attempt to keep in line with other schools in this region and offer Arithmetic, (Maths) and Social Studies through the medium of Afrikaans. If this is not done, the pupils will be faced with a problem if they proceed to a secondary school or other H.P. school in this region.

I may also point out that the syllabus is available in both official languages, so the teacher can refer to the other text when in doubt. Furthermore, teachers state on the B.E.3 form that they are capable of using both official languages as medium of instruction." (10)

Now, would you like to make any comment on what is said here that teachers on this particular form said they were able to use both official languages as a medium of instruction? -- Yes, well, I would say that they only sign and say they are proficient in both official languages just to get the job. I mean we know for certain that this is not the case. (20)

They were afraid that if they said no, they would not get the appointment. -- That is right.

MR MASHAO: I just want to point this out to the Commission that most of our teachers are trained in the homelands, because we do not have any teachers training institutions in the urban areas and at these institutions in the homelands they are taught through the medium of English. Now for them to come and be able to teach subjects like Maths and Science in Afrikaans is definitely asking too much of them because they are/... (30)

are not proficient in that language.

DR YUTAR: We have heard some evidence with reference to this observation that the syllabus is available in both official languages. We have had evidence that some teachers came to their classes armed with a dictionary and had to look up the Afrikaans equivalent of an English word that was used either in Social Studies or in Maths. Has that been the experience of you gentlemen in any way?

MR MARIVATE: Well, fortunately I am not a teacher, I do not know what takes place in the classroom. (10)

DR YUTAR: Mr Mashao?

MR MASHAO: No.

DR YUTAR: Mr Nbhalati?

MR NBHALATI: No.

DR YUTAR: Now 10(b) that is a circular from Mr Engelbrecht, Departmental Circular No. 6 of 1975, dated the 6th February, 1975. Would you read that please?

MR MARIVATE: "To:

1. PRINCIPALS OF SCHOOLS IN WHITE AREAS
2. SCHOOL BOARDS AND COMMITTEE BOARDS (20)
3. REGIONAL DIRECTORS
4. CIRCUIT INSPECTORS

MEDIUM OF INSTRUCTION IN SCHOOLS IN
WHITE AREAS.

1. The decision of the Honourable the Minister of Bantu Education on the medium of instruction to be used in schools in relation to the implementation of the new 12-year structure in 1975, was made known in Departmental Circular No. 6 of 19 April 1974. The instructions/... (30)

instructions contained in Circular 6 of 1974 are hereby re-affirmed.

2. For the past 20 years the policy has been that the venacular should be the medium of instruction in all primary education and that English and Afrikaans should be used on a 50-50 basis in secondary education. This policy remains unchanged. The only change is that primary education now stops at the Std 4 level and that secondary education starts at the Std 5 level. Consequently the venacular must be used as medium of instruction up to and including Std 4 and from Std 5 to Form V the medium is both Afrikaans and English.

(10)

3. Principals of schools are requested to ensure that this policy is applied strictly. As in the past, Principals may apply to the Department (through their Circuit Inspectors) for permission to deviate from the 50-50 requirements at secondary level if serious problems are encountered at their individual schools."

(20)

Then the same gentleman, Mr Engelbrecht, sent out another circular on the 7th February, 1975, the next day, that is Annexure 10(c) and it is addressed to the School Boards and Committee Boards, Regional Directors and Circuit Inspectors and under the heading of 'Medium of instruction of schools in/...

(30)

in White areas' it goes on to say: -- Witness reads:

"1. It appears that a few School Boards somehow got the impression that they had the right to decide what medium of instruction should be used in their schools. This is entirely wrong. It is a professional matter over which no school board has any jurisdiction.

2. The Department's policy on this matter is explained to principals of schools in Circular No. 6 of 1975, a copy of which is included. Any contradictory instructions issued by School Boards should be revoked immediately."

(10)

10(d), that is a letter signed by Mr De Beer on behalf of the Secretary of Bantu Education, addressed to: 'Die Streekdirekteur van Bantoe-onderwys, Privaatsak X01, Booysens. Medium van onderrig St V: Ndondo H.P. Skool U A9769 van 17 Januarie 1975' wat as volg lees: -- Getuie lees:

"Die aansoek van die prinsipaal van die bogenoemde skool kan, om die redes deur u en die Kringinspekteur genoem, nie toegestaan word nie.

(20)

Dit sal waardeer word indien die Kringinspekteur die nodige hulp sal verleen om probleme uit te stryk."

And Annexure 10(e) is a similar letter or similar strain, addressed to the Diepkloof Junior Secondary Committee Board, with regard to the medium of instruction at the secondary school.

