

RACE RELATIONS SURVEY

1993/1994

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SOUTH AFRICAN INSTITUTE OF RACE RELATIONS

JOHANNESBURG

1994

Published by the South African Institute of Race Relations

Auden House, 68 De Korte Street

Braamfontein, Johannesburg, 2001 South Africa

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ISSN 0258-7246 PD 4/94

ISBN 0-86982-442-2

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ACKNOWLEDGEMENTS

The writers of this *Survey* wish to thank all those who assisted in producing this volume. We are indebted to Ferial Haffajee for writing the chapter on Labour Relations. The writers are also grateful to all those who provided information, including organisations, trade unions, companies, government officials, officials of political parties, members of Parliament, academics and other researchers.

We wish to thank Connie Matthews, Sarah Zwane and Pinky Makhubu for typing parts of the manuscript and for typesetting the *Survey*.

The Institute's chief librarian, Ellen Potter, and the assistant librarian, Tamara Dimant, assisted by Eunice Halo, Elizabeth Koloko, Sarah Mohale, Mildred Monyane, Alfred Nkungu and Prisca Nkungu obtained much of the material and provided the press clipping service essential for the writing of the *Survey*.

We are grateful to Carmel Musiker, Sarah Zwane, Allegra Rose, Isabelle Delvare, Ingrid la Trobe, Lindsey Morton and Carol McCutcheon for their work in style editing and checking the typeset manuscript. Our appreciation also goes to Naomi Musiker for her invaluable index.

NOTES

References to **Fast Facts** are to a monthly eight-page publication dealing with current events, published by the Institute.

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The minister of home affairs, Mr Danie Schutte, said in September 1993 that there had been a substantial increase in the number of applications for identity documents (IDs) in preparation for the elections scheduled for April 1994. His department had received 257 995 applications in July and another 213 025 in August. Mr Schutte also said that more than 200 000 IDs had been sent to applicants in August and that 86% of all enfranchised South Africans already had IDs.¹ [¹ *The Citizen* 25 September 1993]

The regional director of home affairs, Mr Pieter Hartzenberg, said in November 1993 that the African National Congress (ANC) had deployed 140 volunteers to assist his department's offices in the western Transvaal to process more than 800 applications for IDs being received daily from Bophuthatswana residents. The seconded volunteers had begun work on 14 October, according to Mr Hartzenberg. He said that the 'intake of the forms has grown' since the offer of help by the ANC.² [² *Business Day* 4 November 1993]

In November 1993 Mr Schutte announced the launch of an awareness campaign aimed at encouraging potential voters to obtain IDs ahead of the 1994 elections. The campaign, which was to cost the Department of Home Affairs about R4m, would include newspaper, television and radio advertisements,

as well as the distribution of 21 000 T-shirts. Mr Schutte explained that the campaign was aimed at the 13% of the population who did not yet have IDs, but who were eligible to vote. About 2 350 outdoor advertising boards emphasising the importance of IDs would be erected in rural areas.³ [³ Ibid 19 November 1993]

In December 1993 Mr Schutte reported that his department had received more than 250 000 applications for IDs during the month. He added that 91,6% of eligible voters in South Africa (including the ten homelands) now had documents enabling them to vote. The Department of Home Affairs would shortly begin processing 60 000 applications for IDs from residents of the 'independent' homelands, he said.⁴ [⁴ Ibid 22 December 1993]

The Public Service Acts Amendment Act, which provided for measures to deal with corruption in the public service, was passed in April 1993. Although it received the support of all the parties in Parliament, critics noted that the act did not apply to heads of departments, the national intelligence service or officials in the 'independent' and non-independent homelands.

Between 2 February and the end of May 1993, 1 477 prisoners had been released in terms of the Further Indemnity Act of 1992.

The office of the auditor general became independent of the civil service at the end of March 1993 in terms of the Audit Arrangements Act. The auditor general, Mr Henri Kluever, said that the act would enable the office of the auditor general to report fearlessly on the financial affairs of the executive since the auditing staff would no longer be public servants. He said that the passing of the act showed that the state president, Mr F W de Klerk, was concerned about clean administration.

At the end of August 1993 the government took 'immediate control of Lebowa's deteriorating financial situation', according to the minister of regional and land affairs, Mr André Fourie, who said that the 'unprecedented intervention, including the freezing of all cheques issued by the homeland's administration', had become necessary in the interests of South African taxpayers (see *The economy and business* below).

Political commentators said that the signing of the agreements at the plenary session of the multiparty negotiations at the World Trade Centre (east Rand) in November 1993 marked 'the trigger point for a breakneckspeed' transition to the Transitional Executive Council (which, they added, was expected to be installed within two weeks). The first nonracial general elections were scheduled to be held in April 1994. The package of agreements was adopted by 'sufficient consensus' with objections lodged by the Afrikaner Volksunie and the Pan-Africanist Congress.⁵ [⁵ *The Star* 18 November 1993] Members of the Concerned South Africans' Group had previously withdrawn from the negotiations (see *Constitutional change* below).

In December 1993 the Negotiating Council approved a draft bill which authorised the return of South African citizenship to residents of the four 'independent' homelands (Bophuthatswana, the Ciskei, the

Transkei and Venda) on 1 January 1994 and the reincorporation of the territories into South Africa on 27 April 1994.⁶ [⁶ Ibid 2 December 1994]

In May 1993 the Ciskei administration granted 'unconditional indemnity' to members of the Ciskei Defence Force (CDF) who had been involved in an incident in Bisho in September 1992 in which 29 people had been shot dead and 200 others injured.

In August 1993 the Bisho Supreme Court ruled at the end of an inquest hearing into the deaths of the former commander-in-chief of the CDF, Major General Charles Sebe, and Colonel Onward Guzana in January 1991 that the chairman of the Ciskei Military Council, Brigadier Joshua 'Oupa' Gqozo, had ordered the killing of Mr Sebe. The court could make no finding regarding Mr Guzana's death. Reacting to the court's finding, the administration of the Ciskei said that 'the 1991 killing was justified'. Brig Gqozo was later found not guilty of being an accomplice to the murder of Mr Sebe.

Mr Schutte said in August that 11 226 exiles had returned to South Africa since February 1990, but that only a few exiles had returned since January 1993.

The head of international affairs of the ANC, Mr Yusuf Saloojee, said in October 1993 that the organisation had drawn up a 'white paper' on a new foreign policy for a democratic South Africa. The document was said to stress the importance of observing human rights and environmental rights as a cornerstone of a new South African foreign policy.⁷ [⁷ *Business Day* 12 October 1993]

Thirty-two years after being compelled to leave the Commonwealth, South Africa was formally invited by the 1993 Commonwealth conference to rejoin the organisation in 1994. The Commonwealth leaders agreed that a nonracial and democratic South Africa should be welcomed back 'at the earliest opportunity' after the elections scheduled for 27 April 1994.⁸ [⁸ Ibid 26 October 1993] The leaders said that they would give priority to providing technical assistance and training to promote improved relations between police and communities and to supporting the Independent Electoral Commission, the Independent Media Commission and the Independent Broadcasting Authority.⁹ [⁹ Ibid]

Political Violence

According to the South African Institute of Race Relations, 3 706 people were killed in political violence between 1 January and 31 December 1993 compared to 3 347 deaths during the same period in 1992. Fatalities owing to political violence totalled 18 997 for the period September 1984 to the end of December 1993.

The state president, Mr F W de Klerk, said in July 1993 that it was his top priority to 'force violence levels down' and that he was investigating ways in which political leaders could help foster peace in the country. 'The general atmosphere in the country should change, with tolerance becoming the

watchword. Those involved in the violence should be isolated,' he said in an address to the media after a meeting with international observers from the United Nations (UN) and the European Community.

In February 1993 the African National Congress (ANC) said that its military wing, Umkhonto we Sizwe (Umkhonto), would be disbanded before the general elections in April 1994. It called for the formation of a multiparty structure to take control of all armed forces, including the South African Defence Force, Umkhonto and the armies of the 'independent' homelands. According to South African military intelligence, in April 1993 more than 12 000 members of Umkhonto were undergoing training in camps in various countries, including Cuba, Ghana, India, Libya, Tanzania, Uganda and Zambia.

The Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (the Goldstone commission) reported in the same month that only 54% of the 149 recommendations it had made in its 28 reports on violence had been implemented or were under discussion. The commission said that only 14% of recommendations made had been fully implemented. It ascribed the difficulty in getting recommendations implemented to 'bureaucratic inefficiency' on the part of the government.¹⁰ [¹⁰ Ibid 14 December 1993]

The minister of state expenditure, Mr Amie Venter, said on introducing the Adjustments Appropriation Bill in Parliament in December 1993 that enhancing the capacity of the South African Police (SAP) to fight crime and violence had cost an extra R249m in the 1993/94 financial year, or more than half the state's 'entire estimated and unavoidable expenditure'.¹¹ [¹¹ *The Star* 2 December 1993]

In the same month the minister of police, Mr Hernus Kriel, reinstated to the SAP 405 members of the Police and Prisons Civil Rights Union who had been dismissed after a strike in the eastern Cape on 19 October. Mr Kriel said that the decision to reinstate the 405 people was 'in the public interest and that it had been taken in the interests of the communities, the individuals concerned and the SAP'.¹² [¹² *Business Day* 3 December 1993]

In a statement at the end of a two-day conference called by the South African Council of Churches (SACC) in December 1993 to stop the violence crippling African communities, black political, church, business and community leaders called for the 'immediate withdrawal' from African townships of the Internal Stability Unit (ISU) of the SAP. Mr Kriel described the statement by the conference as 'a masterpiece of evasion'. He said that it 'underplays the central role of political rivalry and intolerance in the violence', adding that no amount of 'blaming the government and the SAP will make [the violence] go away'.¹³ [¹³ *The Star* 2 December 1993]

At the conference black leaders, including the president of the ANC, Mr Nelson Mandela; the Anglican archbishop of Cape Town, the Right Reverend Desmond Tutu; the presiding bishop of the Methodist Church, Dr Stanley Mogoba; the president of the SACC, Dr Khoza Mgojo; and representatives of the Pan-Africanist Congress and the Azanian People's Organisation, called for the involvement of the UN and other international agencies in the training and command of a proposed national peacekeeping force.

They said further that ‘compelling evidence’ from hearings during the conference had concluded that the violence was ‘a deliberate strategy of socio-political and electoral destabilisation inherent in apartheid’.¹⁴ [¹⁴ Ibid] They claimed that Mr de Klerk’s ‘inability to make use of the considerable resources at his disposal’ had hampered the ISU in dealing with the violence effectively. ‘Instead, the ISU has actively carried out acts of aggression against our people. It should, therefore, be immediately withdrawn and be replaced by accountable community policing,’ the leaders stated.¹⁵ [¹⁵ Ibid]

Speaking in Cape Town in November 1993 after a meeting with the secretary of state for commerce of the United States, Mr Ron Brown, Mr de Klerk warned the right wing that he would take action against ‘those who break the law’ and described their threats to form their own transitional authority as ‘tragic’ (see also *Constitutional change* below). Mr de Klerk said further, ‘I want to say that from the government’s side, there will be firm action against anybody breaking the law ... The law in this country will be upheld. Anybody, who in any way whatsoever, through any criminal deed tries to advance their cause, whether through violence or other criminal deeds, will be acted against, irrespective of the party or person involved.’¹⁶ [¹⁶ *The Citizen* 1 December 1993]

According to the SAP, four instructors of the Azanian National Liberation Army (Azanla), the armed wing of the Black Consciousness Movement of Azania, were among 39 people arrested on 29 November 1993 in a cave at Chuniespoort in Lebowa. The 35 others arrested were reported to be Azanla trainees. A police spokesman, Major Arno Vogel, said that the 39 people were being held in terms of section 29 of the Internal Security Act of 1982 as ‘initial investigations had revealed that they were apparently preparing for disruptions of next year’s general elections’.¹⁷ [¹⁷ Ibid]

In December 1993 the SAP said that up to 13 December 236 policemen had died in political violence in South Africa (excluding the ‘independent’ homelands). This figure was 13 more than the total of 223 who had died in the whole of 1992. Sixty-four percent of the policemen killed in 1993 were attacked while off duty, with most of them being killed while travelling to or from work.¹⁸ [¹⁸ Ibid 14 December 1993]

Security

The Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (the Goldstone commission) said in a report in July 1993 that the storming by right-wing whites of the World Trade Centre at Kempton Park (east Rand) the previous month had been successful because the South African Police (SAP) had been ‘completely ineffective’ in their response to the intrusion. The commission said further, ‘Not to have had an unambiguous, strong and visible show of force, at least at the entrance to the centre on the morning of June 25 can only be regarded as a dereliction of duty on the part of those officers of the SAP responsible for the absence thereof. The perpetrators met with no resistance at all.’¹⁹ [¹⁹ *The Star* 16 July 1993]

In the first 56 days of a 60-day amnesty in June and July 1993, during which people could hand over

illegal weapons to the police without fear of prosecution under the Arms and Ammunition Act of 1969, only 18 weapons were handed in voluntarily to the police. At the end of July 1993, with only three days of the period of grace left, the chief of public relations of the SAP, Major General Leon Mellet, said that 'despite the amnesty, attacks and murders, especially with AK-47 rifles, occur on an alarmingly regular basis and are escalating'. He added that between 1 June and 27 July 1993, 653 people had been killed in unrest-related incidents and that in at least 120 of those incidents, AK-47s had been used.

In August 1993 the chairman of the national peace secretariat, Dr Antonie Gildenhuys, told a meeting which was assessing the two-year-old *National Peace Accord* that although the accord had shortcomings it had done much to prevent the spread of violence. Dr Gildenhuys said that leaders of 'warring factions' and the police had taken decisions 'to contribute to peace' and would return to their communities to preach peace. The accord lacked 'legal teeth' to deal with breaches, he added, but this problem was being addressed by a special sub-committee.

The minister of transport, Dr Piet Welgemoed, said in August 1993 that the government had accepted recommendations by the Goldstone commission to curb violence in the taxi industry. He also called on local authorities to give attention to the provision of 'badly needed facilities' for taxis and their passengers. The commission had said in its report that the causes of violence in the taxi industry included the effect of apartheid laws on urbanisation, commercial factors, the department of transport being ineffective, the lack of law enforcement, the absence of facilities, and intolerance and power struggles on the part of taxi operators.²⁰ [²⁰ Ibid 25 August 1993]

Addressing the annual general meeting of the Cape Law Society at Sun City (Bophuthatswana) early in October 1993, Mr Justice Richard Goldstone, chairman of the Goldstone commission, said that there was strong circumstantial evidence of security police involvement in the current violence. He said that his commission had followed up every lead given to it on an alleged third force and had interrogated many former and present security force members. As a lawyer and a judge, he said, he had 'little doubt that a considerable cause of some of the political violence is the work of agents provocateurs'.²¹ [²¹ Ibid 5 October 1993]

More than three tonnes of arms, ammunition and explosives stolen from an army depot near Pietersburg (northern Transvaal) by men believed to be members of an ultra right-wing organisation were recovered by the police early in November 1993.²² [²² Ibid 6 November 1993] The chief of the army, General Hattingh Pretorius, said that security at other army storage facilities had been stepped up as a result of the incident.²³ [²³ Ibid]

The Negotiating Council unanimously agreed in November 1993 that section 29 of the Internal Security Act of 1982, which provided for detention without trial, be repealed so that the country's statutes could be regarded as 'democratic and human-rights orientated'. The repeal of the section was recommended by the technical committee investigating laws which could be regarded as preventing free political activity in South Africa, and the 'independent' and non-independent homelands.²⁴ [²⁴ *Business Day* 12 November 1993]

Compulsory military service for white South African men was abolished in August 1993. However, members of the Citizen Force and the commandos would continue to be liable for military service until a new system was implemented.

In mid-November 1993 the Negotiating Council agreed on a complete overhaul of the police and defence forces. In terms of the agreement, a single national police force and defence force would be established for the country.²⁵ [²⁵ *The Star* 17 November 1993] It was agreed that the state president would appoint a national police commissioner who, in turn, would appoint regional commissioners, but with provincial governments enjoying veto powers over such appointments. Provincial governments were to be given certain powers regarding the appointment, administration and promotion of police personnel. Provision was also made for the establishment of a single national defence force comprising all armed formations, with no special status given to the South African Defence Force.²⁶ [²⁶ *Ibid*]

Constitutional Change

The period under review saw the resumption of constitutional negotiations in March 1993 after the breakdown of talks at the Convention for a Democratic South Africa in June 1992. The negotiations process became more inclusive when a number of new participants, namely the Afrikaner Volksunie (AVU), the Conservative Party (CP), the KwaZulu administration, the Pan-Africanist Congress (PAC) and delegations of traditional leaders from the Cape, the Orange Free State and the Transvaal, joined the negotiations.

In July 1993 the representativeness of the process was affected following the Negotiating Forum's confirmation by 'sufficient consensus' of 27 April 1994 as the date for South Africa's first democratic election. Representatives of the Bophuthatswana, Ciskei and KwaZulu administrations and of the CP and the Inkatha Freedom Party (IFP)—all of whom were opposed to the adoption of the date—walked out of the multiparty negotiations. At the time of writing only the Ciskei delegation had returned to the multiparty talks. The absence of the other delegations did not, however, stop the process. Negotiators drew up legislation, including a constitution, for the transitional period, while attempting to reinstate these parties in negotiations through bilateral talks between the government and the African National Congress (ANC) on the one hand, and the CP, IFP and three homeland administrations, on the other.

Political Groups and Alliances

The period under review saw a consolidation of some political groups. White right-wing political organisations were consolidated in May 1993 with the launch of the Afrikaner Volksfront (AVF) by 21 white right-wing parties and organisations, including the AVU, the Afrikaner Vryheidstigting (Avstig), the Afrikaner Weerstandsbeweging (AWB) and the CP. The AVF rejected the notion of a unitary state and called for an Afrikaner 'volkstaat' which would be part of a confederation of states.

Another political alliance, the Freedom Alliance (FA), comprising the AVF, the IFP, and the administrations of Bophuthatswana, the Ciskei and KwaZulu, was formed in October 1993. In its manifesto the alliance committed itself, inter alia, to:

- recognising the right to self-determination of the ‘peoples of southern Africa’;
- protecting and promoting free-market enterprise and private ownership;
- rejecting the notion of a unitary state;
- holding free and fair elections only once a final constitution had been drawn up;
- entrenching checks and balances which limited state power;
- organising ‘southern Africa’ into a number of states responsible for the ‘governance of the peoples to express their rights to self-determination’;
- allowing the boundaries of member states to be determined by the people of proposed states rather than by a centralised process of negotiations; and
- continuing negotiations until a settlement was reached.²⁷ [²⁷ *Manifesto of the Freedom Alliance* 12 October 1993]

The period under review also saw a realignment of other political groups. Between August and September 1993 all six parliamentary representatives of the AVU resigned from the party and its former leader, Mr Andries Beyers, joined the National Party (NP). Mr Beyers said that he believed that the NP was the only party which offered hope for a peaceful future with stability and economic recovery.²⁸ [²⁸ *The Citizen* 3 November 1993] Between January and April 1993 three MPs who had been members of the NP, Messrs Hennie Bekker, Mohammed Cassim and Jurie Mentz; a former Democratic Party (DP) MP, Mr Mike Tarr; and a Solidarity MP, Mr Michael Abraham, resigned from their respective parties to join the IFP.²⁹ [²⁹ *Ibid* 2 April 1993] An independent MP in the House of Delegates, Mr Baldeo Dookie, joined the ANC in November 1993. Mr Dookie said that there were indications that other MPs in the House of Delegates would also join the ANC.³⁰ [³⁰ *Sowetan* 22 November 1993]

The Transitional Constitution

On 17 November 1993 a plenary session of the multiparty negotiating process was held. Only 21 of the original 26 delegations were present as members of the FA did not attend, having earlier withdrawn from the multiparty negotiating process. The plenary session endorsed agreements made in the Negotiating Council and the Negotiating Forum, as well as a package of legislation aimed at regulating

the transitional period, including the draft transitional constitution.

Some of the key provisions in the constitution were:

- a bicameral legislature consisting of a national assembly and a senate;
- a multiparty cabinet consisting of representatives of all parties holding more than 20 seats in the national assembly;
- a single-ballot paper to elect both national and regional legislatures in the first national election;
- nine provinces;
- concurrent powers for provincial governments and the national government;
- a constitution-making body to be known as the constitutional assembly and consisting of the senate and the national assembly sitting jointly;
- local government to be autonomous and to have executive powers;
- 40% of local authority councillors to be elected by proportional representation (PR) and 60% to be elected on a ward basis. Half of the wardbased seats were reserved for members of existing councils for whites, coloured people and Indians;
- a house of traditional leaders to be established in each province and a council of traditional leaders to be set up at national level;
- a national defence force to be established consisting of the South African Defence Force; the defence forces of Bophuthatswana, the Ciskei, the Transkei and Venda; and members of any armed or military force under the authority of, or associated with, a political organisation;
- the repeal of laws recognising the independence of the 'independent' homelands and of connected laws;
- the repeal of laws establishing and regulating provincial government and the KwaZulu/Natal Joint Executive Authority; and
- a list of 'fundamental' rights.

Two organisations present at the plenary session, the AVU (which objected to the absence of provisions for a system of self-determination in the constitution) and the PAC (which objected to the power-sharing provisions in the constitution), did not approve the constitution.³¹ [³¹ *The Citizen* 18 November 1993] A spokesman for the AVU, Mr Dirk Pienaar, said that ‘from now on the South African government will have an Afrikaner problem on its hands’.³² [³² *Sowetan* 22 November 1993]

The Black Consciousness Movement of Azania (BCMA) said that the agreement on a transitional constitution represented the culmination of a flawed process. The chairman of the BCMA, Mr Mosibudi Mangena, said that the arrangements represented ‘an unequal compromise that left the aspirations of the oppressed black people unfulfilled’.³³ [³³ *Ibid* 18 November 1993]

The chairman of the directorate of the AVF, General Constand Viljoen, said that the acceptance of the constitution by the plenary session was the beginning of a violent takeover by the ‘communist-inspired’ ANC. He said that ‘minorities’, consisting of the Afrikaners, the Zulus and the Tswanas, had been ignored in the negotiations process and added that the FA’s demands were the key to stability.³⁴ [³⁴ *The Star* 18 November 1993]

The president of the IFP, Chief Mangosuthu Buthelezi, said that the IFP would meet the new constitution with ‘determined resistance’.³⁵ [³⁵ *Business Day* 19 November 1993] He added that he did not consider himself bound to decisions made at the World Trade Centre (east Rand) since he had been excluded ‘by behind-the-scenes manipulation by the government and the ANC/South African Communist Party (SACP) alliance’.³⁶ [³⁶ *Ibid*]

Speaking in Parliament in November 1993, the leader of the CP, Dr Ferdi Hartzenberg, rejected the constitution and demanded an Afrikaner ‘volkstaat’. He said that the CP stood unequivocally for confederalism.³⁷ [³⁷ *The Citizen* 23 November 1993]

Legislation for the transitional period, including the Independent Media Commission (IMC) Bill, the Independent Electoral Commission (IEC) Bill, the Independent Broadcasting Authority (IBA) Bill, and the Transitional Executive Council (TEC) Bill, was adopted by the Negotiating Council in September 1993. The package of legislation was passed by Parliament in the same month. The plenary session of the multiparty negotiating process approved the legislation in November 1993 and mandated the Negotiating Council to process any technical amendments to the acts. The TEC, IEC and IMC acts came into operation in November 1993, December 1993 and January 1994 respectively.

The plenary session also adopted a resolution calling for the cession of Walvis Bay and the Penguin Islands to Namibia. (In December the Negotiating Council decided that Walvis Bay and the Penguin Islands would be transferred to Namibia on 28 February 1994.)³⁸ [³⁸ *Ibid* 2 November 1993] The Negotiating Council was also mandated to resolve outstanding issues in the interim constitution, complete the work of the multiparty negotiating process, and establish the TEC as a successor to itself.³⁹ [³⁹ *Ibid* 18 November

1993]

The Transitional Executive Council

On 26 November 1993 the state president, Mr F W de Klerk, signed a proclamation establishing the TEC.⁴⁰ [⁴⁰ Ibid 30 November 1993] The TEC, which was to be based in Pretoria, held its first meeting in Cape Town on 8 December 1993 as the building it was to occupy in Pretoria was not ready for occupation. At the inaugural meeting of the council only 16 members were present; five of the participating delegations in the multiparty talks at the World Trade Centre were not represented. In addition, no members of the FA, which had earlier withdrawn from multiparty negotiations, were represented. The 16 delegations that took their seats at the inaugural meeting were the ANC, the DP, the Dikwankwetla Party, the Intando ye Sizwe Party, the Inyandza National Movement, the Labour Party, a joint delegation of the Natal Indian Congress and the Transvaal Indian Congress, the NP, the National People's Party, Solidarity, the SACP, the South African government, the Transkei administration, the United People's Front, the Venda administration and the Ximoko Progressive Party.⁴¹ [⁴¹ Ibid 8 December 1993] The AVU had announced earlier that it would not participate in the TEC as the council would do little to benefit the Afrikaner nation.⁴² [⁴² Ibid] Representatives of the PAC, and delegations of traditional leaders from the Cape, the Orange Free State and the Transvaal were not present.⁴³ [⁴³ Ibid] The PAC said that it had taken a decision in September 1993 not to participate in the TEC and that its national executive committee had not met to review this decision. The organisation had not suspended its armed struggle and was still engaged in negotiations with the government on this issue at the time of writing.⁴⁴ [⁴⁴ *The Citizen* 8 December 1993] In terms of the legislation establishing the TEC, TEC members had to renounce violence as a means of achieving political aims. On 15 December 1993 the PAC decided to contest the elections but decided against participating in the TEC.⁴⁵ [⁴⁵ *Sowetan* 21 December 1993] In January 1994 the PAC announced that it was suspending its armed struggle unilaterally. However, the organisation said that it would not participate in the TEC and the National Peacekeeping Force until all armed formations in the country were under effective joint control.⁴⁶ [⁴⁶ *Business Day, The Star* 17 January 1994]

At the opening of the TEC, the minister of constitutional development, Mr Roelf Meyer, stressed that the TEC was not an alternative government; its task was to 'level the political playing field'. The secretary general of the ANC, Mr Cyril Ramaphosa, said that the TEC should not allow the government to treat it like an advisory body or a 'toy telephone'.⁴⁷ [⁴⁷ *The Citizen* 8 December 1993] Reacting to Mr Ramaphosa's statement, Mr de Klerk said that the council would not be a 'toy telephone', but neither would it be the new government.⁴⁸ [⁴⁸ Ibid]

The deputy leader of the CP, Dr Willie Snyman, said that Parliament as an institution had been betrayed by the government when it had established the TEC.⁴⁹ [⁴⁹ Ibid]

The president of the ANC, Mr Nelson Mandela, described the establishment of the TEC as 'a victory for all South Africans without exception'.⁵⁰ [⁵⁰ Ibid 30 November 1993]

The AVF, however, said that it would establish its own transitional government to ‘protect the interests of the Afrikaner nation.’⁵¹ [⁵¹ Ibid]

Outstanding Issues

A number of major issues surfaced after the adoption of the draft constitution by the plenary session of the multiparty negotiating process. One such issue was the question of a single ballot paper for each voter in the forthcoming elections. In November 1993 the executive committee of the FA issued a statement saying that a two-ballot system was necessary for federalism as it would reward parties with a strong regional base which did not have national support.⁵² [⁵² *The Citizen* 26 November 1993] Also in November, the national chairman of the DP, Mr Ken Andrew, told Parliament that the DP had ‘reluctantly’ agreed to the single-ballot system after this had been ‘forced on it as part of a blackmail deal’ in order not to hold up negotiations. He said that the proposed system restricted voter choice and damaged the prospect of providing for political inclusiveness.⁵³ [⁵³ *Business Day* 25 November 1993] Mr de Klerk also said that the NP had supported the single-ballot system reluctantly as part of a programme to make the election process as simple as possible. In future, regions would conduct their own elections, he said. He said that if the DP could convince other parties of the necessity to reopen negotiations on the matter, the NP ‘will not stand in the way’.⁵⁴ [⁵⁴ Ibid]

Another major issue on which agreement could not be reached was the reincorporation of the ‘independent’ homelands into South Africa. On 2 December 1993 the Negotiating Council approved a draft bill providing for the return of South African citizenship to residents of the ‘independent’ homelands as from 1 January 1994 and the reincorporation of the territories into South Africa on the day of the elections, 27 April 1994.⁵⁵ [⁵⁵ *The Star* 3 December 1993] The Bophuthatswana and Ciskei administrations rejected the bill, but the Transkei and Venda administrations approved it.⁵⁶ [⁵⁶ *Business Day* 3 December 1993] The bill was tabled during the November sitting of Parliament and was passed in December.

The president of Bophuthatswana, Chief Lucas Mangope, said that his administration was not prepared to accept reincorporation into South Africa unless it was confident that what ‘is on offer has a reasonable chance of success’.⁵⁷ [⁵⁷ *The Citizen* 6 December 1993] A spokesman for the ANC, Mr Matthew Phosa, said that if any of the ‘independent’ homelands failed to reincorporate themselves into South Africa ‘the tanks would roll in’ as a last resort.⁵⁸ [⁵⁸ *Ibid* 20 November 1993] The AVF said that it took exception to ANC threats against ‘independent’ homelands such as Bophuthatswana, if they refused to be reincorporated.⁵⁹ [⁵⁹ *Ibid* 23 November 1993] Dr Hartzenberg warned that any attempt to reincorporate Bophuthatswana would be interpreted as a declaration of war against the CP as well.⁶⁰ [⁶⁰ *Business Day* 23 November 1993]

Speaking on a South African Broadcasting Corporation television programme in November 1993, Mr de Klerk warned that if the ‘independent’ homelands decided to retain their independence then their

‘relationship with the South African government would change dramatically’. He added, however, that he was opposed to unilateral or coercive action which would force their reincorporation.⁶¹ [⁶¹ *The Citizen* 23 November 1993]

On the issue of an Afrikaner homeland the government and the ANC continued to hold talks with the AVF (see below).

Negotiations on Regions

In mid-November 1993 the Negotiating Council agreed that the definition of nine regions, as proposed in its original recommendations, be included in the transitional constitution. The council added that those areas still in dispute would be entitled to hold referendums after the April 1994 elections to indicate which province they wanted to be a part of. In addition, certain amendments were made to the original proposals. These were that:

- KwaNdebele be included in the eastern Transvaal region;
- Sasolburg be included in the Orange Free State region;
- Mount Currie be included in the KwaZulu/Natal region;
- Clanwilliam, Vanrhynsdorp and Vredendal be included in the western Cape region;
- Hartswater, Kuruman and Postmasburg be included in the northern Cape region; and
- Brits, Odi 1 and Moretele 1 (Bophuthatswana) be included in the north west region.

Provision was made for referendums to be held in these districts to decide on their delimitation provided that a ‘sufficient number of people’ in the district concerned presented a petition to Parliament to this effect within one year of the general election. (The word ‘sufficient’ was not defined in the transitional constitution.) These provisions were also applicable to the districts and provinces listed below.⁶² [⁶² *Report of the Co-ordinating Committee on the Demarcation/ Delimitation of SPRs as Adopted by the Negotiating Council* 15 November 1993]

The council agreed further that:

- Umzimkulu should remain a part of the eastern Cape/Kei region and that its votes in the general election be counted separately to facilitate possible reallocation to the KwaZulu/Natal region;

- votes cast in the greater Pretoria area (which was included in the Pretoria/Witwatersrand/Vereeniging region) be counted separately to facilitate possible reallocation to the eastern Transvaal;
- votes cast in the eastern Cape be counted in two blocs (on each side of a boundary line to the east of Venterstad, Hofmeyer, Fort Beaufort, Albany and Bathurst) in order to facilitate a possible division of the province into two separate provinces. Such a decision was subject to a 'majority decision' to this effect being reached between parties elected by the voters of either bloc or to a 60% majority being achieved in a referendum in either bloc;
- the continued existence of the northern Cape province be decided subject to a majority agreement between the parties elected by the voters of the region or by a 60% majority in a referendum. (The ANC favoured its incorporation into an expanded western Cape region with the Orange River as its boundary); and
- Bushbuck Ridge (central Transvaal), Groblersdal (northern Transvaal), Namaqualand (northern Cape), and the northern Transkei/Pondoland area also be entitled to petition for referendums.⁶³ [⁶³ Ibid]

Negotiations with the Freedom Alliance

The Freedom Alliance (FA) began formal bilateral negotiations with the government and the ANC respectively in October 1993.⁶⁴ [⁶⁴ *Business Day* 19 October 1993]

Members of the FA did not attend the plenary session of the multiparty negotiating process in November 1993 and a succession of bilateral meetings took place between the alliance and the government, and the alliance and the ANC, in an attempt to make the agreement on the transitional package more inclusive. Chief Mangope who was a member of the FA, outlined the alliance's essential conditions for such inclusion to take place. These included:

- a one-phase system of constitution making;
- provision for exclusive powers for regions, as well as clear demarcation of, and constitutional protection for, regional borders;
- recognition of the right of regional governments to levy their own taxes and raise additional funds autonomously;
- recognition of the right of regional governments to write their own constitutions, provided these were consistent with a bill of rights and the national constitution; and

- provision for two ballot papers, one for provincial elections and the other for national elections.⁶⁵ [⁶⁵ *The Star* 6 December 1993]

On 22 November Mr Meyer told Parliament that the government had proposed that the AVF, the Bophuthatswana administration and the CP could realise their desire for self-determination in the north west province demarcated at multiparty negotiations. He suggested that there could be sub-regions in such a province where the various groups could exercise self-determination. (The proposed region stretched from the Botswana border in the north to the Orange Free State border in the south and from Rustenburg in the east to the western boundaries of Bophuthatswana.)⁶⁶ [⁶⁶ *Ibid* 23 November 1993]

In December 1993 the FA held a number of meetings with the ANC and the government in an attempt to resolve the alliance's objections to the transitional constitution.⁶⁷ [⁶⁷ *Business Day* 6 December 1993] Mr de Klerk said that the 'door is still open for the Freedom Alliance to negotiate possible changes' before Parliament approved the constitution.⁶⁸ [⁶⁸ *The Citizen* 8 December 1993] The government and the ANC said that the FA's proposed amendments would not be negotiated unless the alliance committed itself to:

- abide by the constitution once it was amended;
- abide by the transitional legislation;
- recognise all transitional structures;
- participate in the election on 27 April 1994; and
- accept the results of the IEC.⁶⁹ [⁶⁹ *Beeld* 22 December 1993]

The parties agreed that if the leaders of the FA accepted the proposals of the government and the ANC, new negotiations on the alliance's proposed amendments would begin on 10 January 1994 and would be concluded before 24 February 1994.⁷⁰ [⁷⁰ *Ibid*] Representatives of the FA at the meeting undertook to take the proposals back to their party leaders for their decision. At the time of writing no decision had been made on the matter.

Negotiations with the Afrikaner Volksfront

In November 1993 the ANC and the AVF held talks, authorised by the F A, and decided to establish a joint working group to pursue matters arising from previous meetings, including the issue of an Afrikaner homeland.⁷¹ [⁷¹ *The Citizen* 20 November 1993]

Following the proclamation establishing the TEC in November 1993, the AVF announced that its 'direktoraat volksmobilisasie' (directorate for people's mobilisation) and its general council would constitute a transitional government which would protect the interests of the Afrikaner nation'.⁷² [⁷² Ibid 30 November 1993]

The organisation said that this transitional government would continue to function until the first elections in an Afrikaner 'volkstaat' took place.⁷³ [⁷³ Ibid] The AVF published what it called its 'freedom calendar', which said that national representatives and a president should be elected by Afrikaners before March 1994. The 'volkstaat' should be created by March 1994 and the Afrikaners' national assembly should declare the 'Azanian government's' jurisdiction over the 'volkstaat' illegitimate while 'confirming the legality of the volkstaat', the organisation said.⁷⁴ [⁷⁴ Ibid 25 November 1993]

Mr Meyer said that issues such as an Afrikaner homeland were still being negotiated between the FA, of which the AVF was a member, and the government and the ANC. He said that the AVF's appointment of its own transitional government was 'incomprehensible in the light of this'.⁷⁵ [⁷⁵ Ibid 30 November 1993] The ANC issued a statement in which it said that the AVF's decision to act as a transitional authority protecting Afrikaner interests was questionable as it was trying to create the impression that it represented all Afrikaners when this was untrue.⁷⁶ [⁷⁶ Ibid] Dr Hartzenberg said that the appointment of an Afrikaner transitional government did not amount to a unilateral declaration of independence as the borders of the Afrikaner state had not yet been decided on. He added that the AVF's actions were prompted by the government's decision to institute the TEC despite ongoing talks between the government and the FA. He said that the TEC was totally unacceptable to the AVF as it was not responsible to anyone in the exercise of its functions and powers.⁷⁷ [⁷⁷ Ibid 2 December 1993]

On 21 December 1993, the ANC and the AVF were scheduled to sign a 'strategic transitional agreement' stipulating, inter alia, that a joint working group would investigate the feasibility of an Afrikaner 'volkstaat'. The agreement was a result of many hours of bilateral negotiations between the two groups. In the agreement the proposed working group was also mandated to look at the following:

- the economic viability of a 'volkstaat';
- the citizenship rights of Afrikaners who did not live in such a 'volkstaat';
- the citizenship rights of other people in the 'volkstaat';
- the nature of the 'volkstaat's' relationship with government structures in the rest of South Africa;
- the time-frame and process for the establishment of such a 'volkstaat'; and

- the manner in which geographic support for the idea of a ‘volkstaat’ could be assessed.

In the agreement the AVF undertook to discourage any actions aimed at destabilising the transitional process, while the ANC undertook to promote all agreements with the AVF through constitutional and legislative measures that would make provision for the institution of these agreements.⁷⁸ [78 *Beeld* 22 December 1993] However, General Viljoen refused to sign it because, he said, he was unwilling to create the impression that there was a rift in the FA. He added that another reason for his refusal was the government’s unwillingness to submit to Parliament the AVF’s amendments to the transitional constitution and the ANC’s failure to support attempts to secure these.⁷⁹ [79 *The Star* 22 December 1993]

Negotiations at Regional and Local Levels

Negotiations also occurred at regional level. In January 1993 the government revealed that it was negotiating with the non-independent homeland administrations for the streamlining of their administrative functions and the amalgamation of their administrations with those of the provinces. As a result, in July 1993 three acts providing for the possible joint administration of the non-independent homelands and the adjoining provinces were gazetted. These were the Regulation of Joint Executive Action Regarding Certain Land Act, the Joint Administration of Certain Matters Act, and the Revocation and Assignment of Powers of Selfgoverning Territories Act.

There were negotiations at local government level during the period under review. The Local Government Negotiating Forum (LGNF), a non-statutory body operating at national level whose mission was described as being ‘to contribute to the bringing about of a democratic, nonracial, nonsexist and financially viable local government system’, was established on 22 March 1993. The secretary of the LGNF, Mr Dirk Strydom, said that a number of umbrella organisations were represented on the forum. The statutory representation included the Council for the Co-ordination of Local Government Affairs, the Department of Finance, the Major Cities Association, the Municipal Executive of South Africa (and its four provincial affiliates), the National Committee of Local Government Associations, the South African Association of Municipal Employees, the Transvaal Local Government Association, the Transvaal Municipal Association (TMA), the United Municipalities of South Africa, the Urban Councils’ Association of South Africa, the four provincial administrations and the central government.⁸⁰ [80 Telephonic interview with Mr Dirk Strydom, 2 December 1993]

The non-statutory representation on the LGNF included the ANC, the Congress of South African Trade Unions, the South African Municipal Workers’ Union and the South African National Civic Organisation. The PAC and the Azanian People’s Organisation (Azapo) refused to participate in the forum.⁸¹ [81 Telephonic interview with the co-ordinator of the African National Congress /South African National Civic Organisation bloc, Mr Andrew Borraine, 2 December 1993]

The director of local government, Mr Robert Willemse, said that representatives of the non-independent homelands were originally not included in the forum but that the management committee of the LGNF

had decided in November 1993 that the forum should be enlarged to include them.⁸² [82 Telephonic interview with Mr Robert Willemse, 2 December 1993] This had not occurred at the time of writing, however.

A draft Local Government Transition Bill, which provided for local government in the transitional period, was published by the LGNF. One of the forum members, the CP-controlled TMA, objected strongly to the provisions of the bill relating to mandatory integration of local government bodies.

At the time of writing additional amendments had been made to the bill as a result of the TMA's objections. Provision was made for a decision on the type of local government body to be instituted in the area of influence of a local negotiating forum in the pre-interim period to be approved by a concurrent majority of two thirds of both the statutory and non-statutory components of the forum. However, where a forum operating in the area of a local authority classified as a grade eight local authority or lower elected to establish a multiracial transitional council, such a decision had to be passed by a four-fifths concurrent majority of the statutory and nonstatutory components of the forum. Where such a forum failed to obtain the required majority, the administrator was required to rule that a local government co-ordinating committee be instituted for the area.⁸³ [83 *Local Government Transition Bill—Proposed Amendments* 29 November 1993] In December 1993 the amended bill was accepted by the LGNF and was subsequently passed by 'sufficient consensus' in the Negotiating Council at the World Trade Centre after the DP and the PAC had objected to the abovementioned amendments as well as to those provisions in the bill reserving seats for existing local authorities.⁸⁴ [84 *Business Day* 2 December 1993] The bill was passed by Parliament in December.

Elections

The latter part of 1993 saw a number of political parties and organisations preparing for the elections scheduled for 27 April 1994. At the time of writing some political groups were undecided as to whether or not to participate in the elections. In August 1993 Azapo and the BCMA decided against participating in the elections, saying that they would not bring about the transfer of power to a black majority.⁸⁵ [85 *The Citizen* 16 August 1993] Azapo announced that it would launch an anti-election socialist front on 5 September 1993 to fight against the 'fraudulent elections'.⁸⁶ [86 *City Press* 29 August 1993] However, after a meeting between Azapo and the BCMA in November, the president of Azapo, Professor Itumeleng Mosala, said that the two organisations would participate in the elections if the ANC and the PAC signed a pact calling for the establishment of a constituent assembly and the return of land to blacks. He said that if his organisation failed to secure such a pact it would discourage its members from voting or standing for elections.⁸⁷ [87 *Business Day* 24 November 1993]

At the end of November 1993 the IFP central committee published six conditions which it said had to be 'substantially met' before IFP participation in the elections could be recommended to a special party conference.⁸⁸ [88 *The Citizen* 29 November 1993] These were substantially the same as those issued by the FA

(see above).

On 25 November 1993 members of the ANC-led Patriotic Front met in KwaNdebele and resolved, inter alia, to fight the forthcoming elections under the ANC banner. The PAC and Azapo did not attend the conference.⁸⁹ [⁸⁹ *Business Day* 25 November 1993]

The Independent Electoral Commission (IEC) was established in December 1993 and was charged with overseeing and certifying the elections scheduled for 27 April 1994. The commission was headed by Mr Justice Johann Kriegler. Its other commissioners were Dr Frank Chikane, Dr Oscar Dhlomo, Mr Johann Heyns, Mr Rosil Jager, Mr Dikgang Moseneke, Ms Dawn Mokhobo, Mr Charles Nupen, Mrs Helen Suzman, Mr B van der Ross and Mr Zach Yacoob.⁹⁰ [⁹⁰ *Ibid* 21 December 1993] At the time of writing the appointment of five foreign observers to the commission was imminent.