(30)

CHAIRMAN: Is that also a refusal? -- That is correct.

DR YUTAR: Yes. I do not think we need read that, except that if you could turn to paragraph 4, I would like you to read paragraph 4. -- Witness reads:

"Finally all teachers of the school had applied for appointments at that school stating that they are qualified and prepared to teach through the medium of both official languages, and on those grounds they were recommended for appointment. It is also on these grounds that this office recommends an application for appointment at secondary schools." (10)

I would like you to read what follows under 'General'. --
Witness reads:

"It is surprising and it came as a shock to me that the principal of the school who is the secretary of the Committee Board could allow himself to be included in this impossible request, without having discussed it with the circuit inspector. This will force me to report to the Department the incapability of the principal of the secondary school, because he is not prepared to obey and abide with the conditions of registration of the school of which he was entrusted and appointed as principal." (20)

Then we come to 10(f). That is from Mr Van Zyl, Circuit Inspector of Bantu Education, Pretoria West Circuit, addressed to the Secretary, Atteridgeville, on the 28th February, 1975, to the same effect. I do not think we need read that one. (30)

It/...

It is to the same effect, isn't it? -- Yes.

And then 10(g) is likewise a letter from Mr Leibeberg, Kringinspekteur aan die Sekretaris van die Thokoza Skoolraad, Thokoza gedateer 17 Maart 1975. Lees dit asseblief. -- Getuie lees:

"MEDIUM VAN ONDERRIG

Ek is in ontvangs van u skrywe 24/2/568 van 10.3.1975. Ek wil u aandag vestig op omsendbrief No. 7 van 1975. Paragraaf 1 lees as volg:

(10)

"Dit blyk dat 'n paar skoolrade op een of ander wyse onder die indruk gekom het dat hulle self mag besluit watter medium van onderrig in hulle skole gebruik mag word. Dit is geheel en al verkeerd. Dit is 'n professionele aangeleentheid waaroor geen skoolraad seggenskap het nie."

Ek stuur u aansoek egter aan die Departement vir oorweging maar intussen moet voortgaan word met 50-50 onderrig totdat finaliteit bereik is."

(20)

To the same effect, we will not read it, is Annexure 10(1), dated the 14th February, 1975, addressed by Mr Van Zyl, the Circuit Inspector of Bantu Education, Pretoria West Circuit, to the Secretary, Atteridgeville Zulu School Board. -- Yes.

We turn now to page 4 of the memorandum, paragraph 6.6. -- The Federal Council conducted a survey to establish whether rejections to applications for exemption were countrywide. (30) A questionnaire was sent out to all school boards. (See

Annexure/...

Annexure 11(a) and (b)). Unfortunately a wrong address where replies were to be sent to, was used. Box 302 instead of Box 392 was used. Consequently it may be that many replies to the questionnaire went astray.

That is a fair concession, but let us look at this interesting document. Your Lordship will find it, 11(b) near the back. To sum up the analysis of the questionnaire, there are 25 schools named, the addresses of the schools are given, the number of schools in a particular area of the school board - I see column 1 is the name of the School Board. -- That (10) is right.

Column 2 is the address. Column 3 is the number of schools serving under the school board. The next column: number of high and secondary schools. And then the next column under the heading of 'Applied' means 'yes' they made the application, where it says 'no', no such application was made. The next column 'Replied', where you have got 'no' what do you mean by that? -- You got no reply.

No reply was received and where it says 'yes' a reply was received. -- That is right. (20)

There are a number of no's but you concede it may be due to a faulty postal address that was given, but even then it was not re-addressed to you at a later stage. Now the next column is most important. How many of those applications were granted? -- Not a single one.

They were all refused. Those where you got replies, they were all 'a refusal'; you do not know what happened to the others where there was no reply.

CHAIRMAN: Is it correct that at that stage it was not necessary for certain schools who had applied before, to apply (30) again? -- No, we were not made aware of that. What the

Secretary/...

Secretary for Bantu Education, Mr Rousseau, said, was that make an application, formal application for a concession.

Yes, but now you will see that in certain cases the present position is: English, English, 50-50 without any application having been made. Isn't that because they did not apply again? -- Well, we were not aware of that.

In 1974, the 1974 Circular doesn't that state specifically that they need not apply?

DR YUTAR: I did see that somewhere that they need not apply, and I think we handed in that exhibit. (10)

CHAIRMAN: But it was in Circular 2 of 1974.

DR YUTAR: It was an exhibit handed in by Mr Auerbach of the South African Council for Race Relations. -- Unfortunately we did not know about that. But at any rate, the Secretary for Bantu Education did not intimate that to us.