On 25 January 1994 the TEC announced that the election would take place over three days from 27 April to 29 April 1994.⁹¹ [⁹¹ *The Star* 26 January 1994] wetland park, but the residents The council, however, subsequently changed these dates to allow for the election to take place from 26 April to 28 April 1994. The TEC said that special votes would be cast on 26 April while ordinary votes would be cast on 27 and 28 April. Mr de Klerk subsequently issued a proclamation in a special Government Gazette confirming the election dates as 26, 27 and 28 April 1994.⁹² [⁹² *The Citizen* 1,2 February 1994]

Population

The Urban Foundation said that the population of South Africa (including the ten homelands) in 1993 was 40,3m. According to the 1991 population census, the population of South Africa (excluding the 'independent' homelands) was 30,9m, an increase of 11% over the 1985 figure. The 1991 census noted that 57% of the population was urbanised. The census also noted that 65% of the population lived in the non-homeland area and 35% in the six non-independent homelands. According to the 1991 census, Zulu was the most widely spoken African language and the most widely spoken home language with 8,35m people speaking it.

The Institute for Futures Research at the University of Stellenbosch said that the country's population was expected to double between 1990 and 2018 and that it would be close to 80m by 2018.

The 1991 census found that the age profiles of Africans, coloured people and Indians were similar. All had a large proportion of young people (under 19 years of age) and a small proportion of older people. Whites had a more even spread of people across the age categories, with a greater proportion of older people than other races. The census also revealed that the majority of people said that they were Christians (20,6m people or 66% of the population, excluding the 'independent' homelands). Thirty percent of the population did not belong to any religious group, declined to disclose religious affiliation or objected to answering the question.

The census found that levels of education in South Africa (excluding the 'independent' homelands) were improving slowly. The proportion of the population in possession of a standard 6 or higher qualification increased from 3% in 1985 to 3,7% in 1991. The census revealed further that in 1991, 3m people over the age of 18 (10% of the population) had no schooling at all and that 1,4m children or some 14% of the population of schoolgoing age (between six and 18 years) were not attending school.

The World Bank said that the pattern of urbanised land in South Africa was the most important contributing factor to the inefficiencies of its cities. Such inefficiencies included the spatial separation of former black and former white cities, the high concentration of jobs and services in former white areas, and the location of high-density, low-income areas on the fringe of South Africa's cities. The bank recommended that a future government should adopt policies which would integrate spatially segregated racial areas within cities by increasing the population densities of residential areas and concentrating settlement around city centres.

In November 1992 the National Housing Forum, which represented the private sector, development agencies, certain political parties and community-based organisations, called for a moratorium on the sale of public land which had development potential and which could be used to resolve South Africa's housing crisis. The deputy minister of land affairs, Mr Johan Scheepers, said in April 1993 that the government rejected the idea of such a moratorium on the grounds that it would hamper the Advisory Commission on Land Allocation, a 'significant' proportion of government-owned land was unsuitable for development, and the demand for land 'within the ranks of the landless' should be met by using such land.

Environment

The government white paper entitled *Policy on a National Environmental Management System for South Africa*, published in February 1993, identified as its principal objective the promotion of sustainable development without damage to the environment, and set out goals to be pursued in order to achieve this. According to the white paper, the three most important issues to be clarified were the determination of personal, community and governmental accountability for the environment; agreement on the methods and procedures which would be used to achieve the objectives of the white paper; and the apportionment to different organisations of responsibility for the environment.

In May 1993 the deputy director of environment affairs, Mr Wynand Fourie, called on business to adopt these objectives, although he said that the Environment Conservation Act of 1989 did not allow for their legal enforcement.

South Africa's first draft environmental policy by the government was published in August 1993. The document stated that urban development should be orderly and high-density, and that electrification of urban and rural areas should be promoted as far as it was affordable. Nuclear energy would be pursued 'on merit and in a responsible manner'. According to the draft document, South Africa should aim to

secure 10% of its land for formal conservation areas.⁹³ [⁹³ *Business Day* 27 August 1993] The government also committed itself in the document to the maintenance of environmental protocols, conventions and international treaties to which South Africa was already a signatory.⁹⁴ [⁹⁴ *The Citizen* 27 August 1993]

In November 1993 the draft document was amended to allow for the devolution of decision making regarding certain environmental issues to provincial and local authorities. These included pollution control, waste management and coastal management. The central government would set appropriate guidelines for the protection of the environment and manage, among others things, water resources and marine pollution, and would be concerned with desertification and the depletion of the ozone layer.⁹⁵ [⁹⁵ *Business Day* 27 August 1993] Representatives elected to the Natal/KwaZulu provincial parliament in the forthcoming 1994 elections would, therefore, have the authority to decide on whether or not to allow mining at St Lucia (see below).⁹⁶ [⁹⁶ *The Star* 17 November 1993]

In July 1993 the Council for the Environment, a statutory body that advises the government on environmental matters, drew up a map of South Africa on the basis of environmental factors such as water resources, soil, climate and capacity for food production. According to the chairman of the council, Mr Roelf Botha, environmental features were the most reliable criteria for defining regions because physical buffers such as mountain ranges and rivers could be used to define relatively homogeneous natural systems.⁹⁷ [⁹⁷ *The Natal Mercury* 22 July 1993]

It was estimated that by April 1993, 60% of the Dukuduku state forest (northern Natal) had been destroyed by informal settlers living in the area. In November 1993 the informal settlers protested against further attempts to remove them from the forest after the Natal Provincial Administration (NPA) had offered R1 000 to each resident as compensation for relocation and had begun demolishing houses. The NPA announced plans to include the 2 000ha forest in a greater St Lucia wetland park, but the residents argued that as many members of the community were unemployed the food they produced in the forest was essential to their survival.⁹⁸ [⁹⁸ *Sowetan* 16 November 1993] It was reported that by November 428 families out of 828 had already moved to the resettlement area about 5km away.⁹⁹ [⁹⁹ *Sunday Nation* 7 November 1993]

In August 1993 it was reported that although nearly all local authorities prohibited people from living below the 50-year flood line, in several areas, including Alexandra (Johannesburg), Ladysmith's Indian residential area (northern Natal), and Isipingo, KwaMashu, Umkomaas, and the Umlaas valley (all on the Natal coast), residents were in danger of having their houses carried away by flooding when water levels rose. A professor in civil engineering at the University of Pretoria, Professor Will Alexander, estimated that 100 000 people lived in such danger areas. He said that South Africa appeared to be emerging from a drought cycle, which increased the risk of floods considerably. Professor Alexander added that the only viable solution to this problem was an effective flood warning system, because other options were too costly or were made impossible by the lack of infrastructure in the affected areas.¹⁰⁰ [¹⁰⁰ *Sunday Times* 22 August 1993]

In September 1993 the proposed development of a R16m dam in the Nyl River system (northern Transvaal) was abandoned. According to a member of the Transvaal Provincial Association's directorate of nature conservation, Dr Garth Batchelor, the wetland, which included the Nylsvlei Nature Reserve and more than 30 farms proclaimed as private nature reserves, was an ecosystem of international importance. He added that there were approximately 80 000 birds (or more than 300 species) living in the area.¹⁰¹ [¹⁰¹ *The Star* 13 September 1993]

The Environmental Impact Report (EIR) on mining at St Lucia (northern Natal), published in March 1993, concluded that mining the dunes would have no severe and persistent effect on the ecosystem. It recommended that mining take place in conjunction with ecotourism. The Campaign for St Lucia and the Natal Parks Board (NPB) rejected the report, saying that it was biased and there were severe shortcomings in it. The final EIR, published in September 1993, suggested the resettlement of people previously removed forcibly from the area. It also discussed the views of communities in the area which had not previously been canvassed. It was reported in September 1993 that there were two groups with opposing views on the question of mining laying claim to the area.

In December 1993 a special review panel appointed by the government found that St Lucia should not be mined as this would cause serious ecological damage. The panel recommended that no mining be allowed and that a national heritage park be established by Parliament at St Lucia. The park would be managed by an independent board consisting of representatives of local communities, private and public conservation bodies, and the private sector. This recommendation was supported in principle by the NPB.¹⁰² [¹⁰² *Beeld* 11 December 1993, *The Star* 14 December 1993] Mr Justice Ramon Leon, the chairman of the panel, said that the panel also wanted to bring to the attention of the government and the Transitional Executive Council the plight of local inhabitants who had been compelled to move from the area under apartheid laws. He added that the panel had suggested that these people be compensated financially and that they be granted land in surrounding areas. Judge Leon said that the final decision as to whether mining would be allowed at St Lucia would be taken by the cabinet.¹⁰³ [¹⁰³ *Beeld* 11 December 1993, *Business Day* 13 December 1993]

A member of the Institute of Ichthyology, Dr Paul Skelton, warned in October 1993 that one third of all indigenous freshwater fish in southern Africa were threatened with extinction. He argued that too much attention had been given to the introduction of foreign species over the years to the neglect of indigenous fish.¹⁰⁴ [¹⁰⁴ *The Star* 27 October 1993]

In September 1993 the Council for Nuclear Safety reported that scrap metal with radioactive contamination up to 100 times higher than permissible levels had been sold by several mines to scrapyards. Investigation by the council of such scrap metal had begun after radioactive contamination was detected in a cargo of scrap in Rotterdam (The Netherlands) and Sheffield (United Kingdom) which had originated from a company in Phalaborwa (northern Transvaal).¹⁰⁵ [¹⁰⁵ *Ibid* 29 October 1993]

In October 1993 a judgement in the Witwatersrand Local Division of the Supreme Court in

Johannesburg ordered the closure of South Africa's largest toxic waste dumping site at Margolis (east Rand). As a result the Transvaal, Orange Free State and parts of Natal were left without a dumping site for toxic material. The court found that a decision by the Germiston City Council in February 1992 to cancel the permit that had been issued for the Margolis site was lawful and valid. The construction of another toxic waste dumping site at Chloorkop (north east Rand) was halted after public pressure for it not to be opened, although at the time of writing a court case regarding the issue had not been resolved.¹⁰⁶ [¹⁰⁶ *Saturday Star* 30 October 1993]

In March 1993 the minister of national health, Dr Rina Venter, said that air pollution had reached unacceptable levels in Cape Town, the Vaal Triangle (southern Transvaal) and Edenvale, Kempton Park and Modderfontein (all east Rand).

In May 1993 Dr Venter said that exhaust emissions from motor cars were a major contributor to air pollution. It was reported in June that South Africa was expected to introduce unleaded fuel in 1995. Unleaded fuel reacts with carbon monoxide in exhaust fumes and transforms it into harmless waste products. The Department of Mineral and Energy Affairs reported in October that motorcar manufacturers and oil companies would be investing approximately R500m to allow for the introduction of unleaded fuel to South Africa by 1995.

In September 1993 the Council for Scientific and Industrial Research reported that as many as 25m people in South Africa inhaled unhealthy air on a daily basis. The council reported that the use of cheap household fuels such as animal dung, agricultural crop refuse, wood and coal were major factors in the emergence of acute and chronic lung disease and other respiratory illnesses.¹⁰⁷ [¹⁰⁷ *Business Day* 7 September 1993]

Housing and Infrastructure

Estimates of the housing backlog in 1993 ranged from 1,4m to 3m units. Mr Scott McRae, the managing director of the Camdons Group (an estate agency), said that by 2000 there would be a shortage of 3,1m houses in South Africa (excluding the 'independent' homelands). Estimates of the number of people living in shacks in South Africa (including the ten homelands) in 1993 ranged from 5m to 8,2m.

The National Housing Forum (NHF), comprising representatives of certain political parties, civic organisations, the private sector, trade unions and development organisations, was launched formally in August 1992. During the period under review the forum completed the first phase of its work, which involved housing research, and started the second phase, which involved creating a single housing strategy and structure in South Africa through which all housing funds could be channelled. To this end, the NHF and the Department of Local Government and National Housing established a joint housing initiative which was granted R500m from the government for housing and infrastructural provision. The forum and the department also established the national hostels' co-ordinating committee to oversee jointly the upgrading and conversion of migrant worker hostels. The committee would also be responsible for formulating a national hostel policy, guiding and monitoring hostel initiatives, and

apportioning national funds. It was agreed that community participation and decision making were essential to hostel upgrading.

In September 1993 the minister for national housing, Mr Louis Shill, tabled in Parliament the Housing Arrangements Bill, which made provision for the replacement of the National Housing Commission, the South African Housing Advisory Council, and own affairs statutory housing bodies and committees by a National Housing Board and regional housing boards, which would implement national housing policy. The boards were to be established by 1 April 1994.¹⁰⁸ [¹⁰⁸ Ibid 24 September 1993, 3 November 1993] The bill sought to decentralise control of spending on housing and allowed non-government organisations more control over the disbursement of funds.¹⁰⁹ [¹⁰⁹ Ibid 24 September 1993] Parliament passed the bill on 15 October 1993.¹¹⁰ [¹¹⁰ *Sowetan* 4 November 1993]

In October 1993 Mr Shill said that the Department of Local Government and National Housing had set aside R2bn for housing subsidies. The department's intention was to increase home ownership by extending a capital discount of up to R7 500 on government-subsidised serviced sites to include flats, loans and formal houses built after 1983. The African National Congress said in response to the announcement that it represented 'further evidence of the National Party's unilateral restructuring' in that neither the NHF nor the Local Government Negotiating Forum had been consulted on the extension of the subsidies. The Urban Foundation (UF) also criticised the government's action as unilateral, adding that the UF believed that government subsidies should rather be used to stimulate the building of new houses and to make housing more affordable to homeless families.¹¹¹ [¹¹¹ *Business Day* 13 October 1993]

In the same month the NHF suspended negotiations with the government and called on the Negotiating Council and the state president, Mr F W de Klerk, to intervene to resolve the 'crisis'. Some forum members said that efforts to resolve differences with Mr Shill had failed after 'a series of unilateral actions'.¹¹² [¹¹² Ibid 20 October 1993]

In response to criticism directed at him, Mr Shill said that while he regarded the NHF as a 'vital organisation', if the government had taken the proposed subsidy scheme to the forum 'it would have been three or four months before a clear decision was taken'. Mr Shill added that the government did not take its instructions from the NHF.¹¹³ [¹¹³ Ibid 15 October 1993] The chairman of the NHF, Mr Eric Molobi, denied that it wanted to take over the role of government, adding that a 'serious commitment' to co-operation and negotiation by both the NHF and government was needed.¹¹⁴ [¹¹⁴ Ibid 25 October 1993]

In November 1993 Mr Shill agreed to a set of procedures to ensure that all further decisions regarding housing would be taken after consultation with the forum. The NHF and the department also reaffirmed their commitment to the National Housing Board which would provide the minister of housing with advice on housing policy. However, it was agreed that final decisions rested with the minister.¹¹⁵ [¹¹⁵ Ibid 3 November 1993] Budgeted spending by the government on housing and related infrastructure was R2,7bn in 1993/94 (1,3% of total budgeted expenditure), in comparison with R3bn in 1992/93.

By June 1993 an amount of R334m had been paid out by the Independent Development Trust (IDT) to 92 site-and-service schemes which were being implemented or had been completed. The IDT anticipated that the balance of R511m would be paid out by June 1994.

The chief executive of HouseSure, Mr Peter Veal, said in March 1993 that the building industry's failure to protect 'unsophisticated' home buyers in the lower-income housing market against 'shoddy' workmanship had cost the economy 'millions' of rands. The Housing Consumer Protection Trust was launched in Johannesburg in March 1993 and aimed to prevent exploitation and corruption in the low-income housing market through consumer awareness programmes and advice networks.

According to the Human Sciences Research Council (HSRC), in 1993 there was a total of 411 hostels (excluding mine hostels) in South Africa (excluding the ten homelands). Of this number, 214 were owned or controlled by local authorities or provincial administrations and 197 were privately owned. The HSRC estimated that the number of hostel residents in South Africa in 1993 was 'in excess of' 1m.

The Energy for Development Research Centre, based at the University of Cape Town, said that while South Africa produced 50% of electricity used in Africa, some 25m South Africans did not have access to domestic electricity. The National Electrification Forum was launched in May 1993 and aimed to formulate and implement a strategy that would lead to access by most South Africans to affordable electricity as rapidly as possible. It was envisaged that the forum would make recommendations to the government on strategies for electrification by May 1994.

In June 1993 the Department of Transport said that it was to formulate jointly with the National Transport Policy Forum a new national transport policy, which would be finalised by 1994. The first task the forum set itself was to convene a taxi 'indaba' in August 1993 to examine violence in the industry. However, in August 1993, a breakaway group from the Southern Africa Black Taxi Association (Sabta), the Save Our Sabta committee, which claimed a membership of 400 taxi associations in South Africa, said that it had not been invited to contribute to the agenda of the conference and added that the forum had no right to claim to be the sole representative of the taxi industry. The committee called on other participants to reconsider their participation in the conference.¹¹⁶ [¹¹⁶ Ibid 12 August 1993] The committee also said that a solution to the crisis in the industry lay in determining, through a commission, who did represent the industry. Leadership identified by the commission would then be able to convene a conference to explore the problems of the taxi industry, it said. The chairman of the forum, Mr George Negota, said that while representatives of Sabta and the Save Our Sabta committee had not attended the conference, 'some' of the associations affiliated to Sabta had participated.¹¹⁷ [¹¹⁷ Ibid 24 August 1993]

An amount of R2,1bn was set aside for roads in the 1993/94 budget, compared with R2,27bn allocated in 1992/93. In response to the shortage of funds for roads numerous lobby groups with an interest in roads called for the reintroduction of a fuel levy for road maintenance.

Health and Welfare

In February 1993 the government announced that the three own affairs departments of health would be abolished on 1 April, thereby reducing the number of departments of health in the country from 14 to 11. The minister of national health, Dr Rina Venter, said, however, that the rationalisation measure was not expected to result in significant savings as only 8% of the health budget had been allocated to the own affairs administrations.

In August 1993 the National Health Forum met for the first time at Midrand (near Johannesburg). The forum comprised representatives of the government, the administrations of the ten homelands, the African National Congress, the Congress of South African Trade Unions, the National Progressive Primary Health Care Network, the Pan-Africanist Congress, the South African Communist Party, the South African Health and Social Services Organisation, and the South African National Civic Organisation. The forum said that it would consider, inter alia, the 'unilateral restructuring of health services' by the government, the spiralling costs of health care, the pharmaceutical industry, health legislation and the adoption of policies to provide accessible health care to all South Africans.

According to the government's functional classification of expenditure, budgetary allocations to health in South Africa (including the ten homelands) increased from R12,71bn (or 3,8% of gross domestic product (GDP)) in 1992/93 to R12,94bn (or 3,5% of GDP) in 1993/94. The chairman of the federal council of the Medical Association of South Africa (Masa), Dr Bernard Mandell, said in April 1993 that state health services were 'substantially underfunded for the services they supply. Excessive bureaucracies and lack of integrated vision and leadership in public health services continue to result in inappropriate use of limited resources'.

During the period under review racial inequality in health spending continued to be evident in budgetary allocations to hospitals. In the 1992/93 financial year Groote Schuur Hospital (Cape Town), which had a greater proportion of white patients, received R392m, or almost twice as much as the King Edward VIII Hospital (Durban), which had mainly black patients and 33% more beds than Groote Schuur Hospital. Groote Schuur Hospital also had a staff complement 132% bigger than that of the King Edward VIII Hospital.

A report on health published by the World Bank in mid 1993 said that South African health indicators were in many cases far worse than those of other countries of comparable per capita income. It said that:¹¹⁸ [¹¹⁸ *Saturday Star* 13 November 1993, *Business Day* 29 November 1993]

- 53% of African children in South Africa between two and five years of age suffered from stunted growth owing to malnutrition, in comparison with 39% in the rest of Africa;
- 'more than twice as many South African children die from preventable causes before reaching the age of five years than could be expected of a country of its wealth';

- the annual incidence of tuberculosis (TB) in South Africa was 250 cases per 100 000 people, in comparison with 220 per 100 000 in all of Africa; and
- 63% of children in South Africa who were under one year of age received complete immunisation against diphtheria, whooping cough and tetanus, in comparison with 89% of children in Zimbabwe and 79% in Zambia.

The director general of national health, Dr Coen Slabber, said in November 1993 that in terms of its GDP South Africa's infant mortality rate should be 34 per 1 000 live births, but had reached 72. He suggested that the reasons for poor health indicators in South Africa included the fragmentation of health services and an emphasis on high technology rather than on preventative health care. Dr Slabber added that as long as 47% of South Africa's health expenditure was allocated to 23% of its population and 55% of doctors served only 30% of the population, health indicators would not improve.¹¹⁹ [¹¹⁹ *Business Day* 29 November 1993]

It was reported in October 1993 that in the first nine months of 1993, 9 627 cases of malaria had already been reported in South Africa (including the ten homelands), in comparison with 2 267 cases in the whole of 1992. Twenty-two people had already died of the disease in the first nine months of 1993, in comparison with ten in 1992. Most of the cases of malaria reported in 1993 were in northern Natal. The rapid increase in the incidence of the disease was attributed to good rains in 1993.¹²⁰ [¹²⁰ *Sunday Tribune* 17 October 1993]

In the same month the Department of National Health and Population Development said that the incidence of TB in the eastern and western Cape had increased by 60% between 1992 and 1993. According to the department, the incidence for all race groups except for coloured people had been decreasing steadily since the 1960s. However, the number of cases among coloured people rose from 5 889 in 1971 to 9 090 in 1981 and 21 519 in 1991. The incidence per 100 000 people in 1992 was as follows: Africans, 194; coloured people, 661; Indians, 52; and whites, 19.¹²¹ [¹²¹ *Cape Times* 4 October 1993]

In November 1993 it was reported that six people had died of typhoid in the informal settlement of Botleng near Delmas (far east Rand). More than 200 people were treated in hospital for the disease. The South African Defence Force set up a field hospital near the settlement to deal with the large number of people suspected of having the disease. The outbreak of typhoid was attributed to the unhygienic conditions in the shack settlement resulting in pollution of water sources.¹²² [¹²² *The Citizen* 23, 25, 27 November 1993]

The head of the AIDS unit of the Department of National Health and Population Development, Ms Natalie Stockton, said in June 1993 that although the number of AIDS cases reported totalled only 1 803, she believed that the actual number of cases was between 7 000 and 10 000. She added that the number of people infected with the human immuno-deficiency virus (HIV) at the end of 1992 was estimated to total 322 000.

The total AIDS budget decreased from R21 876 000 in 1992/93 to R21 764 000 in 1993/94 (ie it showed a real decrease of 11%). According to the World Health Organisation, South Africa should be spending R143m a year on AIDS.

In August 1993 it was reported that the first industrial agreement in South Africa regarding AIDS had been signed by the Chamber of Mines of South Africa and the National Union of Mineworkers. The chamber's chief negotiator, Mr Adriaan du Plessis, said that the fundamental principle to be applied in terms of the agreement was that 'HIV infection and AIDS should be approached on the same basis as any other serious condition'. The agreement stated that 'HIV-positive employees will be protected against discrimination, victimisation and harassment'.¹²³ [¹²³ Ibid 26 August 1993]

The Appellate Division of the Supreme Court in Bloemfontein ruled in September 1993 that an east Rand general practitioner, Dr Matthys Kruger, had wrongfully breached patient-doctor confidentiality when he had told another doctor and a dentist over a game of golf that one of his patients, Mr Barry McGeary, had AIDS. A day before his disclosure, Dr Kruger had promised Mr McGeary to treat his condition as confidential. Although Mr McGeary had died before the case could be heard by the Appellate Division, his estate was awarded damages of R5 000 by the court. A lawyer at the Centre for Applied Legal Studies at the University of the Witwatersrand, Mr Edwin Cameron, said that a crucial aspect of the judgement was that it upheld the argument that a doctor's duty to honour patient-doctor confidentiality was especially important where people with AIDS or HIV were concerned because of the social stigma attached to the condition.¹²⁴ [¹²⁴ Ibid 29 September 1993, *Weekly Mail* and *Guardian* 8 October 1993]

In October 1993 the Department of National Health and Population Development reported that between April and September 488 cases of AIDS had been reported in South Africa (including the ten homelands). Of the total number of new cases during this period, 81% involved African heterosexual men and women, and 7% involved African infants. Some 42% of the cases were reported in KwaZulu, 12% in the central Transvaal, 11% in Venda, 9% in Natal, 7% in the eastern Cape, and the remaining 19% in other areas. The statistics published by the department revealed that in nearly all the new cases of AIDS the virus had been transmitted by heterosexual intercourse, in comparison with the period 1982–1986, when in 88% of cases reported the virus had been transmitted by homosexual intercourse.¹²⁵ [¹²⁵ *Fax from the Department of National Health and Population Development, 23 October 1993*]

According to the South African Blood Transfusion Service, one in every 79 African men and one in every 60 African women was infected with HIV. Dr James McIntyre of the Department of Obstetrics and Gynaecology of Baragwanath Hospital (Soweto) said in November 1993 that about 20 000 women in Soweto were HIV-positive. He said that of the women who gave birth at Baragwanath Hospital every day at least two were HIV-positive.¹²⁶ [¹²⁶ *Sowetan* 9 November 1993, *City Press* 21 November 1993]

The Department of National Health and Population Development said in the same month that:¹²⁷ [¹²⁷ *The Citizen* 29 November 1993]

- every day about 550 people in South Africa were being infected with HIV;
- about 7 000 people were expected to develop AIDS in 1993;
- the rate of HIV infection of South African women was expected to rise to 4% in 1995, 12,5% in 2000 and 20,5% in 2005;
- the rate of HIV infection of South African men was expected to rise to 2,8% in 1995, 8,6% in 2000, and 13,6% in 2005; and
- the proportion of the national health budget allocated to expenditure on AIDS would need to rise from about 1% in 1993/94 to between 18% and 39% in the year 2000.

It was reported in September 1993 that since 1988 the prices of prescribed medicines had risen at an annual rate of 34%, in comparison with an annual inflation rate of 18% for other medical costs.¹²⁸ [¹²⁸ *The Star* 28 September 1993] In 1991, 29% of payments by medical aid schemes were for medicines.¹²⁹ [¹²⁹ *Financial Mail* 21 May 1993]

Mr David Stubbins, the executive director of Lennox (a pharmaceutical company), said that the generic substitution of medicines (ie the substitution of an expensive brand of drug prescribed by a doctor by a cheaper brand with the same therapeutic properties) would save South Africa R25m a year.¹³⁰ [¹³⁰ *The Star* 5 June 1993] Generic substitution was illegal at the time of writing.

In September 1993 the Pharmacy Amendment Bill was published. The bill sought to:

- abolish the requirement that pharmacies could be owned only by qualified pharmacists; and
- allow pharmacists to diagnose certain illnesses and to prescribe certain forms of medication without requiring a doctor's prescription, as had previously been the case.

The bill was criticised by Masa, which said that it would allow pharmacists to 'move into the field of clinical practice' and that it was 'likely to compromise quality health care because pharmacists are not trained to make proper diagnoses, which are essential prior to prescribing appropriate treatment'.¹³¹ [¹³¹ *The Natal Mercury* 29 June 1993]

Certain provisions in the bill were welcomed by the South African Pharmacy Council, which said that

they would give pharmacists 'greater treatment flexibility'. It would also allow pharmacies to be transformed into 'community health centres'. The president of the council, Mr Johan van der Walt, said that the bill was in line with international trends in seeking to allow pharmacists to provide primary health care. However, the Pharmaceutical Society criticised the bill's allowing non-pharmacists to own and run pharmacies, which it said would threaten professional standards in the pharmaceutical industry and put smaller and less efficient pharmacies out of business. Pick 'n Pay and Clicks welcomed this provision, saying that it would allow them to dispense medication and hence reduce the price of drugs.¹³² [¹³² Ibid; *Financial Mail* 23 July 1993, *Business Day* 6 September 1993] The Pharmacy Amendment Bill was subsequently withdrawn.

In evidence submitted by the South African Pharmacy Council to the standing committee on health in October 1993 it was stated that the private-health sector was paying in some cases 60 times as much as the public-health sector for the same drug. A spokesman for Ciba-Geigy (a pharmaceutical company), Ms Suzette Plantema, blamed the price distortions on the government's tender system, which, she said, distorted the drugs market. 'The tender system means that drug companies have to tender to the state at rock-bottom prices. If we don't, we won't win the tender and our drugs will not be represented in hospitals ... In essence, the private sector is subsidising the state,' she said.¹³³ [¹³³ *Business Day* 21 October 1993]

In November 1993 four multinational pharmaceutical companies, Bayer, Boehringer Ingelheim, Ciba-Geigy and Roche, formed a company for joint drug distribution in South Africa.

In 1993/94, R6,52bn was allocated to welfare services (including pensions) in South Africa (excluding the 'independent' homelands). The proportion spent on each race group was as follows (the proportion of the total population that each race group comprised is given in brackets): Africans, 49% (69%); coloured people, 25% (10%); Indians, 6% (3%); and whites, 21% (16%).

On 1 September 1993 social pensions for all races were equalised. Pensions for people in the categories blind, disabled, old-aged, single caregiver and war veteran were set at R370 a month as from that date.

In November 1993 more than 600 representatives of non-governmental and government welfare organisations met at the World Trade Centre (east Rand) to formulate plans for a new welfare system for South Africa. A member of the ad-hoc facilitating committee for the conference, Ms Driekie Moutinho, said, 'Unless we as stakeholders in welfare advocate a new welfare policy designed by ourselves as people who know what is going on, the politicians will take over and decide for us.' Another member of the committee, Ms Marge Brown, said that a high proportion of future budgets was expected to be allocated to development and education at the expense of welfare, which played a crucial role in protecting vulnerable people who fell outside development projects. She added that it was also crucial that the state and non-governmental welfare sectors found a common vision.¹³⁴ [¹³⁴ *Sowetan* 28 October 1993, *Business Day* 5 November 1993]

The conference agreed to urge the government to place a moratorium on any new legislation affecting

social welfare and not to engage in unilateral restructuring of welfare and social services. Delegates expressed concern that 'decisions which have serious implications for welfare are being taken at the multiparty negotiations' and resolved not to accept proposals that welfare be an exclusively regional function. It was also agreed that a national welfare forum needed to be established. The forum, which was to be established by the end of March 1994, was to be 'all-inclusive', with a special emphasis on community-based organisations and a balance between representatives of the formal and informal welfare sectors.¹³⁵ [¹³⁵ *Business Day* 8 November 1993]

Education

At the opening of Parliament in January 1993 the state president, Mr F W de Klerk, announced that the own affairs departments of education, the Department of Education and Training (DET), and the Department of National Education (DNE) would be amalgamated to form one education department by the end of March 1994. He said that the education departments of the non-independent homelands would have the option of becoming part of the new administration and that the position of the 'independent' homelands would be determined during the course of negotiations. The Department of Education Co-ordination was established in April 1993 to oversee and co-ordinate this process.

In May 1993, after discussions with the African National Congress (ANC), the government agreed to suspend the payment of examination fees in all departments of education. It also agreed to the establishment of an education forum. The draft founding agreement of the National Education and Training Forum (NETF) was published at the beginning of July and the forum was constituted formally on 7 August. The objectives of the NETF (as stated in the founding agreement) were:

- to seek agreement on ways of resolving those education crises on which effective action could be taken immediately;
- to seek agreement on the restructuring of the education system into an acceptable national system capable of correcting imbalances and of meeting the development needs of South Africa; and
- to seek agreement on core values and a broad policy framework for a future system, and on a process which would achieve an integrated approach to education and training.

In 1993/94 a total of R27,3bn was allocated by the government to education in South Africa (including all ten homelands). This was an increase of 12% on the amount allocated in the previous year. Education expenditure amounted to 21,4% of the total budget and 7,3% of gross domestic product (GDP), compared with 20,9% of the budget and 6,4% of GDP in 1990/91. The average annual growth in expenditure on education between 1990/91 and 1993/94 was 16,2% and the amount allocated to education increased by a total of 57% over this period.

In the 1992/93 financial year per capita spending on college and school education (excluding private ordinary schools) varied from R1 046 in schools in KaNgwane to R4 372 in historically white schools. Per capita expenditure in schools under the DET was R1 659, compared with R3 702 in schools under the House of Delegates and R2 902 in schools under the House of Representatives.

The *Education Renewal Strategy* (ERS), published in November 1992, said that education expenditure should constitute no more than 6% of GDP. It said that if all 'provisioning levels' (ie learner/educator ratios and resources) were made equal to current levels in historically white schools, technical colleges, technikons and universities by the year 2003, R64,9bn would have to be spent on education in South Africa (including all ten homelands) in that year. The ERS said that even if the economy grew by 3% a year, this amount would exceed the target of 6% of GDP by more than R35bn and the country would be able to finance primary education only.

Education in black schools in 1993 was characterised by widespread teacher strikes, pupil boycotts and violence. According to a communications officer of the DET, Mr Geoff Makwakwa, between January and August 1993 there were 29 111 reported incidents of non-attendance at schools, 8 737 incidents of low attendance, 6 797 incidents of pupils leaving school early and 1 356 incidents of teachers and pupils being present at school but no teaching taking place. Mr Makwakwa said that based on reported incidents over this period, 50,5m pupil days had been lost in DET schools out of a total of 1 191,7m pupil days (or 4% of all pupil days). However, the actual extent of the disruptions, particularly in urban areas, was significantly greater than had been reported to the DET. A spokesman for the DET said that most schools had lost the equivalent of a term because of strikes and boycotts, while schools in Soweto had lost almost two terms.

The assistant secretary of the Pan-Africanist Students' Organisation, Mr George Mpiya, said in early 1993 that the problems in education were the result of 'a general lack of facilities in African schools which discouraged people from taking an active part in the learning process'. The National Education Co-ordinating Committee said that in the absence of a formal democratic mechanism to transform the education system there was often 'no choice' but to take action which had a disruptive effect on the provision of education.

The minister of education and culture in the House of Assembly, Mr Piet Marais, said in January 1993 that there was wide acceptance of the model C system by parents and teachers. He said that research conducted at the end of 1992 had shown that only 7,2% of parents had not paid their fees and that 94% of parents regarded the system as satisfactory or reasonably satisfactory.

It was reported in January 1993 that most model C schools had increased their fees by 100% or more between 1992 and 1993. Mr Marais said in the same month that model C schools could not compel parents to pay tuition fees if parents could not afford to do so as the law which made the education of white children compulsory overrode any contracts which might stipulate fees. The ANC said in August 1993 that the model C school system should be reviewed. The head of the education department of the ANC, Mr John Samuel, said that through the model C system the educational assets of the country had

been handed over 'arbitrarily' to a small minority and that they would have to be transferred back into the national pool for a more equitable allocation of resources.

According to the preliminary estimates of the DNE, in 1993 there were 195 123 pupils registered at pre-primary schools in South Africa (excluding the 'independent' homelands), of whom 89 210 were African, 9 596 were coloured, 14 665 were Indian and 81 652 were white. There were 8,4m pupils enrolled at primary and secondary schools in South Africa (excluding the 'independent' homelands) in 1993. Of these 76% (6,4m) were African, 3% (240 930) were coloured, 10% (878 750) were Indian and 11% (929 506) were white.

The department estimated that there were 136 608 pupils registered at private schools in South Africa (excluding the 'independent' homelands), of whom 69 322 were African, 4 496 were coloured, 6 266 were Indian and 56 524 were white.

The DET said that approximately 472 275 pupils attended farm schools during 1993, compared with 476 466 in 1992. It ascribed the decline to migration from rural areas as a result of the drought. The average pupil/ teacher ratio on farm schools was 37:1, according to the DET. The National Education Policy Investigation (Nepi) said that farm schools in the non-homeland area of South Africa accounted for approximately 27% of DET enrolments and 35% of DET teachers.

Pupil/teacher ratios continued to be substantially lower in white schools than in black schools. In white schools the ratio was 18:1 in 1993, while the ratios in African schools varied from 29,4:1 in Bophuthatswana to 51,2:1 in the Transkei. In schools under the DET the ratio was 44,4:1 and in coloured and Indian schools, 22,2:1 and 21,9:1 respectively.

A senior policy analyst at the education policy and system change unit of the Urban Foundation, Dr Jane Hofmeyr, said that the official norm for a teaching qualification was standard 10 plus three years of professional training. In 1992, 25% of teachers under the DET and the non-independent homelands fell short of this qualification. Nepi said that women predominated in this group and added that underqualified teachers were concentrated in rural areas. Figures supplied by the DNE showed that in 1992, 86% (10 279) of teachers at rural primary schools were underqualified.

During the period under review three main disputes arose between teachers and the various education departments. The first was in response to the decision by the House of Representatives to rationalise staff. The second dispute was in response to the government's decision to offer salary increases to all public servants (including teachers) of 5% and the third was a dispute between the House of Delegates and teachers over the allocation of merit awards.

Rationalisation in schools under the House of Representatives included a decision not to appoint substitute teachers to replace those who were on leave. The chief executive of the Department of Education and Culture in the House of Representatives, Mr Awie Muller, said that such steps were necessary to offset a budget deficit of approximately R100m.

The assistant general secretary of the South African Democratic Teachers' Union, Mr Thulas Nxesi, said that African schools were short of teachers and that rather than retrenching teachers the government should transfer them to schools where they were needed. In August 1993 the chairman of the NETF, Mr Alan Tonkin, announced that the House of Representatives had agreed that the services of all teachers affected by retrenchments would be extended until the end of 1993. He said that the House of Representatives had granted temporary replacements to schools and that all vacancies had been filled.

After a two-week strike in August 1993 (the first countrywide strike conducted by teachers), the government agreed to raise the minimum basic salary of teachers to R1 438 a month and to provide salary increases of between 10% and 58% to teachers falling into the lowest categories (ie teachers with a matric and two years or fewer than two years of teacher training). However, an agreement could not be reached on a general increase across the board.

In October 1993 the Education Labour Relations Act was passed. It provided for the establishment of an education labour relations council consisting of employer and employee organisations. The council was to negotiate wages and conditions of service, and to be involved in settling disputes between employers and employees. It was also to advise the state president on issues relating to labour relations in education. The act gave teachers the right to strike and employers the right to lock out teachers after certain procedures had been adhered to.

In 1992, 447 355 candidates wrote matric examinations, of whom 77% (342 299) were African, 5% (24 430) were coloured, 3% (14 485) were Indian and 15% (66 141) were white. Passes were attained by 44% of African candidates, 86% of coloured candidates, 95% of Indian candidates and 98% of white candidates. The preliminary 1993 matric pass rate for students under the DET and in Bophuthatswana, the Ciskei and Venda was 38,3%.

The DET said that a large group of African pupils who obtained their standard 10 certificates were not fully literate and were consequently neither adequately prepared to be accommodated in the labour market nor able to be thoroughly trained. The DET said that the median marks in mathematics and physical science were 12,2% and 24,8% respectively. (The median mark is that mark above and below which there is an equal number of pupils' marks.)

The ERS proposed that courses offered at technical colleges, technikons and universities be rationalised. Nepi questioned the division of university, technikon and college functions, saying that the theoretical distinction could not be drawn in practice. Nepi said that consideration should be given to a 'unitary' system, where the distinctions between institutions were not emphasised.

The DNE estimated that there were 93 044 people registered at technical colleges in 1993. The National Manpower Commission (NMC) said that the number of people registered at technical colleges increased from 54 978 in 1987 to 89 933 in 1992—an increase of 64%.

In July 1993 the Technikons Act was passed. The act consolidated the existing four acts which regulated

technikons in South Africa and gave technikons the authority to confer degrees on their students. The minister of national education, Mr Piet Marais, said that this would stimulate interest in technikon study and would contribute to rectifying the ratio of technikon students to university students. It would, therefore, lead to a better balance between vocation-orientated and academic education. The act also made provision for technikons to set admission requirements for specific programmes and to limit student intake in certain study programmes. In addition, it provided for the recognition of nonformal education for admission.

The chief director of education policy of the DNE, Mr Gert Steyn, announced in March 1993 that a new subsidy formula for university funding had been introduced and that in contrast to previous years, university funding would be based only on this formula. He said that this new process would be fairer and would redress imbalances caused by the funding system of the past.

A number of universities reported large budget deficits during the period under review. This was owing partly to students not paying their fees. It was reported in March 1993 that the total deficit of the universities of Durban-Westville, Fort Hare, the North, Venda, the Western Cape and Zululand amounted to R53m.

In July 1993 the government passed the Provision of Special Funds for Tertiary Education and Training Act. The major provision of the act was to enable nonprofit organisations which granted study loans to students at tertiary institutions in South Africa (including all ten homelands) to require the subsequent employer of a student to deduct a proportion of his or her salary and to pay this amount to the organisation concerned. The act also enabled such organisations to obtain funds for the granting of student loans by issuing shares, raising donations or taking out loans approved by the registrar of banks.

The NMC said that between 1987 and 1992 the number of students enrolled at technikons increased from 53 624 to 113 970 (ie by 113%). In 1993, the proportions of students enrolled at technikons for which a racial breakdown was available were: Africans, 19%; coloured people, 6%; Indians, 11%; and whites, 63%. There were 139 818 students enrolled at technikons in 1993.

In 1993, Africans accounted for 34% of students enrolled at those universities for which a racial breakdown of students was available. Coloured people accounted for 7%; Indians, 8%; and whites, 52%. There were 266 169 students enrolled at universities countrywide in 1993.

Land, Agriculture and Rural Areas

The government's policy on land distribution during the period under review did not involve state intervention in the land market. The minister of land affairs, Mr Johan Scheepers, said in December 1992 that broadening the right of access to land should not entail giving people state land but rather assisting people to become landowners within the free-market system. In terms of government policy land would be expropriated only if it was in the public interest and subject to the payment of market-related compensation. Mr Scheepers said that the restoration of land from which people had been

removed under apartheid could be considered only in cases where it would not entail the dispossession of existing landowners.

The co-ordinator of land and agricultural policy of the African National Congress (ANC), Mr Derek Hanekom, said in April 1993 that a land claims court should be established to facilitate restitution of land to those who had been forcibly removed. In the view of the ANC no person who had a legitimate claim to land should have to repurchase such land. However, a land claims court should also take into account whether compensation had been paid in the past and whether the land had been improved subsequently. Mr Hanekom said that a claimant to land could be required to pay for improvements made to the land.

In terms of ANC policy, labour tenants should also be able to use the land claims court to secure tenure of land with which they had a long association. Land which the ANC would target for redistribution included state land, land which was held purely for speculative purposes, land which was unused or underutilised, land belonging to absent landlords, environmentally degraded land and land which was heavily mortgaged. Mr Hanekom said that one of the greatest sources of land for redistribution could be land sequestered from insolvent white farmers.