CHAIRMAN: Yes, but isn't that the reason why some schools said that they had not applied and it then appeared that the position there was that they were not all following the 50-50? -- Well, we did not follow that up, but the impression we got from all the schools was that they had gone on as had (20) gone before just because they felt they would disrupt the children, but it was not because they were aware of the circular that they need not apply, because the circulars which were sent by both Regional Directors was a specific instruction that conditions would be 50-50 and they specified that it - the subjects which would be taken in English or Afrikaans. I do not think it left any room for doubt as to what they should do. They just ignored it. The two circulars which were sent.

DR YUTAR: I think you must agree that if you look at the last column, you will find that in some schools the (30) medium of education was in fact English. -- Yes.

And/...

And in one particular school the Arithmetic was in Afrikaans, but the rest was in English. Then another school four subjects were in English, three 50-50; then another school all English. So they must have applied for exemption at an earlier date and got it, otherwise the last column would have read 50-50. But anyway, you say that you were not aware of that circular which said that once you had applied before, you need not do so again. -- No, I was not aware of that.

CHAIRMAN: It may have been in No. 2 of 1973 that it appeared. Yes, I think we may just as well proceed. (10)

DR YUTAR: Let us return then to the main memorandum and we got as far as page 4, paragraph 7.1 under the heading: Memorandum to the Advisory Council for Bantu Education. -- After establishing that the departmental officials totally rejected all attempts of application for exemption, the Federal Council of Transvaal Bantu School Boards petitioned the Advisory Council for Bantu Education for help through an exhaustive memorandum. (See Annexure 12).

I would like you to read that. -- Witness reads: (20)
"FEDERAL COUNCIL OF TRANSVAAL BANTU SCHOOL
BOARDS.

15th April, 1975.

The Secretary,
Advisory Council of Bantu Education,
Private Bax X212,
PRETORIA.

Sir,

MEDIUM OF INSTRUCTION : BANTU SCHOOLS :
WHITE AREAS.

(30)

1. The Federal Council of Transvaal
Bantu/...

Bantu School Boards (composed of Bantu School Boards and Committee Board of Bantu Education, Northern and Southern Transvaal Regions) humbly and earnestly request your Board to make a very strong appeal to the Minister for Bantu Education that Regional circulars No. 4, dd 17/10/74 and No. 2 dd 29/8/74 from the Regional Directors of Northern and Southern Transvaal Regions respectively, be repealed as soon as possible (cf Annexures A and B respectively for circulars).

(10)

2. The joint School Boards strongly feel that the instructions as contained in the circulars concerned is educationally unsound and not to the best interest of the Black child.

3. The joint School Boards drew a memorandum against the instructions which they submitted to the Secretary for Bantu Education on the 7th January, 1975.

(20)

Copy of the memorandum is herein enclosed for your information. (Annexure C).

4. The Secretary for Bantu Education advised the School Boards to advise their schools to apply for exemption where the 50-50 principle was not feasible.

5. Applications for exemption have met with strong opposition from Circuit Inspectors

(30)

(cf/...

(cf Annexures D - J).

6. Mr M.A.H. Engelbrecht in his Circular No. 7 of 1975 (cf Annexure J) states as follows:-

"It appears that a few school boards somehow got the impression that they had the right to decide what medium of instruction should be used in their schools. This is entirely wrong."

(10)

This statement is contrary in spirit and content to what the Honourable Minister M.C. Botha stated in his press statement (Bantu Educational Jnl. Vol. XVIII No. 10, Dec., 1972, p. 23) that:-

"For schools under the Department of Bantu Education the final decision as to the medium of instruction in any post-primary school shall be taken by the Secretary, on the recommendation of the school board"

(20)

7. The Secretary for Bantu Education further stated in his Circular No. 2 of 1973 dd 24.1.73 (Section A par. 5) that:-

"The decision as to which of the three alternatives (outlined in par. 2(a), of any secondary school or Std 5 class will be taken by the Secretary for Bantu Education.

(30)

However/...

However, School Boards
may make recommendations in
respect of all secondary
schools and Std 5 classes
falling under them."

8. According to the Minister and the Secretary for Bantu Education, the medium should have been decided in consultation with the School Boards and Committee Boards as well. To state that the Boards have nothing to do with this matter contradicts what the Minister and the Secretary for Bantu Education have advised.

(10)

9. Further, in his Circular No. 2 of 1973 (dd. 24/1/73), the then Secretary for Bantu Education advising against the adoption of the 50-50 principle medium of instruction stated as follows:-

(20)

"However, it must be stressed that it will be in the interest of pupils to use one medium only."