In a series of publications dealing with land reform the Urban Foundation (UF) said that it had previously advocated that a land claims court be established to adjudicate land disputes. It said in September 1993, however, that analysis of land reform measures in Germany had shown that the case for such a court was now less clear. The UF argued that although clear principles had been laid down in Germany for the restitution of land and special agencies had been created, the system had not worked because of the number of contending claims, the incompleteness of records and the shortage of qualified people to administer the process. A political solution had consequently been sought.¹³⁶ [¹³⁶ Development Strategies and Policy Unit of the Urban Foundation (UF), *Land Ownership and Conflicting Claims: Germany 1937–1991, An Executive Summary*, UF Research Summaries on Critical Issues, no 4, September 1993; *A Land Claims Court for South Africa? Exploring the Issues, An Executive Summary*, UF Research Summaries on Critical Issues, no 6, September 1993]

The UF said that while the number of cases of litigation in South Africa regarding land was likely to be less than in Germany, the available resources, manpower and money would also be more limited. It said that the delay, uncertainty and frustration engendered by the proceedings of a land claims court would not reduce tensions or foster reconciliation. The UF suggested, therefore, that there was no alternative to a political solution and that responsibility for the settlement of so 'emotive and explosive an issue as land ownership should not devolve solely or even primarily upon the courts'.¹³⁷ [¹³⁷ Ibid]

The UF said that further lessons on land reform could be gained from experiences in Kenya and Zimbabwe. These included that:¹³⁸ [¹³⁸ Development Strategy and Policy Unit of the UF, *Rural Land Reform: the Experience in Kenya, Zimbabwe and Namibia 1950–1991*, UF Research Summaries on Critical Issues, no 5, September 1993]

- large farms and individual freehold tenure did not guarantee increased productivity;

- the extent of land transfer should not be limited by a belief in the need to maintain a large-farm sector;
- informal subdivision of land was likely to occur on large communally owned farms and such subdivision should be planned from the start;
- planning for change should use the skills of the farmers themselves rather than imposing change on them;
- the costs of settlement were ‘inescapably high’, not only in acquiring land (if expropriation was not used), but also in developing the necessary infrastructure;
- as the demand for land could never be fully met, it was important not to raise expectations unrealistically; and
- implementation of settlement programmes should be linked to appropriate restructuring of local government, and effective community participation in managing and maintaining services should be secured.

In 1993 the World Bank also published a document outlining its proposals for land reform. It rejected the use of expropriation without compensation, but said that at least half of the land owned by white farmers should be redistributed to African farmers. It also said that the government should not control the land, but that it should be given directly to people. The bank suggested that land be transferred from willing sellers to groups of eligible beneficiaries who would receive a partial grant to buy the land.¹³⁹ [¹³⁹ *Farmer's Weekly* 8 October 1993]

In July 1993 the Abolition of Racially Based Land Measures Amendment Act was promulgated. The amendment extended the terms of reference of the Advisory Commission on Land Allocation to include all government-owned land. The commission was also given the power to make decisions on reallocation independent of the state president. (Under the principal act the commission could advise the state president only on the allocation of land and could take into consideration only state-owned land which was undeveloped or not allocated for a specific purpose.) The amendment also allowed the commission to adjudicate claims to land which had been expropriated under the Group Areas Act of 1966, provided that the land was still owned by the state.

By June 1993 the commission had investigated 58 claims to land involving between two and 150 claimants each. Thirty-five of these claims had been found to fall outside the scope of the commission and the commission had submitted recommendations on the remaining 23 to Mr de Klerk. Decisions on 19 of the cases submitted to Mr de Klerk were still awaited at the time of writing. Mr de Klerk accepted the commission's recommendations that land be restored to the Charlestown community (northern Natal) and the Roosboom community (Natal Midlands). Land at Grootte Springfontein (Cape Town) and

the Asiatic Bazaar (Pretoria) was also restored to its claimants.

The AmaHlubi community, which had laid claim to some 90 000ha of land in the Estcourt district (Natal Midlands), met members of the Estcourt Farmers' Association in February 1993 in an attempt to reach consensus on what should happen to the land before a hearing scheduled by the commission for April 1993. The claim was the largest made by one community. The commission hearing subsequently took place in April 1993. By September the community had still not been advised whether or not its claim had been successful.

In September 1992 the South African Defence Force moved more than 125 families from Khosis near Kuruman (northern Cape) to land 35km away. The National Land Committee reported that this was the first removal in a rural area since the removal of the community at Mogopa (western Transvaal) in 1984 (see 1984 *Survey* p462). According to a member of the Khosis community, Mr Joseph Free, only 15 of the families were to receive farming land (of 800ha each). He added that the families had been told that they would initially get free housing on the land to which they had been removed but that they would be expected to start paying rent after six months' occupation.

On 1 April 1993 the departments of agriculture in the houses of Assembly, Delegates and Representatives were amalgamated to form one Department of Agriculture. The minister of agriculture, Dr Kraai van Niekerk, said that he expected the departments of agriculture of the nonindependent homelands to be incorporated into the new department in the near future, with the incorporation of the departments of agriculture of the 'independent' homelands as a final stage.

In November 1993 South Africa was readmitted to the Food and Agricultural Organisation (FAO) of the United Nations (UN). The FAO was the first agency of the UN to reaccept South Africa since the start of political reforms. The FAO said, however, that South Africa would gain full rights only once the Transitional Executive Council had been established.¹⁴⁰ [¹⁴⁰ *The Citizen* 10 November 1993]

Agriculture contributed R11,8bn or 3,9% to total gross domestic product (GDP) in 1992. This was a drop of 1,2 percentage points on the contribution in the previous year. In the second quarter of 1993 added value in the agricultural sector increased by 232% and contributed to a growth in GDP of 5,1%.¹⁴¹ [¹⁴¹ *Ibid* 3 November 1993]

During the period under review the Department of Trade and Industry submitted proposals for reductions in agricultural tariffs to the General Agreement on Tariffs and Trade (Gatt) negotiations. These proposals recommended setting maximum levels of import protection for agricultural products which would be reduced gradually. Standard Bank predicted that should South Africa sign Gatt, farmers would be less protected and would have to produce more competitively. It said that in the long term farmers who were internationally competitive would make good profits but that in the short term prices for many commodities would drop as stockpiles in the European Community and elsewhere would be sold in South Africa at low prices, causing less efficient South African producers to halt production and South African farmers to reduce the area dedicated to crop production.

The Department of Agriculture sent revised proposals to Gatt at the end of September 1993 which recommended that tariffs be lowered by an average of 36% over six years, that export incentives and internal supports and subsidies such as cheap loans be cut, and that control boards no longer be allowed to prohibit imports of cheaper food products.¹⁴² [¹⁴² *Financial Mail* 1 October 1993]

In September 1993 the Land and Agriculture Policy Centre at the University of the Witwatersrand published a document entitled *Agricultural Marketing and Pricing in a Democratic South Africa*. It recommended that:¹⁴³ [¹⁴³ *Sunday Times* 26 September 1993]

- all remaining marketing restrictions and controls over the movement of agricultural products be abolished, except for genuine health and hygiene requirements;
- the institutionalised lobbying power of producers be curtailed and a policy to monitor and prevent the emergence of monopolies be enacted;
- a single regulatory and legislative system for marketing agricultural products be established to replace the present system, in which different regulations existed for each product;
- access to marketing services be improved and alternative small-scale marketing channels be established;
- productivity of owners of smallholdings be improved by making resources and services (including land) more easily available, rather than through generalised input and output subsidies;
- control boards no longer have the exclusive right to import agricultural products; and
- the system of uniform national pricing be ended.

In January 1993 the Unemployment Insurance Act of 1966 was extended to include farmworkers and in April the minister of manpower, Mr Leon Wessels, announced that the Basic Conditions of Employment Act (BCEA) of 1983 would be extended to include agricultural workers as from 1 May 1993. In October the Agricultural Labour Act was passed. It provided, among other things, for the application of certain provisions of the Labour Relations Act of 1956 and further sections of the BCEA to agriculture, and for the establishment of an agricultural labour court which would hear disputes or refer them to the Industrial Court.¹⁴⁴ [¹⁴⁴ *Fast Facts* no 12 1993]

Dr van Niekerk said in February 1993 that the government had spent a total of R5bn on drought relief in 1992. He announced in August that a further R469m had been allocated for drought relief in 1993. He

said that assistance was also available to farmers in the homelands.¹⁴⁵ [¹⁴⁵ *RSA Policy Review* September 1993]

The director of the Southern African Disaster Relief Agency, Ms Janet Love, criticised the government's drought relief package in April 1993, saying that it focused too much on white farmers. She said that there were 10m people living in rural areas, of whom 93% were African, but that the government had allocated R703 per rural white and only R13 per rural African in drought aid.

A committee appointed by Dr van Niekerk to investigate the impact of the government's drought relief package found that:¹⁴⁶ [¹⁴⁶ *Financial Mail* 1 October 1993]

- the package had contributed to a growth in gross national product of R3,66bn compared with an estimated growth of R3,83bn had the funds been allocated to the industrial sector;
- the number of farmers with a 'good survival potential' (ie a debt/asset ratio of 20% or less) had been increased by 27% and the number with 'no potential to survive' (ie with a debt/asset ratio of 50% or more) had been reduced by 31%; and
- the jobs of 160 000 farm workers had been saved (116 000 more than would have been saved had the money been invested in job-creation programmes).

The committee nevertheless found that 21% of a sample group of 11 000 farmers throughout South Africa (excluding the ten homelands) still had little or no chance of survival and that the aid had not solved the underlying problem of poor profitability.¹⁴⁷ [¹⁴⁷ *Ibid*] The South African Agricultural Union said that real farming productivity had dropped by 38,9% in 1992/93 and that farming debt had risen from R14,9bn in 1991 to R17,2bn in 1992 (ie by 15%).¹⁴⁸ [¹⁴⁸ *The Citizen* 30 October 1993]

A study conducted by the Central Statistical Service (CSS) of farm sales in 1992/93 found that while the total area sold had decreased by 11% over the figure for the previous year to 3,5m hectares, the number of farms sold had increased by 17%. The CSS also found that the average price per hectare had dropped by R160 to R604 per hectare in 1992/93.¹⁴⁹ [¹⁴⁹ *The Star* 21 October 1993]

According to the National Consultative Forum on the Drought, the effects of the drought had not been limited to lower crop production. The forum said in May 1993 that rural communities had also suffered severe water shortages and worsening malnutrition. It commented that while drought was a factor precipitating the difficulties experienced in rural areas, underdevelopment and the lack of resources in rural areas were the cause of the vulnerability of these areas to drought. The forum argued that had there been functioning water installations, alternative sources of employment, a primary health-care system and a community-based drought management strategy, the effects of the drought on rural areas would not have been as severe. The forum said that in the long term development of rural areas was a far more

effective strategy for drought relief than ‘responding every fifth year with food packages, short-term job schemes and emergency tanks of water’.

The Economy and Business

Real economic growth in 1993 was expected to be between -0,4% (forecast by Amalgamated Banks of South Africa (Absa)) and -0,1% (forecast by the Bureau for Economic Research (BER) at the University of Stellenbosch). The economy grew by an annualised figure of 8,2% in the third quarter of 1993.¹⁵⁰ [¹⁵⁰ *Fast Facts* no 12 1993]

The BER expected the surplus on the current account of the balance of payments in 1993 to be some R6,5bn compared with R3,94bn in 1992. Gold and foreign exchange reserves amounted to R7,06bn in October 1993.¹⁵¹ [¹⁵¹ *Ibid*]

The governor of the South African Reserve Bank, Dr Chris Stals, said in May 1993 that access to the facilities of the International Monetary Fund (IMF) would provide South Africa with foreign exchange assistance only to bridge temporary balance of payments deficits in the current account. In December 1993 the Transitional Executive Council (TEC) approved unanimously South Africa’s application for an \$850m loan from the IMF. An IMF condition for the loan had been that multiparty support within South Africa be given to the application and to the ‘letter of intent’ committing South Africa to sound macro-economic and monetary principles. The loan was to cover balance of payments outflows caused by the drought.¹⁵² [¹⁵² *Business Day*, *The Citizen*, *Sowetan* 8 December 1993]

The average price of gold per fine ounce for 1993 was expected to be between \$356 (BER) and \$360 (Absa). In 1992 the average price had been \$344 per fine ounce. According to Rand Merchant Bank International Futures, the average London gold price in 1993 up to 30 November was \$358.¹⁵³ [¹⁵³ *Business Day* 1 December 1993]

The nominal value of the commercial rand in 1993 was expected to be 30,3 American cents, lower than the average of 35,1 cents in 1992. The minister of finance, Mr Derek Keys, said in November 1993 that the IMF believed that South Africa should retain the financial rand until there were substantial net capital inflows.¹⁵⁴ [¹⁵⁴ *The Citizen* 23 November 1993] Earlier in the month, the coordinator of monetary and fiscal policy for the African National Congress (ANC), Mr Neil Morrison, said that ‘there is a strong possibility we could remove the financial rand [soon after the April 1994 elections] if the political situation settles’.¹⁵⁵ [¹⁵⁵ *The Star* 15 November 1993] On 30 November 1993 the financial rand was valued at 22,5 American cents and the discount on the financial rand was 24,4%.¹⁵⁶ [¹⁵⁶ *Business Day* 1 December 1993]

The average inflation rate for 1993 was expected to be 9,7%, according to Sanlam.¹⁵⁷ [¹⁵⁷ *Ibid* 19 November 1993] In September 1993 the year-on-year increase in the production price index dropped to 5,5%, the

lowest year-on-year increase since January 1971.¹⁵⁸ [¹⁵⁸ *Fast Facts* no 12 1993]

The report of the Board on Tariffs and Trade on the causes of food-price inflation, published in February 1993, found that no single sector was responsible for food-price inflation. The board found a price divergence of five percentage points a year between farmer and consumer prices during the period 1980 to 1991.

In February 1993 the South African Reserve Bank reduced bank rate by one percentage point (from 14% to 13%). Bank rate was reduced by another percentage point (to 12%) in October.

According to figures provided by the Department of Customs and Excise, total exports in the first ten months of 1993 were valued at R65,87bn or 16,7% more than in the corresponding period in 1992. Imports during the same period in 1993 were valued at R49,51bn or 13,3% higher than in the corresponding period in 1992.¹⁵⁹ [¹⁵⁹ *The Star* 18 November 1993]

The period under review saw the removal of most of the remaining sanctions against South Africa with the exception of the United Nations (UN) arms embargo. Following the approval of the TEC Bill by negotiators at the World Trade Centre in September 1993, many countries and foreign organisations announced that they would lift sanctions. Countries which announced the lifting of sanctions included Australia, Canada, Cyprus, India, Malaysia, New Zealand, the People's Republic of China, Singapore and Sweden. The Commonwealth and the Organisation of African Unity also announced the lifting of sanctions. In October 1993 the European Community decided to lift its ban on military contacts with South Africa. The General Assembly of the UN adopted a resolution in the same month which ended most of its non-mandatory sanctions against South Africa. In December 1993, following the establishment of the TEC, the UN General Assembly lifted its oil embargo against South Africa.¹⁶⁰ [¹⁶⁰ *Business Day, The Citizen* 10 December 1993]

The Department of Finance said in March 1993 that the most important long-term objective of monetary policy continued to be the containment of inflation. The reserve bank's guidelines for the growth in money supply were reduced from 7%–10% in 1992 to 6%–9% in 1993. In September the bank announced that the growth in money supply had declined to below the lower limit of the new money supply guidelines in the first seven months of 1993.

The ratio of government expenditure to gross domestic product (GDP) rose from 28,1% in 1991/92 to 31,5% in 1992/93 because the increase in government expenditure was higher than the rate of increase in domestic production.

Mr Keys said in his budget speech in March 1993 that the drawing up of the 1993/94 budget had been guided by the need for discipline and growth. Total expected expenditure for 1993/94 was R114,15bn, which was 8,8% more than the revised estimate for 1992/93. Social expenditure (including such expenditure in the ten homelands) accounted for 44% of the budget.

The budget deficit for 1993/94 was expected to be 6,8% of GDP. The final expenditure figure tabled in Parliament in November 1993 was an increase of R998m on the initial estimates for 1993/94. This increase was expected to be offset by an additional R1bn in revenue, which indicated that the deficit might be lower than the budgeted R25,3bn.¹⁶¹ [¹⁶¹ *Business Day* 1 December 1993]

During the period under review there were allegations of financial mismanagement and corruption regarding certain homeland administrations. The *Report of the Auditor General on the Appropriation and Miscellaneous Accounts in respect of General Affairs for 1991/92*, tabled in Parliament in February 1993, found among other things that the homeland administrations were unable to keep within financial guidelines, the administrations had overspent on salaries, and in certain cases the administrations had proceeded with projects despite opposition from budget working groups.

The auditor general's reports on five non-independent homelands were tabled in Parliament in September 1993. The reports, which covered the period 1989 to 1992, found that overexpenditure and losses amounted to about R50m over this period. The auditor general was unable to express an audit opinion on the financial affairs of the KaNgwane administration for 1990/91 owing to inadequate record keeping. Unauthorised expenditure in KaNgwane between 1986 and 1990 totalled R22,3m.¹⁶² [¹⁶² *Report of the Auditor General on the Accounts of the KaNgwane Government and of the Lower Authorities in the area for 1990-91 and Supplementary Report for 1989-90*] The audit in KwaNdebele revealed 'serious shortcomings in or the non-existence of internal control systems over a wide spectrum' of the administration's activities. The auditor general was not in a position to express an audit opinion as to the 'reasonableness' of the administration's financial accounts for 1991/92. An audit of the KwaNdebele Tender Board indicated serious shortcomings and discrepancies regarding the invitation to tender and awarding of tenders. In 1991/92 unauthorised expenditure in KwaNdebele amounted to R4,3m.¹⁶³ [¹⁶³ *Report of the Auditor General on the Accounts of the KwaNdebele Government and of the Lower Authorities in the Area for the Financial Year 1991-92*]

Audits undertaken at a number of district offices and institutions of the KwaZulu administration showed 'serious shortcomings in the system of internal checking and control as well as a disturbing failure to adhere to financial regulations and instructions'. The administration had not attended to queries issued during previous audits, the auditor general said. During the 1991/92 financial year unauthorised expenditure in KwaZulu amounted to R25,7m.¹⁶⁴ [¹⁶⁴ *Report of the Auditor General on the Accounts of the KwaZulu Government and Lower Authorities in the area for the Financial Year 1991/92*] The auditor general was unable to provide an audit opinion on the finances of Lebowa for 1990/91. Statements and returns for 1989/90 and 1990/91 had not been submitted at the time of writing of the report in December 1992.¹⁶⁵ [¹⁶⁵ *Report of the Auditor General on the Accounts of the Lebowa Government and of the Lower Authorities in the Area for the Financial Year 1990/91*] In QwaQwa unauthorised expenditure amounted to R1,4m. However, the auditor general's report said that the financial statements were a 'fair representation' of the accounts of the QwaQwa administration.¹⁶⁶ [¹⁶⁶ *Report of the Auditor General on the Accounts of the QwaQwa Government and of the Lower Authorities in the Area for the Financial Year 1991/92*]

According to an investigation conducted by the *Sowetan* in October 1993, the QwaQwa administration was investing millions of rands of unbudgeted funds in a pension scheme for members of its legislative assembly. The scheme was valued at R30m. An amount of R17,6m was deposited during 1992 and 1993, although the budgeted contribution for 1993 was to have been only R500 000. The QwaQwa administration denied that the large contributions in 1992 and 1993 were planned in order to appropriate funds prior to the abolition of the homelands.¹⁶⁷ [¹⁶⁷ *Sowetan*, *The Star* 29 October 1993]

The central government assumed control of the finances of the Lebowa administration in September 1993 following a deterioration in its financial affairs. The Self-governing Territories Constitution Amendment Act of 1993 allowed the state president to intervene in areas where administration was in danger of collapsing or where the administration's actions would place unreasonable financial obligations on the administration or the central government's revenue fund. In October 1993 the central government and the Lebowa administration agreed to establish a joint ministerial committee to clarify 'limitations on the authority of the Lebowa [administration]'.¹⁶⁸ [¹⁶⁸ *Business Day*, *The Star* 27 October 1993]

The Commission of Inquiry into the Appropriation of the Lebowa Revenue Fund and Alleged Mismanagement (the De Meyer commission) and the Commission of Inquiry into the 1986 Unrest and Alleged Mismanagement in KwaNdebele (the Parsons commission) tabled their reports in Parliament in November 1993. According to the De Meyer commission, the Lebowa revenue office was disorganised and poorly controlled and managed. The report added that taxpayers in Lebowa 'cannot rely on an honest and fair system for the collection of taxes, which necessarily militates against the willingness of the public to pay taxes'. The commission recommended that control of the Lebowa revenue office be removed to a South African revenue office. It also suggested that every income tax file from 1985 should be audited to ensure all returns had been received, all taxable income had been declared and taxed, all assessments had been issued and were correct, and that steps be taken to settle outstanding returns. The commission also found that the revenue personnel were 'utterly' demotivated and were not aware of what was required of them. Supervisors had little or no contact with subordinates and did not know what was happening in departments under their control.¹⁶⁹ [¹⁶⁹ *Business Day*, *The Citizen*, *The Star* 19 November 1993]

The De Meyer report also criticised the Lebowa Development Corporation (LDC), particularly its board of directors, who were found to have ignored recommendations laid down in a government white paper and published after an earlier investigation had been carried out into the LDC.¹⁷⁰ [¹⁷⁰ *The Star* 19 November 1993] There was also evidence of widespread theft of cattle, cotton, irrigation equipment, milk and milk powder within the Department of Agriculture in Lebowa. The De Meyer commission recommended the setting up of a permanent independent commission of inquiry into maladministration in any governmental or parastatal body in South Africa. Such a commission should report to Parliament and be able to act speedily and have the power to demand that corrective steps be taken.¹⁷¹ [¹⁷¹ *Business Day* 19 November 1993]

Following the tabling of the report, the chief minister of Lebowa, Mr Nelson Ramodike, said that while

his administration had taken the initiative in appointing the commission ‘very little’ had been done to act against corruption elsewhere in South Africa. He added that Lebowa and KwaNdebele had been singled out for ‘political purposes in an attempt to destroy’ the leadership there. Mr Ramodike said that as ‘offshoots of a corrupt system’ all homelands had been ‘kept alive and nourished by corruption’.¹⁷² [¹⁷² *Business Day*, *The Citizen* 23 November 1993, *Sowetan* 24 November 1993]

The Parsons commission found that mismanagement had occurred in all the departments of the KwaNdebele administration which had been investigated. Some R50m in ‘needless expenditure’ had been approved by KwaNdebele officials, while R30m in unbudgeted funds had been spent on various projects. More than R17m in expenditure was unaccounted for in the chief minister’s office, according to the commission.¹⁷³ [¹⁷³ *Business Day* 19 November 1993] The commission also found that officials in KwaNdebele’s Department of Education had received bribes of R1m each to encourage them to approve construction contracts, that there were tendering irregularities and that there was possible ministerial interest in publishing firms which were awarded contracts for school books. (Of the 103 sets of secondary school textbooks ordered for 1992 only 15 were awarded to the lowest tenderer.) Electricity meters were not attached to KwaNdebele administration buildings, leading to the loss of thousands of rands.¹⁷⁴ [¹⁷⁴ *Ibid*]

Mismanagement and malpractices throughout KwaNdebele’s Department of Law and Order had cost taxpayers hundreds of thousands of rands, the commission said.¹⁷⁵ [¹⁷⁵ *The Star* 19 November 1993]

Mismanagement and irregularities were also uncovered in KwaNdebele’s transport administration. Officials used vehicles for private purposes and according to records of requisitions for petrol, thousands of kilometres of car travel had been completed in short periods without any indication of the purpose of such trips. The Parsons commission recommended that the central government and the KwaNdebele administration establish joint control over the homeland’s transport pool and that stricter control be exercised over officials.¹⁷⁶ [¹⁷⁶ *Business Day* 19 November 1993] Claims of corruption in the allocation of a R1,2m tender for general repairs (including welding and general maintenance) for the KwaNdebele administration should be referred to the attorney general of the Transvaal, the Parsons commission recommended.¹⁷⁷ [¹⁷⁷ *The Citizen* 19 November 1993]

The attorney general of the Transvaal, Mr Jan d’Oliveira, said in November 1993 that a special investigation team had been created and more staff taken on by his office to deal with the ‘very large number’ of cases which needed to be investigated following the publication of the De Meyer and Parsons commissions’ reports.¹⁷⁸ [¹⁷⁸ *Business Day* 22 November 1993]

In a debate in the Negotiating Council in October 1993 the government and the ANC said that the debt of the homeland administrations should not be transferred to a national government after elections in April 1994. The deputy minister of finance, Dr Theo Alant, said that all such debt should be retained by the regions inheriting the ten homelands. Dr Alant said that any contractual obligations or guarantees made on behalf of homelands would have to be honoured. However, some measure of control of homeland expenditure and debt would have to be introduced in the transitional period. An ANC

negotiator, Mr Mohammed Valli Moosa, said that financial institutions which wanted to grant loans to homelands during the transitional period would run the risk that the government would not be bound to guarantee such loans.¹⁷⁹ [¹⁷⁹ Ibid]

Mr Keys announced in March 1993 that the company tax rate would be reduced from 48% to 40% and that a tax of 15% would be levied on all profits distributed by companies.

In the same month Mr Keys announced that exemption from value added tax (VAT) would be extended to include brown wheaten meal, cultured milk, eggs, fresh fruit, legumes and pulses, milk, rice, vegetable oil and fresh vegetables. Following this announcement the rate of VAT was increased from 10% to 14% with effect from 7 April 1993.

In October 1993 the Development Bank of Southern Africa (DBSA) published a draft report, entitled *A Macro-economic Policy Model for Human Development in South Africa*, which attempted to quantify the country's socio-economic needs and the cost of achieving minimum living standards for the population. The report said that in addition to the current level of expenditure a further R57bn would be needed over the next five years to finance the capital account for reconstruction of the economy. This could be funded by public finance of R39bn and public corporation financing of R18bn (part of which could be raised on the capital market). Adult education and training, basic education, electrification, housing, primary health care, rural development and access to land, small business development, social security and welfare, telecommunications, transport, sanitation and water would be covered by such capital expenditure, according to the DBSA.¹⁸⁰ [¹⁸⁰ Development Bank of Southern Africa, *Draft report on macro-economic policy for human development in South Africa*, press release, 21 October 1993]

The ANC-aligned macro-economic research group (Merg) published its framework document for economic policy in December 1993. The document envisaged a two-phase growth path: an initial public investment-led phase (1993–1999) and a sustained growth phase (1999–2004). In the second phase the public sector's role would diminish as that of the private sector became increasingly important. During 1993–1999 private fixed investment would remain low as a proportion of GDP. Merg envisaged reducing or eliminating socio-economic backlogs in the first phase. Government expenditure would be redirected to investment (to at least 5% of GDP), especially infrastructural development. Government spending would grow to about 40% of GDP before it started falling again, according to the Merg document. It envisaged that real average annual earnings would increase by 0,7% from 1993 to 1999, before increasing by an annual average of 1,2% in the second phase.¹⁸¹ [¹⁸¹ *Business Day* 1 December 1993]

After the launch of the National Economic Forum (NEF) in October 1992 shortand long-term working groups were set up. The short-term working group decided in November 1992 to address the issues of job creation, retrenchments, public sector restructuring, small and medium enterprises, and trade and tariff policy. In April 1993 the long-term working group agreed that the focus of its work programme would be employment creation, finance, foreign trade, investment, labour markets and productivity. A number of regional development and economic forums emerged during 1993 with the aim of addressing urban and rural socio-economic development issues.

During the period under review there was widespread acceptance of the view that affirmative action would have to be implemented to address socio-economic inequalities. The National Affirmative Action Alliance was launched in January 1993 to facilitate and monitor the appropriate and effective implementation of affirmative-action initiatives.

During the period under review, many companies hastened to appoint black directors to their boards, which had long been dominated by white men. The chairman of the Independent Development Trust, Professor Wiseman Nkuhlu, expressed concern in May 1993 that the appointment of non-executive directors to boards was not the answer to black empowerment, as most of the important decisions were being made at executive level and not at board level. It was more important to promote blacks to senior management positions, he said.

According to the editor of *Enterprise*, Mr Thami Mazwai, there were about 2m African entrepreneurs in South Africa in 1993. A significant move towards black ownership of established life-assurance companies during the period under review was the acquisition from Sankorp in May 1993 of a 10% stake in Metropolitan Life (Metpol) by Metlife Investment Holdings (Method), an African-owned company. The value of Method's shareholding was estimated to be about R135m and the deal was financed by the Industrial Development Corporation. Method shares would be sold only to blacks in units of R1 with 20 units corresponding to one Metpol share. Black-controlled businesses would also be able to buy shares, but no individual or organisation would be allowed to control more than 10% of Method's shares. In August 1993 Method began offering shares to blacks at R1 a share (with a minimum of 100 shares).¹⁸² [¹⁸² *Sowetan* 10 August 1993]

In November 1993 it was announced that National Sorghum Breweries (NSB) would seek a listing on the Johannesburg Stock Exchange within two years.¹⁸³ [¹⁸³ *The Star* 3 November 1993]

In the December 1993 issue of *Tribute*, its editor, Mr Jon Qwelane, said that former and current personnel at NSB had accused NSB executives of 'gross mismanagement' and 'financial extravagance' which was incompatible with their 'professional ethics'. Some of the alleged irregularities included:

- the misappropriation of funds and the subsequent falsification of records in order to provide misleading financial accounts;
- attempts to buy a malt-processing factory valued at R2,5m for R5,5m. As there were no supporting vouchers no accountant was willing to proceed with the purchase. NSB had since acquired it for an undisclosed amount;
- the allocation of key posts to relatives of the chief executive and his senior staff;
- the granting of lucrative distribution routes to distributors who charged a higher rate, when a much

lower rate had been secured; and

- expenditure of R1m ‘for services as directors, for managerial services’. This amount had allegedly been paid to the chief executive, Mr Mohale Mahanyele, and an executive director, Mr Israel Skosana.

In response to these allegations, Mr Mahanyele said that ‘there is no substance to the rumours ... of misappropriation [of funds and] of mismanagement’. He also said that allegations that NSB wanted to pay more for a brewery that was worth less were ‘ridiculous’. Mr Mahanyele added that he was aware of companies trying to ‘besmirch’ his name and those of his colleagues ‘in order to take our attention off the nitty-gritty of running our business’. He alleged that companies in competition with NSB had been bugging its offices.¹⁸⁴ [¹⁸⁴ *Tribute* December 1993] Shortly after the publication of the article the NSB placed advertisements in several Sunday newspapers which said that it was ‘simply preposterous’ to suggest that NSB’s financial books were filled with improprieties and that they had been audited by a reputable accounting firm, Deloitte & Touche.¹⁸⁵ [¹⁸⁵ *The Star* 29 November 1993]

An executive director of the Anglo American Corporation of South Africa (Anglo), Mr Bobby Godsell, said in August 1993 that Anglo was willing to consider ceding control of a portion of its assets to black business. He added, however, that the disposal of assets would depend on blacks mobilising sufficient capital to finance such a deal.¹⁸⁶ [¹⁸⁶ *Business Day* 26 August 1993]

In late October 1993 the ANC met representatives of black business in the Kruger National Park to discuss issues of concern to both parties. Business delegates expressed fears that they faced unfair competition from the Thebe Investment Corporation (Thebe) (see also chapter on *Business*). They said that they stood little chance of securing deals with foreign investors when Thebe had close links to the ANC. Business delegates added that the ANC was sidelining the black business sector and ‘pandering’ to white business interests. The Mopani memorandum of understanding, drawn up at the end of the conference, committed the parties to work together to promote black economic empowerment.¹⁸⁷ [¹⁸⁷ *Ibid* 1 November 1993] The participants also agreed to the introduction of affirmative-action legislation and the establishment of an effective monitoring process of affirmative action. Other issues that were agreed upon were:¹⁸⁸ [¹⁸⁸ *Business Day*, *The Citizen*, *The Star* 2 November 1993]

- the importance for black business of the establishment of a mechanism of co-ordination with the ANC and all other relevant parties;
- the establishment of a black business caucus so that black business would have a greater input at various forums, including the NEF;
- the restructuring of public corporations and parastatals to ensure that

- their boards and staff were representative of all sectors of the South African population;
- the establishment of a national enabling fund for small and medium enterprises; and
- the introduction of anti-trust policy and legislation.

The Businesses Amendment Bill which was submitted to the joint committee on trade and industry in September 1993 proposed to withdraw the powers of the provincial administrators to make regulations regarding hawkers, and to empower local authorities to make bylaws regarding the control of hawking in their areas of jurisdiction. The bill also provided for licences to supply meals from fixed premises not to be issued if equipment or other articles used to prepare or sell foodstuffs did not comply with health regulations.¹⁸⁹ [¹⁸⁹ Businesses Amendment Bill, B156-93] The bill was passed in 1993 and came into operation on 29 December.

In September 1993 the Johannesburg City Council approved a plan to manage hawking in the central business district and to develop more formalised street markets in specific areas of the city. The aim of the city council was to assist in the development of well-organised trading sites, to ensure heavily traded areas did not become overcrowded and to set aside certain areas in the city where hawking would not take place.¹⁹⁰ [¹⁹⁰ *The Citizen* 29 September 1993]

The operations manager of FabTravel, Mr Stanley Maseko, said in November 1993 that the travel agency hoped that about 10% of the African population would be travelling regularly for leisure within the next 25 years. In order to make travel more affordable FabTravel was in the process of forming a travel club based on the stokvel principle.¹⁹¹ [¹⁹¹ *Business Day* 10 November 1993]

Lack of progress by companies in implementing affirmative-action policies voluntarily was seen as likely to increase calls for affirmative action legislation. A survey by Quest Personnel in early 1993 found that most businesses were not in favour of government-imposed, racially based employment quotas. A South African Chamber of Business (Sacob) document on affirmative action, which was published in July 1993, stated that any prescriptive intervention would do more harm than good. Sacob believed that prescriptive intervention would lower investor confidence and encourage devious strategies to create the impression of progress without addressing the fundamental issue of employee development.

A study of South Africa's trade policy by the World Bank, which was completed in February 1993, found that high tariffs and other 'protectionist policies' raised the prices of products in the local economy by an average of 30%. During 1993 the government was studying the possibility of having South Africa declared a developing rather than a developed country within the General Agreement on Tariffs and Trade (Gatt) in order to take advantage of benefits for developing countries. South Africa's trade policies were reviewed by the Gatt secretariat in June 1993. The Gatt report advised South Africa to move away from the sectoral protection of industries, to reduce tariffs and to phase out import surcharges. In November 1993 the head of the ANC's department of economic planning, Mr Trevor

Manuel, said that trade liberalisation which was too rapid would undermine job creation.¹⁹² [¹⁹² Ibid 25 November 1993] The Uruguay Round of Gatt talks was concluded in December 1993. South Africa was to indicate by April 1994 whether it was prepared to accept the conditions of the agreement. It would then be implemented on 1 July 1995.¹⁹³ [¹⁹³ *Business Day* 20 December 1993]

Employment

According to the National Manpower Commission (NMC), the economically active population (EAP) of South Africa (excluding the 'independent' homelands) was 12m in 1992 and 12,3m in 1993. The NMC estimated that the EAP would increase to 17,6m in 2000, with Africans comprising 74% of the total; coloured people, 9%; Indians, 3%; and whites, 14%.

The Central Statistical Service (CSS) noted that employment in June 1992 in the construction sector had decreased by 1,7% compared with employment levels in June 1980, and employment in finance, manufacturing, and trade and catering had decreased by 3,4%, 0,4%, and 2,2% respectively over the same period. The CSS also noted that there were 1,6m people working in the public sector in June 1992, representing a decrease of 1% compared with June 1980.

The Department of Mineral and Energy Affairs said that the number of people employed on all mines in South Africa decreased from 679 547 in 1991 to 543 629 in 1992, ie by 20%. Employment on mines had dropped by 34% since 1980. The total number of migrant workers employed on coal and gold mines which were members of the Chamber of Mines of South Africa decreased by 27% between 1982 and 1992 or at an annual average rate of 3%.

The president of the Public Servants' Association, Mr Johan van Wyk, said in November 1993 that public servants had accepted the need for change in the public service and that claims that it could not handle change were unfounded. He added that public servants would support affirmative action programmes which adopted a phased approach rather than a complete overhaul of the public service.

The African National Congress (ANC) said that it wanted the public service to be representative of the composition of the South African population and suggested that existing civil servants needed to be 'reeducated'. Following reports that certain public servants had had their employment contracts renewed, the Congress of South African Trade Unions (Cosatu) said in November 1993 that all recently signed contracts would be open to review by the future government. Cosatu said that 'only incumbents who show themselves to be properly trained and have attained their posts on the basis of merit can count on keeping their jobs'. Cosatu's view was supported by the Congress of South African Public Service Organisations, a homeland-based organisation claiming to have 120 000 members. Cosatu also committed itself to affirmative-action programmes for the public service, with a special focus on training and skills development.¹⁹⁴ [¹⁹⁴ Ibid 4 November 1993]

According to the Consultative Business Movement, in 1992, 5% of managerial positions in South Africa were occupied by Africans. McGregor's Online Information, a business information group, noted in 1993 that 49 (1,3%) of the 3 773 directors of the Johannesburg Stock Exchange's 657 companies were women.

In August 1993 the reserve bank said that 46% of the EAP of South Africa (excluding the 'independent' homelands) was unemployed.¹⁹⁵ [¹⁹⁵ *The Star* 23 August 1993] Cosatu said that between 6m and 7m people were unemployed in 1993. A former managing director of the Perm, Mr Bob Tucker, said that unemployment was projected to increase to 7,5m by 2000.

The government allocated R246m for job-creation programmes in the 1993/94 budget. An additional R60m was allocated to the National Economic Forum (NEF) for job creation. In June 1993 an agreement was signed between Cosatu, the National Committee for Labour-Intensive Construction and the South African National Civic Organisation whereby more use would be made of labour-intensive methods in the construction industry. Employment levels in the construction industry had decreased from 135 000 in 1985 to 55 000 in 1993, according to the committee. In July 1993 the NEF announced that it would spend R49m on job creation and R30m on small business development programmes.

The CSS said that while skilled workers had continued to emigrate from South Africa during 1992, there had been a net increase in all occupational categories except farming and related occupations. The executive director of training at Altron, Mr David Jacobson, estimated that South Africa was short of 250 000 skilled people and said that the shortage could hamper an economic upswing. The World Bank said that South Africa could not expect to make rapid economic progress while 60% of the EAP was functionally illiterate. The National Productivity Institute (NPI) said that South African companies were 'disinvesting' in human capital and thus contributing to the country's lagging in competitiveness. The NPI said that in South Africa the proportion of the payroll spent on training was estimated at between 0,5% and 1,5%, compared with an average of 10% in Japan and 5% in the United States.

In June 1993 the government proposed to the technical committee on violence, set up by the Negotiating Council, that a service and training 'battalion' be set up to address the issue of 'marginalised' youth. The government recommended a training programme of six months to a year, during which time participants would be paid an allowance and receive a lump sum on completion of the course. It was suggested that the programme be created under the auspices of the National Peace Committee.

According to the ANC and Cosatu, education and training and workers' commitment to their employers were the key to unlocking the productive potential of South Africans. The Department of Manpower said that labour productivity had increased by 2,3% in 1991 and by a further 1% from 1 January to 30 September 1992. The department said that multifactor productivity increased by 0,3% in 1991, while capital productivity decreased by 1,7%. The NPI said that the productivity of South African industry had increased by 1% a year between 1980 and 1990, compared with annual growth rates of 6,5% in South Korea, 5,4% in Taiwan and 2,9% in Japan. Labour productivity in the private sector of the South African economy had increased by 1,1% between 1970 and 1991, the NPI noted, with the biggest improvements

in agriculture (3,9% a year), transport (2,3%), and electricity (2,2%). Between 1990 and 1991 labour productivity growth rates were highest in electricity (8,1%), mining (4,3%) and transport (3,8%).

In March 1993 the household subsistence levels for six-member African households in Cape Town, Durban, Johannesburg, Port Elizabeth and Pretoria were R887,19; R910,69; R930,46; R882,46; and R946,65 respectively. According to the Department of Health and Population Development, the per capita monthly incomes (at 1990 prices) in 1992 for Africans, coloured people, Indians and whites were R160, R270, R470 and R1 300 respectively.

Amalgamated Banks of South Africa said that in 1990 some 16m South Africans (45% of the population) lived below the breadline (which was R600 a family per month). A report by the Centre for Social and Development Studies at the University of Natal (Durban), which was published in July 1993, said that 17m people were living below the breadline and that between 6m and 7m people were not employed in the formal sector of the economy. The Development Bank of Southern Africa said in October 1993 that some 18m Africans were 'struggling to survive' in households with incomes below the minimum living level. The bank added that between 8m and 9m people were 'completely destitute'.

Labour Relations

In November 1993 the International Labour Organisation (ILO) agreed to suspend a 30-year ban on giving technical help to South Africa. The move followed agreement in the Negotiating Council on an interim constitution for South Africa, which would give Africans the vote for the first time. The ILO would decide in June 1994 whether to modify the ban or scrap it, depending on further developments in South Africa.¹⁹⁶ [¹⁹⁶ *The Citizen* 19 November 1993]

The first substantial work of the restructured National Manpower Commission (NMC) involved proposed changes to the Labour Relations Act (LRA) of 1956, and these were tabled in Parliament in September 1993 (see below).

There were a number of significant changes to labour legislation during the period under review. The Public Service Labour Relations Act brought public sector workers within the ambit of labour legislation for the first time. It granted public sector workers the right to freedom of association and protection against discrimination and victimisation. It also provided for, among other things, compulsory negotiations in the event of a dispute between employer and employee, and for access to unfair labour practice mechanisms and to the Industrial Court for the settling of disputes. The act further granted the right to strike to public servants rendering non-essential services. In October 1993, in the first court decision under the new legislation, the Industrial Court ordered the government as an employer to consult fully with a recognised trade union when retrenching workers. The order said that the director general and the minister of agriculture had committed a prima facie unfair labour practice in their handling of the Abacor takeover of meat inspection functions at three abattoirs. Abacor had retrenched 35 employees without consulting the National Education, Health and Allied Workers' Union.¹⁹⁷ [¹⁹⁷

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Amendments to the Basic Conditions of Employment Act (BCEA), which came into effect in May 1993, granted farmworkers a 48-hour working week, 14 days' annual leave, and 36 days' sick leave. The Agricultural Labour Act (ALA), passed in October, further extended the BCEA, as well as provisions in the LRA, to farmworkers. The ALA gave farmwork the status of an essential service, with the result that farmworkers would not have the right to strike. It also provided for the establishment of a special labour court for the agricultural sector.

In November 1993 the Congress of South African Trade Unions (Cosatu) criticised the government for delays in promulgating the ALA, accusing it of using technical problems as a 'thinly veiled delaying tactic' while accepting further lobbying from 'some of the agricultural unions'. The minister of manpower, Mr Leon Wessels, denied the allegation, saying that he was not aware of any lobbying by agricultural unions. He said that the NMC had suggested that interim changes proposed to the LRA be reflected in the ALA and that the Industrial Court had advised Cosatu and the South African Agricultural Union (SAAU) of shortcomings in the act which should be clarified before implementation. Cosatu had been asked to meet SAAU on these issues, but nothing had happened despite the parties having agreed to meet.¹⁹⁸ [¹⁹⁸ *The Star* 19 November 1993] Writing in *Contemporary Labour Law*, the president of the Industrial Court, Mr Adolph Landman, criticised technical weaknesses in the ALA. He said that there were many confusing and 'terminological inexactitudes in the act, which bear the mark of compromise and undue haste'. One apparently unintended consequence was that any changes to the LRA would not apply to the farming sector. A further complication was that the Industrial Court would have to ascertain which of the two statutes would apply according to whether the litigants were involved in a farming operation or not.¹⁹⁹ [¹⁹⁹ *Business Day* 19 November 1993]

The Basic Conditions of Employment Amendment Act, gazetted in October 1993, inserted provisions in the principal act relating to the working conditions of domestic workers. This was the first time that domestic workers were covered by labour legislation. The amendment act provided, inter alia, for a maximum 46-hour working week for domestic workers, and 14 days' annual leave. It stipulated that such workers had to be 15 years of age or older.

The Compensation for Occupational Injuries and Diseases Act of 1993 overhauled the system of compensation for occupational diseases, while the Occupational Diseases in Mines and Works Amendment Bill aimed to eliminate racial discrimination in compensation paid to miners for occupational injury or disease.