(Section B, par. 5, p. 3).

The members of the Bantu School Boards and Committee Boards are thus extremely perturbed to realise that officials of Bantu Education are bent on rigorously applying this unsound educational principle which their superiors condemn.

(30)

10. The Boards take it as grossly unfair to
the/...

the Black child to have to cope up with two media introduced in the year the child writes a public examination, viz in Std. 5. What genius on earth can master facts through two foreign media and be able to communicate his/her knowledge proficiently within eight months? Is this not expecting too much from the poor Black child who already has too many setbacks to cope with?

(10)

11. Rather than burden the poor Black child with two media, the Black parents (school boards) prefer the scheme as outlined by the Minister (Bantu Educ. Jnl. No. VIII of Dec. 1972, p. 23, par. 6(c) and (d)) and the Secretary for Bantu Education (Circular No. 2 of 1973, Section A, par. 3) that if it is decided to use English only or Afrikaans only as medium, then the language which is not used as medium should be given two periods per week more than the other on the time-table when it is taught as a subject.

(20)

12. Finally, we wish to state that good projects, however beneficial become futile if forced on a people against their will. It must be unequivocally stated/...

(30)

stated that the Black parents as represented by the School Boards condemn this unsound educational practice of 50-50 with no uncertain terms, hence this earnest appeal to the Advisory Council for Bantu Education to do all within its powers to prevail upon the authorities to have this unsound principle revoked."

(10)

On the 15th April, 1975. We return now to the main memorandum, page 4, paragraph 8.1, under the heading "Subsequent appeal to the Advisory Council". -- An attempt was again made to have the Advisory Council to do something about the state of affairs. The Federal Council of Transvaal Bantu -- before I read this, I just want to say this, that the subsequent appeals were made because we did not have any response from the Advisory Board of Education. 8.1 An attempt was again made to have the Advisory Council to do something about the state of affairs. The Federal Council of Transvaal Bantu School Boards approached the officials of the Advisory Council to come and talk to the school boards about the language issue as it was becoming serious. The Federal Council were referred to Mr E.J. Mabuza, Chairman of the Northern Transvaal Sub-committee of the Advisory Council. (See Annexure 13). He was invited to a meeting of the Federal Council of Transvaal Bantu School Boards, which was scheduled for the 20th June, 1976, to find out solutions to the boycotts of Afrikaans classes. (See Annexure 14).

(20)

Now we come to 9.1.

(30)

CHAIRMAN: What happened? Did he return to mention again whether/...

whether he did attend the meeting? -- No, he did not reply until - he replied later to say that, first he did not - well, I went to see him, he stays at White River. When we did not receive any reply from him, because we were referred to him, so I drove down to White River to go and see him personally.

White River? -- Yes, White River. And then he said no, he had not received the letter. I had a copy of the letter which was written to him and he made a reply, he said the reply is .. (intervenens)

DR YUTAR: Just read it. No. 13 is the letter which you (10) addressed to him on the 1st June, 1976, and it reads: --

Witness reads:

"Dear Sir,

I have been directed by the above Council to invite you to address them at the general meeting to be held on Sunday, 20th June, 1976, at the Diepkloof Hotel, Soweto, Johannesburg, at 9.30 a.m. The choice of the topic is left to you, Sir.

The Federal Council is prepared to pay for your travelling and subsistence for the day. (20)

I shall be very grateful if I could receive your reply by the 18th June, 1976."

Now the reason why we said the choice of the topic is left to you, was that we feared he would refuse to come. So we felt well, let us make it palatable to him, but we knew that as soon as he came, we would present the difficulty of the boycott which was now assuming alarming proportions in Soweto. So when I went there, verbally we spoke, I spoke to him, I said (30) now, look, things are becoming serious, can't you come and we want/...

want to have a discussion with you. We went to the Advisory Council and they say we should come to you to come and help us to see how we can resolve this question. So this was his reply.

That is Annexure 14. -- Yes.

That is after you had been to him and he said he had not got your letter, so you showed him a copy. -- That is right.

Did you expect him to say he did not get your letter? Is that why you took a copy with? -- That is right. (LAUGHTER)

All right, let us hear the reply. -- Well, the (10)
reason I took a copy with is that Mr Mashao said he did not register the letter, so we felt it might have gone astray. So this was his reply:

"The Secretary,

Federal Council of Transvaal Bantu School
Boards,

Dear Sir,

Mr C.T.D. Marivate has shown me a copy of the letter you wrote me on the 1st June, 1976. Unfortunately I did not receive the original. (20)

I regret that I shall not be in a position to address your meeting on Sunday 20th June, at the Diepkloof Hotel. This is on account of commitments I shall have to honour on the same day.

I am, however, prepared to address any of your future meetings provided you inform me in time.

I wish to thank you sincerely for having honoured me by your invitation." (30)

CHAIRMAN/...

CHAIRMAN: Have you any idea what the date of this letter was?

DR YUTAR: M'Lord, I never noticed that it was undated. -- It was dated but the only thing is that the secretary forgot to put the date there.

Have you any idea of the date?

CHAIRMAN: Can you remember the date on which you went down?

You see what worries me is the letter by Mr Mashao says to him "I shall be very grateful if I could receive your reply by the 18th June". That is the 18th June; 2 days later, Sunday, was to be the meeting. Now, you said that you received (10) no answer from him and then you went down. -- That is right. It must have been the 13th or 14th.

That you went down? -- That is right.

And can you remember, was this letter received before the 20th? -- Riots?

No, before the 20th. I suppose you did not hold the meeting on the 20th. -- No, we did not hold the meeting on the 20th because now the riots broke out.

The riots broke out. -- The riots broke out on the 16th, on the Wednesday when we had to hold the meeting on the (20) Sunday.

That is right.

DR YUTAR: We go back now to page 4, paragraph 9.1. -- Before the school boards could discuss the boycotts, these resulted into the fatal riots on the 16th June, 1976. Need for Federal Council. 10.1 The School Boards deem it of paramount importance that their Council should be recognised as the legitimate body which voice the opinion and aspirations of the Black parent in the non-homeland areas. Unfortunately it seems the attitude of the Department is against school boards (30) coming together to discuss common problems. This is evidenced

by a letter from one of the circuit inspectors, Mr J.E. Grobler.
(See annexure 15).

We can read that shortly. It is addressed by Mr Grobler, Circuit Inspector to the Secretary, Meadowlands Batswana School Board, on the 22nd January, 1976 under the heading of "Federal Council of School Boards". It reads: -- Witness reads:

"In my letter dated 21st November 1975 I informed you that the Secretary of Bantu Education regarded every School Board as an autonomous body instituted to serve the educational needs of a particular group of people and that he does not see the right of existence of any other body which supersedes the School Boards. (10)

He also stated that he has no knowledge of the formation and aims of any such body.

In view of what I have already stated it would be appreciated if you could reply to the questions stated below as soon as possible. (20)

(a) Is your School Board affiliated to the so-called Federal Council of School Boards.

(b) According to which such expenditure is authorised.

(c) State whether the decision was taken by the present Board or the previous one.

(d) State what your further intentions are regarding this matter." (30)

The/...

The last 3 lines of page 4. -- It is our express belief that the educational aspirations of the Black parent in the White areas, can best be made known through such a body. Authorities concerned should think seriously about recognising it officially, as well as giving it the necessary status and support it deserves.

Then follows the details of the various annexures to which we have referred and that completes this whole memorandum. As a matter of interest, who drew up this memorandum? -- We drew it up together. (10)

Is there anything you would like to say in addition? -- Yes, well, in conclusion I would really like to say this, that it is unfortunate that officials treated the aspirations of the Black parent and the Black child with cool indifference. The impression one got is the upholding of the old traditional attitude of patronage. Another impression one got was that very little regard is given to the feelings and the aspirations of the Black man. The Black man's aspirations are secondary to the government policy, that is the impression one has got. Now care should be taken that government policy is not (20) regarded as holy ground. Man is not infallible. It may be that government policy is not the only way. Once policies are placed before people, slavery has begun in the upholders of that policy. So a man is a slave of what masters him. The rulers should give rules for a second look at their policy. In their eagerness to implement government policy, aspirations of the silent majority may be ridden rough-shod, thereby destroying trust. The upholders of the policy may win their objectives, but lose the heart of man. There is no greater loss than losing the heart of man through destroyed trust. (30) Once trust is lost, there is no hope of peace and security

for/...

for all. Thank you.

Is that a quotation from anybody? -- No, just from me.

Mr Mashao do you want to add to it?

MR MASHAO: During the riots the authorities were surprised that the parents had no control over their children, yet when the parents brought their grievances to the authorities, they were ignored. Directly or indirectly they have given the children the impression that their parents are useless and as such children ignored their parents and did their own things.

DR YUTAR: Mr Mbhalati?

(10)

MR MBHALATI: No.

DR YUTAR: M'Lord, I have no further questions.

NO FURTHER QUESTIONS.

THE COMMISSION ADJOURNS.