In August 1993 the NMC proposed that certain amendments be made to the LRA, including the introduction of a code of fair labour practices, the simplification of dispute-resolution procedures, and the deletion of the section preventing trade unions and employer organisations from affiliating themselves to, or granting financial or other assistance to, political parties. Moreover, funds from closed-shop agreements could not be used for party-political purposes.

The Education Labour Relations Act published in the *Government Gazette* in October 1993 brought teachers within the ambit of labour legislation by providing for the right to strike, introducing a bargaining council, and providing for the recognition of unfair labour practices, among other things.²⁰⁰ [200 Education Labour Relations Act, *Government Gazette* no 15181, 20 October 1993]

In November 1993 Bophuthatswana passed the Industrial Relations Act, whose introduction had been postponed after widespread criticism earlier in the year. (Cosatu called on the state president to intervene and said it was investigating the possibility of other bodies, such as the Independent Electoral Commission, taking action to reverse the law.) The most contentious aspect of the law was that it outlawed South African trade unions and provided for criminal sanctions against employers who recognised them. Cosatu said that it had raised the issue with the NMC, which had agreed to take action to have the implementation of the act reversed.²⁰¹ [201 *Business Day* 19 November 1993]

At the end of 1992 there were 194 registered trade unions in South Africa with a total membership of 2,9m, representing a doubling of membership in the ten years ending December 1992. This figure, said the NMC, represented 22,9% of the EAP of South Africa (excluding the 'independent' homelands), and 57% of the workforce falling under the LRA. Cosatu remained the largest union federation with 1 220 232 members. This represented a decrease on the 1991 figure of 1 267 350.²⁰² [202 *National Manpower Commission report* 1992; information provided by the Congress of South African Trade Unions (Cosatu)]

In November 1993 a rival union to Cosatu, the United Independent and Economic Trade Union of South Africa, was launched in Durban. It claimed the support of ten independent unions and 22 000 members. The union's leader, Mr Sydney Gcabashe, said that he believed that strikes and stayaways 'are not taking us anywhere'. A spokesman for the United Workers' Union of South Africa, linked to the Inkatha Freedom Party (IFP), said that his union had been instrumental in initiating the formation of the independent union. Mr Gcabashe said that the union was not politically aligned to, or financed by, any organisation.²⁰³ [203 *Sowetan* 12 November 1993]

During the period under review a new union, the South African Court Interpretation Officers and Allied Workers' Union, was formed for court interpreters.²⁰⁴ [204 *The Weekly Mail* 30 July 1993] Plans were under way to form a new union for self employed women, mainly those in informal activities, such as hawking, and temporary and casual work. The co-ordinator of the initiative, Ms Pat Horn, said, 'The purpose of this union is to have an organisation for women who are economically active in this way and to build up working class leadership among women who are right at the bottom of the economy.'²⁰⁵ [205 *The Natal Witness* 2 October 1993] In November 1993 a new union, the South African Broadcasting Corporation-based Broadcasting Workers' Union, was formed.²⁰⁶ [206 *The Star* 18 November 1993]

At its special congress in September 1993, Cosatu released 20 trade unionists to stand on the ANC ticket during the forthcoming elections in April 1994. They included the federation's general secretary, Mr Jay Naidoo, and its first and second vice presidents, Mr Chris Dlamini and Mr Godfrey Oliphant. The

congress elected Mr Sam Shilowa, assistant general secretary, as the federation's new general secretary; Mr Zwelinzima Vavi, national organising secretary, as assistant general secretary; Mr George Nkadimeng as first vice president; and Mrs Connie September as second vice president, making her the federation's first woman office bearer.²⁰⁷ [²⁰⁷ *Sunday Times* 19 September 1993]

Also in November 1993, Cosatu threatened to hold a general strike on 15 November over the inclusion in the interim constitution of an employers' right to lock out workers and a clause guaranteeing the tenure of civil servants after the election on 27 April 1994.²⁰⁸ [²⁰⁸ *Ibid* 17 October 1993] The ANC/South African Communist Party (SACP) alliance and the government reached agreement on the clause on civil servants after a bilateral meeting. The agreement allowed for affirmative action within the civil service, while addressing the job-security fears of present employees.²⁰⁹ [²⁰⁹ *The Star* 8 November 1993] Regarding the lockout clause, the federation argued that employees' right to strike, included in the constitution, should not be matched by employers' right to lock out. It was reported that senior ANC/SACP officials had said that the union body had placed them in an awkward position by insisting on going ahead with the strike if the Negotiating Council at the World Trade Centre failed to comply with its demand for the removal of the clause. However, at the same time the alliance indicated that it would support the strike.

After lengthy negotiations, Cosatu agreed to a compromise whereby workers' right to strike over collective bargaining would be a fundamental right, whereas the lockout would not be considered a fundamental right but a measure which was subject to labour relations legislation. Both Cosatu and employers expressed satisfaction over the new wording. Mr Shilowa said that Cosatu would in future strive to have the right to strike extended to include political, economic and social issues. The lockout clause did not grant employers an entrenched right to lock out strikers, he said. The South African Employers' Consultative Committee on Labour Affairs said, 'We believe it will result in parity between the positions of employers and employees regarding action in the form of strikes and lockouts.'²¹⁰ [²¹⁰ Various press reports]

Major union bodies were party, through their participation in the National Economic Forum (NEF) (launched in October 1992), to the formulation of economic policy for the country. During 1993 the NEF announced that its members had agreed to the principle of centralised bargaining, although this would not affect the right of parties to decide on the appropriate mechanisms for bargaining. They also agreed to overhaul the Unemployment Insurance Fund (see also *The economy and business* above).

In July 1993, the Community Growth Fund, jointly controlled by seven trade unions and Syfrets, announced that it had achieved a 16,3% annual return on investment and that it had acquired R45m in investment in its first year of operation.²¹¹ [²¹¹ *The Weekly Mail* 16 July 1993]

In October 1993 Cosatu announced that it would oppose South Africa's application to the International Monetary Fund (IMF) for an \$850m loan to counter the effects of the drought. This was in response to a letter of intent drawn up by the minister of finance, Mr Derek Keys, and agreed to by the economic technical committee (a six-member committee) comprising, besides Cosatu, the ANC, the Conservative

Party, the IFP, the National Party and the Pan-Africanist Congress, which committed South Africa to a five-year programme of financial discipline, including budget deficit reductions and wage restraints. Mr Shilowa said that Cosatu was opposed to the wage restraint provision and had told the IMF previously that it was not prepared to accept loans with conditions attached.²¹² [²¹² *Sunday Times* 31 October 1993]

Cosatu launched its election campaign in July 1993, nine months before the mooted election date of 27 April 1994. It also announced that it would support the ANC in the run-up to the elections.²¹³ [²¹³ Cosatu press statement, 27 July 1993] The federation announced in the same month that it had met representatives of employer organisations to map out a voter-education scheme in the workplace.²¹⁴ [²¹⁴ *Business Day* 28 July 1993] Some business groups and right-wing unions, including the Afrikaanse Handelsinstituut and the South African Chamber of Business, said they doubted the neutrality of Cosatu's voter-education programme, claiming that the federation was too closely linked to the ANC and the SACP.

In 1993 Cosatu announced that it would draw up a reconstruction accord with the ANC and organs of civil society such as the civic movement. The accord was intended to be a plan for reconstructing the country and was also intended to underpin the federation's support for the ANC in the 1994 general elections.²¹⁵ [²¹⁵ *The Weekly Mail* 26 February 1993] After criticism from within Cosatu's ranks, it was decided that a special congress of the federation in September 1993 would take the final decision on whether Cosatu would enter into the accord with the ANC.²¹⁶ [²¹⁶ *Ibid*] The congress resolved that the federation would not attempt to bind the ANC to the accord, but that it would constitute a 'fighting platform' which would underpin the ANC/SACP/Cosatu alliance's ANC-led election campaign, and which would be implemented with the active co-operation of organs of civil society. The accord, which was in its fourth draft, was to be fleshed out in the following months. The decision not to bind the ANC shifted the burden for the implementation of the accord from the ANC alone to a nationwide initiative involving unions, civic associations, non-governmental organisations and the private sector.²¹⁷ [²¹⁷ *The Star* 13 September 1993]

Delegates were also unhappy with a section written by the ANC's department of economic planning on the need to maintain macro-economic stability while implementing the programme. The section would have committed Cosatu 'not to jeopardise the success of the [programme] by shortsighted, expedient and ineffective actions which may lead to excessive inflation, the dislocation of the financial system, misuse of savings, and unsustainable balance of payments deficits'. Delegates feared that the inclusion of the section would undermine Cosatu's drive for socialism by offering the government an escape clause if it were reluctant to implement the accord to workers' satisfaction. The congress resolved that the reference to macro-economic stability should be 'substantially reworked'.²¹⁸ [²¹⁸ *Ibid*]

Both Cosatu and the National Council of Trade Unions endorsed the right of unions to retain their independence in a 'new' South Africa. Speakers at a workers' rights conference in Cape Town in June 1993 said that the labour movement had to be independent and prepared to take action, even against a future ANC government, to ensure that its rights were not undermined.²¹⁹ [²¹⁹ *Industrial Relations Digest* vol 12 1993; 'The relationship of the trade union movement to a democratic government,' a National Council of Trade Unions paper

presented at a Southern African Clothing and Textile Workers' Union workers' rights conference, June 1993]

In June 1993, after intense lobbying by the National Union of Mineworkers (NUM), the minister of mineral and energy affairs, Mr George Bartlett, announced the appointment of a commission of inquiry into health and safety in the mining industry.²²⁰ [220 *Industrial Relations Digest* vol 10 1993]

During the period under review there was further controversy over whether the industrial council system should be retained or not. A survey by the *Innes Labour Brief*, published in April 1993, found that 75% of employers belonging to the Steel and Engineering Industries Federation of South Africa wished to retain the system. However, the *Bilateralism Review* noted that the system was under attack from a number of quarters,²²¹ [221 *Bilateralism Review* vol 2 no 1 1993] and in early 1993 building companies in the Transvaal announced their withdrawal from the Transvaal Building Industrial Council.²²² [222 Labour Research Service, *Bargaining Monitor* no 68 1993] A watershed judgement in the Cape of Good Hope Provincial Division of the Supreme Court in Cape Town confirmed the right of industrial councils to extend wage and labour agreements to non-member companies. Twelve employers in the engineering, iron, metallurgical and steel industries had refused to contribute to pension, provident, education and training funds.²²³ [223 *Sunday Times* 30 May 1993]

Retrenchments continued during the year under review. Various initiatives to assist retrenched workers were pursued by unions. In February 1993 the NUM said that it planned to lobby for legislation for a social plan to assist retrenched miners.²²⁴ [224 *The Weekly Mail* 19 February 1993] Premier Food Industries, which intended retrenching 1200 of its 18 000 workforce, and the Food and Allied Workers' Union signed a redundancy support fund agreement in September 1993, while a work security fund was also established in the automobile manufacturing industry.²²⁵ [225 *Weekly Mail and Guardian* 24 September 1993] Earlier in 1993 the Labour Appeal Court had handed down an important decision in which it criticised companies' unilateralism in dealing with retrenchments. The decision related to a dispute between Atlantis Diesel Engines and the National Union of Metalworkers of South Africa. The court had found that if a company aimed to retrench workers, it had to consult employees on the retrenchment and the reasons for it and should give the union such information as was required for it to make a meaningful contribution to the discussion on retrenchment.²²⁶ [226 *Finance Week* 10 June 1993]

According to a labour consultancy firm, Andrew Levy and Associates, the average wage settlement of 10,2% in the first nine months of 1993 was lower than the average wage settlement of 12,6% in 1992. During 1993 the focus of wage negotiations shifted from securing the highest increase possible to protecting jobs.

More than 90% of the country's workforce was reported to have stayed away from work in three days of protest following the assassination of the general secretary of the SACP, Mr Chris Hani, in April 1993. This was the largest stayaway ever seen in South Africa, according to the *South African Labour Bulletin*.

Andrew Levy and Associates said in December that strike action in 1993 would cost the economy 3,6m working days, 14,3% down on 1992. The drop in working days lost was attributable to the continued recession and the fact that major sector wage negotiations were settled without industrial action. The consultants said that 67,6% of all working days lost were owing to public sector strikes, compared with 12,7% in 1992. The retail sector was the most strike-prone in the private sector at 16,8%, followed by textiles at 5,2%. The main trigger factor was wages at 68,8%, down on 78,2% in 1992. Grievances, ranging from tax deductions from bonuses to the subcontracting of services, accounted for 16,4%. Strikes involving more than 1 000 workers increased to 38,2% (30,9% in 1992), while those involving fewer than 200 workers dropped to 18,1% (from 31,8%). The largest proportion of strikes (35,7%) lasted two to four days. Working days lost through retrenchment strikes rose from 0,2% in 1992 to 12,9% in 1993. ²²⁷ [227 *Business Day* 3 December 1993]

POPULATION

Key Points

- According to the 1991 population census, the population of South Africa (excluding the 'independent' homelands) was 30 986 918.
- The Urban Foundation said that the population of South Africa (including the ten homelands) in 1993 was 40,3m.
- The 1991 census noted that 57% of the population of South Africa (excluding the 'independent' homelands) lived in urban areas.
- According to the 1991 census, Zulu (8,35m people), Afrikaans (5,8m) and Northern Sotho (3,5m) were the most widely spoken home languages in South Africa (excluding the 'independent' homelands).
- According to the Central Statistical Service, during 1992 South Africa recorded a net gain of 4 397 people through immigration.
- The President's Council report, *A Revised Urbanisation Strategy For South Africa*, published in August 1992, said that in 1990, 37% of South Africa's population (including the ten homelands) (14,2m people) was concentrated in the country's four largest metropolitan areas.
- The Birth to Ten study estimated in March 1993 that the annual rate of increase of Africans in urban areas was 3,5% and that the African population in urban areas had risen from 8,5m in 1985 to some 14m in 1993.
- In September 1992 the Central Witwatersrand Metropolitan Chamber's *Land Availability Study*

identified some 180 sites with a 'high potential' for low-cost housing in a 164 000ha study area of the greater central Witwatersrand.

- Following reports that various government bodies were selling strategically located public land, in November 1992 the National Housing Forum called for a moratorium on the sale of public land that could be used to resolve South Africa's urban crisis.
- According to the deputy director general of community services in the Cape Provincial Administration, Mr Karl du Preez, the African population of Cape Town more than tripled from 200000 in 1982 to more than 900 000 in 1992. He also believed that Cape Town, with an average growth rate for its African population of more than 13% a year over the same period, was one of the fastest growing cities in Africa.

Population Statistics

Census

The 1991 population census results, adjusted for undercount, were published in December 1992. For the first time aerial photography and sample surveys were used to enumerate areas regarded as inaccessible. In total 88 areas were enumerated on this basis. The Central Statistical Service (CSS) said that it was confident that the results reflected accurately South Africa's demographic characteristics. The census did not, however, cover the 'independent' homelands. These homelands conducted their own censuses in 1991 but the results were not available at the time of writing.¹ [¹ *Fast Facts* no 3, 1993]

Population Size

According to the Urban Foundation (UF), the total population of South Africa (including the ten homelands) in 1993 was 40,3m. The CSS said that South Africa (including the ten homelands) would have had a total population of 'more than 39m' by June 1993.² [² *Business Day* 10 February 1993] The latter figure was supported by Dr Johannes Jordaan, author of *Population Growth—Our Time Bomb: The Solution to South Africa's Population Problem*. Dr Jordaan believed that the country's total population would increase to 50m by 2000.³ [³ *The Citizen* 27 March 1993]

According to the 1991 population census, the population of South Africa (excluding the 'independent' homelands) was 30 986 918, an increase of 11% over the 1985 census. Some 20 240 416 people (65% of the population) lived in the non-homeland area in 1991, while some 10 746 503 (35%) people lived in the six non-independent homelands. In 1985, 29% of the population was living in the non-independent homelands.⁴ [⁴ Central Statistical Service (CSS), *Population Census 1991: Summarised Results After Adjustment For*

Undercount, Pretoria, December 1992] The *Financial Mail* noted that for the purposes of adjustment, the CSS assumed a total population of 6,8m for the ‘independent’ homelands. Therefore, in 1991 the total population of South Africa (including the ‘independent’ homelands) was 37,8m.⁵ [⁵ *Financial Mail* 18 December 1992]

The Development Bank of Southern Africa estimated that there were 6630 515 people living in the ‘independent’ homelands in 1991, bringing the total population of South Africa to 37 617 435. The population was distributed as follows: non-homeland area, 53%; non-independent homeland area, 29%; and ‘independent’ homeland area, 18%.⁶ [⁶ *Fast Facts* no 3, 1993]

The following table shows the geographical distribution of the South African population (excluding the ‘independent’ homelands) according to the 1991 population census:⁷ [⁷ CSS, *Population Census 1991*]

Distribution of the South African population: 1991^a

African	
Coloured	
Indian	
White	
Total	
Non-homeland area	
Cape	
	1 935 597
	2 795 415
	45 465
	1 348 859
	6 125 336
Natal	

963 186

104 006

768 695

594 865

2 430 752

OFSb

1 756 897

70 594

892

364 679

2 193 062

Transvaal

6 257 952

310 897

169 340

2 753 076

9 491 265

Sub-total

10 913 632

3 280 912

984 392

5 061 479

20 240 415

Non-independent homelands

Gazankulu

953 186

382

49

1 154

954 771

KaNgwane

777 684

823

145

587

779 239

KwaNdebele

403 699

224

48

275

404 246

KwaZulu

5 518 731

2 351

1 623

2 069

5 524 774

Lebowa

2 737 138

1 024

266

2 159

2 740 587

QwaQwa

342 400

1

98

387

342 886

Sub-total

10 732 838

4 805

2 229

6 631

10 746 503

Total

21 646 470

3 285 717

986 621

5 068 110

30 986 918

a

Excluding the 'independent' homelands

b

Orange Free State

The table below gives a breakdown of UF projections of the population in each province and hom

Total population of South Africa: 1993

African

Coloured

Indian

White

Total

Non-homeland area

Cape province

2 495 000

2 860 500

39 900

1 359 300

6 754 700

Natal

1 112 400

117 300

817 000

630 100

2 676 800

OFS^a

1 762 500

72 700

—

334 300

2 169 500

Transvaal

7 632 800

300 600

153 900

2 822 900

10 910 200

Sub-total

13 002 700

3 351 100

1 010 800

5 146 600

22 511 200

Non-independent homelands

Gazankulu

632 700

200

—

900

633 800

KaNgwane

523 500

1 100

—

500

525 100

KwaNdebele

563 800

200

—

—

564 000

KwaZulu

5 533 000

3 300

3 500

2 100

5 541 900

Lebowa

2 384 600

1 000

200

1 800

2 387 600

QwaQwa

478 900

500

–

800

480 200

Sub-total

10 116 500

6 300

3 700

6 100

10 132 600

'Independent' homelands

Bophuthatswana

2 585 000

9 800

500

6 000

2 601 300

Ciskei

892 700

4 100

900

2 900

900 600

Transkei

3 565 900

7 300

2 900

7 000

3 583 100

Venda

577 900

100

400

800

579 200

Sub-total

7 621 500

21 300

4 700

16 700

7 664 200

Total

30 740 700

3 378 700

1 019 200

5 169 400

40 308 000

a

Orange Free State

According to the 1991 population census, the distribution of the population of South Africa (excluding the 'independent' homelands) by development region was as follows:⁹ [⁹ CSS, *Population Census 1991*]

Regional distribution of the population: 1991

Region

African

Coloured

Indian

White

Total

A^a

574 454

2 080 891

28 564

861 780

3 545 689

B^b

293 268

301 334

2 275

117 631

714 508

C^c

2 044 291

70 270

977

331 332

2 446 869

D^d

1 067 875

413 189

14 626

369 448

1 865 139

E^e

6 481 917

106 357

770 318

596 934

7 955 527

F^f

1 772 758

15 091

10 584

280 545

2 078 977

G^g

3 993 837

6 310

4 149

137 720

4 142 017

H^h

4 645 149

265 491

149 010

2 154 598

7 214 247

Jⁱ

772 922

26 785

6 117

218 123

1 023 947

Total

21 646 471

3 285 718

986 620

5 068 111

30 986 920

a

Western Cape

b

Northern Cape/western Transvaal

c

Orange Free State/QwaQwa

d

Eastern Cape

e

KwaZulu/Natal

f

Eastern Transvaal/KaNgwane/parts of Lebowa and Gazankulu

g

Northern Transvaal/parts of Lebowa and Gazankulu

h

Pretoria/Witwatersrand/Vereen

According to the 1991 census, region E had the largest proportion of people (26%) and region J had the smallest proportion (3%). Coloured people were the largest group in region A (59%) and region B (42%), while Africans were in the majority in the remaining regions.¹⁰ [¹⁰ Ibid]

Male/female Distribution

According to the 1991 population census, the male/female distribution of the population of South Africa (excluding the 'independent' homelands) was as follows:¹¹ [¹¹ Ibid]

Gender distribution of the population by race: 1991

Cape
Natal
OFS ^a
Transvaal
NIH^b
African
Male
1 010 000
500 000
960 000
3 500 000
4 910 000
Female
930 000
460 000
790 000
2 780 000

5 820 000

Coloured

Male

1 370 000

50 000

40 000

150 000

2 000

Female

1 430 000

50 000

40 000

160 000

3 000

Indian

Male

20 000

380 000

1 000

90 000

1 000

Female

20 000

390 000

390

80 000

1 000

White

Male

660 000

300 000

180 000

1 380 000

3 000

Female

690 000

300 000

180 000

1 380 000

3 000

a

Orange Free State

b

Non-independent homelands

According to the 1991 census, there were more African men (55%) in the non-homeland area of South Africa than African women and more African women (54%) than men in the non-independent homeland areas. There were almost equal numbers of white men (2,52m) and women (2,55m) in the non-homeland area, while there were slightly more coloured women (1,68m) than men (1,61m) in th

Urban/rural Distribution

According to the 1991 census, a total of 57% of the population of South Africa (excluding the 'independent' homelands) was urbanised. The census recorded the urban/rural distribution of the South African population as being:¹³ [¹³ Ibid]

Urban/rural population distribution: 1991

UrbProRurProNon-homeland area

Cape

5 067

83%

1 058

17%

Natal

1 735

71%

696

29%

OFS^a

1 377

63%

816

37%

Transvaal

7 644

81%

1 847

19%

Sub-total

15 823

78%

4 417

22%

Non-independent homelands

Gazankulu

56

6%

899

94%

KaNgwane

88

11%

691

89%

KwaNdebele

66

16%

338

84%

KwaZulu

1 303

24%

4 222

76%

Lebowa

192

7%

2 549

93%

QwaQwa

25

7%

318

93%

Sub-total

17 553

57%

13 434

43%

'Independent' homelands^b

Bophuthatswana

315

16%

1 708

84%

Ciskei

294

35%

543

65%

Transkei

182

6%

3 028

94%

Venda

22

4%

539

96%

Sub-total

813

12%

5 818

88%

Total

34 189

59%

23 669

41%

a

Orange Free State

b

Figures obtained from the Development Bank of Southern Africa.

Language

The 1991 population census noted that Zulu was the most widely spoken African language (39% of the population), followed by North Sotho (16%) and Xhosa (11,6%). Zulu was also the most widely spoken home language in the country (excluding the ‘independent’ homelands), with 8,35m home language speakers in 1991, followed by Afrikaans (5,74m) and North Sotho (3,46m). Afrikaans was the home language of most coloured and white people (83% and 58% respectively). English was the home language of 95% of Indians, 39% of whites, 15% of coloured people and 0,2% of Africans.¹⁴ [¹⁴ Ibid]

The following table shows the racial breakdown of the 14 most widely spoken home languages in South Africa (excluding the ‘independent’ homelands):¹⁵ [¹⁵ Ibid]

Home language by race: 1991

AfrColIndWhiTotal ^a

(0Zulu

8 340

5

2

3

8 350

Afrikaans

80

2 730

10

2 920

5 740

North Sotho

3 460

2

0,25

1

3 463

English

50

490

940

1 960

3 440

Xhosa

2 500

8

0,4

1

2 509

South Sotho

2 230

4

0,2

1

2 235

Tswana

1 430

11

0,2

1

1 442

Shangaan

1 440

0,5

0,08

0,5

1 441

Swazi

950

1

0,2

0,4

952

Sotho

260

1,5

0,1

0,3

262

South Ndebele

220

0,05

0,006

0,1

220

Ndebele

150

0,1

0,01

0,9

151

Venda

110

0,05

0,03

0,1

110

North Ndebele

110

0,06

0,06

0,1

111

a

Figures may not add up owing to rounding.

Population Growth

According to the Development Bank of Southern Africa (DBSA), the population of South Africa (including the ten homelands) increased at a high (albeit declining) rate between 1970 and 1990. In 1970 the actual population was less than 22m but it increased at a rate of more than 3% a year to reach almost 30m by the end of the 1970s. The DBSA noted that during the 1980s the average growth rate was slightly lower (2,6%).¹⁶ [¹⁶ Development Bank of Southern Africa, *South Africa: An Interregional Profile*, Midrand, 1992]

Between 1986 and 1991 the population of South Africa (excluding the 'independent' homelands) grew at an average rate of 1,9% a year, compared with 2,3% a year between 1980 and 1985. The following table shows the annual growth rates of the population between 1980 and 1991:¹⁷ [¹⁷ *Fast Facts* no 3, 1993]

Annual population growth rate: 1980–1991^a

1980–1985

1986–1991

African

2,7%

2,1%

Coloured

2,2%

1,9%

Indian

2,0%

1,9%

White

1,5%

0,8%

Total

2,3%

1,9%

a

Excludes the 'independent' homelands

The chairman of the Department of National Health and Population Development's Population Development Council, Dr Nthato Motlana, said in May 1993 that 'population development means more than the restriction of families. Population development should entail the provision of effective child and maternal health care, together with adequate provision of housing, education and clean drinking water

In March 1993 Dr Jordaan said that South Africa would have to reduce its population growth rate to avert 'disaster'. Dr Jordaan argued that there were only two options available: to follow programmes which resulted in a 'rapid and drastic' decline in population growth, or 'to let nature take its course, so that population growth would be reduced through famine, plague and civil war'.¹⁹ [¹⁹ *The Citizen* 27 March 1993] A Markinor survey completed in November 1992 found that more than 66% of urban Africans and 83% of whites believed that unchecked population growth would lead to increased poverty and 'disaster'.²⁰ [²⁰ *Ibid*]

A social anthropologist at the Centre for Health Policy at the University of the Witwatersrand, Ms Barbara Klugman, argued in September 1992 that the present high population growth was the result of migrant labour, influx control, poverty, 'bantu' education, job reservation and white immigration. Ms Klugman said that instead of 'a single-minded focus on population control' a 'serious' development programme which addressed the problem of the low status of women was needed to combat population growth.²¹ [²¹ *New Ground* summer 1992/93] According to the Institute for Futures Research, research completed by the World Bank and drawing on international experience has also shown that 'better-educated women raise healthier families, have fewer, better-educated children and are more productive at home and work'.²² [²² Institute for Futures Research, *Scan*, December 1992]

The Institute for Futures Research reported in December 1992 that although the average annual population growth had declined in the past two decades, between 1980 and 1990 the population growth rate was almost twice that of growth in gross domestic product. The country's population was expected to double between 1990 and 2018 and would be close to 80m people by 2018, the maximum number of people South Africa's water and other natural resources could support, it said.²³ [²³ *Ibid*]

Population Control

For details of the government's programme to control population growth, see the chapter on *Health and Welfare*.

Population Density

See 1992/93 *Survey* pp257–258.

More recent information is unavailable.

Age

The 1991 population census showed that the age profiles of Africans, coloured people and Indians were similar. All had a large proportion of young people (less than 19 years of age) and a small proportion of older people. The age profile of whites revealed a more even spread of people across the age categories, with a greater proportion of older people than that of the other races. The following table shows the age profile of people in South Africa (excluding the 'independent' homelands) in 1991:²⁴ [24 CSS, *Population Census 1991*]

Population age profile^a

Age group

African

Coloured

Indian

White

Total

0–4 years

14%

11%

10%

7%

12%

5–19 years

34%

34%

31%

24%

32%

20–34 years

26%

29%

26%

25%

26%

35–49 years

15%

16%

20%

21%

16%

50–64 years

8%

8%

10%

14%

9%

65 years and older

3%

3%

3%

9%

4%

a

Figures may not add up owing to round

Religion

According to the 1991 population census, the majority of South Africans (excluding residents of the ‘independent’ homelands) said that they were Christians (20,6m people or 66% of the population). Within this group, the largest proportion (5,4m people) belonged to African independent churches, followed by the Dutch Reformed Church (3,2m people) and the Roman Catholic Church (2,3m people). Thirty percent of the population did not belong to any religious group, declined to disclose religious affiliation or objected to answering the question.²⁵ [²⁵ *Ibid*]

The following table indicates the 13 most popular religions or denominations in South Africa (excluding the 'independent' homelands):²⁶ [²⁶ *Ibid*]

Religious affiliation: 1991^a

Religion

AfrColIndWhiTotChristian

African independent churches

5 310

45

5

7

5 366

Dutch Reformed

1 050

564

1

1 610

3 212

Roman Catholic

1 780

234

14

315

2 343

Methodist

1 382

94

2

334

1 813

Zion Christian

1 510

5

0,2

1

1 517

Anglican

646

233

5

292

1 175

Apostolic

282

310

4

373

970

Lutheran

662

81

2

28

773

Presbyterian

305

5

0,8

90

402

Other Christian churches

667

306

60

240

1 274

Hindu

2

1

386

0,8

389

Islamic

12

158

167

2

338

Jewish

2

0,5

0,2

65

67

Other religions

13

7

4

4

28

No religion

320

12

4

37

372

No response or objection to question

6 903

995

298

1 011

9 208

a

Figures may not add up owing to rounding.

Educational Levels

The 1991 population census revealed that the levels of education in South Africa (excluding the 'independent' homelands) were improving slowly. The proportion of the population in possession of a standard six or higher qualification increased from 32,6% in 1985 to 37,4% in 1991. The proportion of the population with some form of post-matric education increased from 3% in 1985 to 3,7% in 1991.²⁷ [27 *Fast Facts* no 3, 1993]

The census disclosed further that in 1991, 3m people over the age of 18 (10% of the population) had no schooling at all and 1,4m people or some 14% of the population of school-going age (between six and 18 years) were not attending school.²⁸ [28 *Ibid*]

The following table shows the levels of education of the population of South Africa (excluding the 'independent' homelands):²⁹ [29 *CSS, Population Census 1991*]

Educational levels by race: 1991

AfrColIndWhiTotal^a

(None (younger than 6 years)

3 538

447

118

425

4 529

None (6–18 years)

1 160

109

19

93

1 382

None (older than 18 years)

2 721

216

41

32

3 010

Grade 1–Std 1

2 445

333

66

233

3078

Std 2–Std 10

11 139

2 070

677

3 370

17 256

Diploma/certificate without matric^b

15

10

3

45

72

Post-matric

204

57

45

778

1 084

Unspecified

425

42

17

91

575

a

Figures may not add up owing to rounding.

b

Diploma or certificate which does not require completion of matric as an entrance qualification

Marital Status

With regard to the marital status of the population of South Africa (excluding the 'independent' homelands), the 1991 population census revealed the following:³⁰ [³⁰ *Ibid*]

Marital status of the population by race: 1991^a

AfrColIndWhiTotNever married

Younger than 18 years

9 550

1 320

360

1 380

12 610

18 years and older

5 090

760

150

700

6 700

Married

5 050

910

420

2 410

8 780

Living together

1 000

130

10

100

1 240

Widow/widower

700

110

50

280

1 140

Divorced

260

50

10

200

530

a

Figures may not add up owing to rounding.

The census showed that 28% of the total population was married in 1991, while 22% of the population over 17 years of age had never married. A small proportion of Africans (1%), coloured people (2%), Indians (1%), and whites (4%) stated that they were divorced. Some 23% of Africans and coloured people, 15% of Indians and 14% of whites over 17 years of age said that they had never married. Some 23% of Africans, 28% of coloured people, 41% of Indians and 48% of whites said that they were married.³¹ [³¹ *Ibid*]

Emigration and Immigration

According to the Central Statistical Service, South Africa received 8686 immigrants during 1992, most of whom had come from Europe (3 869 people), Asia (3 005) and Africa (1 266). South Africa lost 4 289 emigrants during 1992, mainly to the United Kingdom (1 987 people), Australia (694), the United States of America (314) and Canada (285). South Africa recorded a net gain of 4 397 people for 1992.³²

[³² CSS, *Tourism and Migration*, December 1992] The following table compares immigration to, and emigration from, South Africa from 1975 to 1992:³³ [³³ Bureau for Economic Research, *Trends*, March 1993, p87; CSS, *Tourism and Migration*, December 1992]

Emigration and immigration: 1975–1992

Year

Emigration

Immigration

Net gain (loss)

1975

10 255

50 464

40 209

1976

15 641

46 245

30 604

1977

26 000

24 822

(1 178)

1978

20 683

18 669

(2 014)

1979

13 828

17 304

3 476

1980

11 957

32 070

20 113

1981

8 791

41 541

32 750

1982

6 832

45 784

38 952

1983

8 247

30 483

22 236

1984

8 550

28 793

20 243

1985

11 401

17 284

5 883

1986

13 711

6 994

(6 717)

1987

11 174

7 953

(3 221)

1988

7 767

10 400

2 633

1989

4 911

11 270

6 359

1990

4 722

14 499

9 777

1991

4 256

12 379

8 123

1992

4

It was reported in May 1993 that owing to the economic recession and the outbreak of violence following the assassination of the general secretary of the South African Communist Party, Mr Chris Hanu, on 10 April 1993, expatriates and ‘thousands’ of whites were planning to emigrate.³⁴ [³⁴ *Sunday Star* 9 May 1993]

The managing director of Camdons (an estate agency), Mr Scott McRae, said in May 1993 that ‘there was a lot of fear ... but little action, partly because there were no jobs available overseas’. However, the director of international operations of Stuttafords, Mr Louis le Roux, said in the same month that he believed the level of concern about continuing to live in South Africa among ‘the public’ was greater than that following the Soweto riots in 1976.³⁵ [³⁵ *The Citizen* 21 April 1993] Mr le Roux said that his company and Elliot International (which together deal with about 90% of removals from South Africa to other countries) had moved the possessions of 1 328, 1 555 and 1849 people to other countries in 1990, 1991 and 1992 respectively.³⁶ [³⁶ *Sunday Star* 9 May 1993]

It was reported in May 1993 that the secretary general of the African National Congress, Mr Cyril Ramaphosa, was attempting to persuade whites who were planning to emigrate to remain in South Africa and to ‘help build a new nation’.³⁷ [³⁷ *Ibid*] In the same month, a spokesman for the Department of Home Affairs, Mr Jan Webber, said officials in his department were ‘working under pressure’ to process some 5 000 immigration applications a month, while the department’s European offices were dealing with ‘as many as 2 000 immigration inquiries a day’, mostly from China and eastern Europe.³⁸ [³⁸ *Business Day* 11 May 1993]

The ‘Brain Drain’

According to the Central Statistical Service (CSS), of the total of 4 289 emigrants from South Africa in

1992, 2 077 people were economically active and 21% (898) of the total number of emigrants were professional people. The CSS also recorded that 48% (4 132) of a total of 8 686 immigrants to South Africa in 1992 were economically active. Of those, 39% (1 608) were professional people (see also chapter on *Employment*).³⁹ [³⁹ CSS, *Tourism and Migration*, December 1992]

The following table shows the net gains and losses in certain categories of professional people in 1981, 1986 and 1992:⁴⁰ [⁴⁰ Ibid 1992/93 *Survey*, p260]

Emigration and immigration of skilled people: 1981, 1986 and 1992

Emigrants

Immigrants

Net gain (loss)

Accountants

1981

128

297

169

1986

288

49

(239)

1992

63

77

14

Engineers

1981

263

1 350

1 087

1986

449

238

(211)

1992

233

448

215

Medical practitioners

1981

60

167

107

1986

97

57

(40)

1992

27

317

290

Research undertaken by the Human Sciences Research Council (HSRC) in January and August 1992 on the attitudes of white South African citizens to emigration showed that 8% of English-speaking whites and 4% of Afrikaans-speaking whites interviewed had ‘strongly’ considered emigrating. The surveys also found that 78% of respondents with an educational level higher than standard 10 indicated that they would ‘never’ consider leaving the country. The proportion of people who said they would ‘never’ consider emigrating was higher for those with standard 10 or with an educational level lower than standard 10 (81% and 86% respectively). Furthermore, the surveys found that whites older than 50 years were less inclined to consider emigrating (89%) compared with those between 18 and 49 years (76%). In the latter category, 23% of the respondents had given ‘some thought’ to emigrating, compared with 10% of those over 50 years of age.⁴¹ [⁴¹ Human Sciences Research Council, *Prospects: South Africa in the Nineties*, December 1992]

The general manager of social dynamics at the HSRC, Professor Lawrence Schlemmer, said in January 1993 that a ‘frightening number’ of white school leavers, particularly Afrikaans-speaking whites, were considering emigration. He added that surveys showed that some 250 000 of all whites were considering e

Deportation

A total of 60 people were deported from South Africa (excluding the ‘independent’ homelands) during 1992 in terms of sections 45, 46 and 47 of the Aliens Control Act of 1991 (compared with 76 in 1991). In 1992, 32 deportation orders were suspended and 197 people were ‘warned’. The reasons for deportation were mainly criminal convictions of a serious nature. The following table gives a breakdown of the number of people who were deported in 1992 and the countries to which they were deported:⁴³ [⁴³ Information supplied by Mrs M Marques, deportation section, Department of Home Affairs, 26 May 1993]

Deportations in 1992

Country

Botswana

1

Germany

1

Lesotho

23

Mocambique

30

Swaziland

1

United Kingdom

1

Zimbabwe

3

To

Some 52 people were deported from 'South Africa' to the 'independent' homelands in 1992 in terms of sections 45, 46 and 47 of the Aliens Control Act of 1991, compared with 177 in 1991. The deportations were as follows:⁴⁴ [Ibid]

Deportations to 'independent' homelands: 1992

Ciskei

4

Transkei

45

Venda

3

Total

5

Repatriation

According to the 1992 annual report of the Department of Home Affairs, 82575 'illegal aliens' were returned to their countries of origin in 1992 (compared with 61 345 in 1991) in terms of sections 26 and 27 of the Aliens Control Act of 1991. These people were repatriated owing to their having entered South Africa illegally or owing to their temporary resident permit having expired.⁴⁵ [⁴⁵ *The Citizen* 1 May 1993] The minister of home affairs, Mr Danie Schutte, said in May 1993 that of these 'illegal aliens', 61 210 were returned to Mozambique, 12 033 to Zimbabwe⁴⁶ [⁴⁶ *Vision*, vol 9 no 2, 1993] and 6 235 to Lesotho.⁴⁷ [⁴⁷ Information supplied by the Department of Home Affairs, Ms Nieuwoudt, 13 May 1993]

Introducing the second reading debate on the Aliens Control Amendment Bill in February 1993, Mr Schutte said there had been an increase in the number of corrupt agents dealing with applications for permanent residence in South Africa. He said that provision had to be made in the bill for regulating such agents' activities.⁴⁸ [⁴⁸ *The Star* 9 February 1993] Captain Eugene Opperman, the media liaison officer of the South African Police for the Witwatersrand, said in March 1993, 'There are constantly bribes being accepted by both police and Home Affairs ... which we [the South African Police] are trying to keep under control.'⁴⁹ [⁴⁹ *The Weekly Mail* 5 March 1993]

It was reported in February 1993 that the Department of Home Affairs had estimated that some 6 000 citizens of Botswana, Mozambique, Swaziland and Zimbabwe were being repatriated every month.⁵⁰ [⁵⁰ *Daily Dispatch* 15 February 1993] Capt Opperman said in March 1993 that there were 'more than' 1m illegal immigrants living in South Africa. Capt Opperman added that some 16 000 illegal immigrants had been arrested in 1992.⁵¹ [⁵¹ *The Weekly Mail* 5 March 1993]

The New Nation reported in January 1993 that 'thousands' of Mozambicans were stranded in refugee

camps in Giyani (northern Transvaal), yet wanted to return to Mozambique once peace had been established.⁵² [⁵² *New Nation* 29 January 1993] The United Nations High Commissioner for Refugees and the International Committee of the Red Cross reported that in 1992 some 200000 Mozambican refugees were registered in South Africa.⁵³ [⁵³ *Vision*, vol 8 no 8, 1992]

Urbanisation

Statistics

The President's Council report entitled *A Revised Urbanisation Strategy For South Africa* was published in August 1992. The report found that urbanisation in South Africa was both racially uneven and targeted at certain areas. It was noted that three metropolitan areas were particularly attractive to urban migrants. The report said that the Pretoria/Witwatersrand/ Vereeniging (PWV) area was the most prominent 'primary city', with some 7,5m people in 1990, which represented almost one third of the country's urban population. The report said that the PWV area was followed in size by Durban/Pinetown/ Pietermaritzburg (3,4m people), the Cape Peninsula (2,5m) and Port Elizabeth/Uitenhage (900 000), which together accommodated more than 37% of South Africa's population. The table below gives the populations of the four largest metropolitan areas of South Africa for 1990 with forecasts for 2005 and expected average annual growth rates between 1990 and 2005:⁵⁴ [⁵⁴ President's Council Report of the Committee For Economic Affairs, *A Revised Urbanisation Strategy For South Africa*, Cape Town, August 1992]

Population of metropolitan areas: 1990–2005

Region

Population

Projected annual growth rate

1990

2005

1990–1995

1996–2000

2001–2005

Cape Peninsula

2 466 105

3 441 404

2,1%

2,3%

2,3%

DPP^a

3 368 165

5 402 426

3,1%

3,2%

3,4%

Port Elizabeth/ Uitenhage

885 534

1 097 202

1,4%

1,6%

1,3%

PWV^b

7 446 679

10 187 820

2,0%

2,2%

2,1%

Total

14 166 483

20 128 852

2,3%

2,4%

2,4%

a

Durban/Pinetown/Pietermaritzburg

b

Pretoria/Witwatersrand/Vereeniging

The report revealed three main trends in urbanisation in the country. These were:⁵⁵ [55 Ibid]

- migration of people from rural to metropolitan and ‘bigger’ urban areas;
- movement of people out of overcrowded urban townships to informal settlements in metropolitan areas; and
- migration of people from urban areas to the rural areas (although this type of movement did not occur on the same scale as the previous tw

The report further estimated that by 2010, 69% (33,2m) of the total African population would live in urban areas and 31% (15,2m) in rural areas of South Africa. Furthermore, 49% (23,6m) of the total African population would live in metropolitan areas by 2010. The report said the urbanisation of coloured people (80,2%), Indians (94,5%) and whites (90%) was ‘predictable’ in that ‘little further

urbanisation among these groups will take place', adding that inter-urban migration and growth of metropolitan areas would continue as at present. The report noted that some 20m additional people would have to be provided for in the towns and cities within less than two decades.⁵⁶ [⁵⁶ Ibid] The Birth to Ten study estimated in March 1993 that more than 20m Africans would be living in urban areas of South Africa by 2000. (The project started in February 1990 and aimed to determine the biological, environmental, social, economical and psycho- social factors associated with the survival and health of children in urban environments. The project is based at the Medical School of the University of the Witwatersrand.) The study said that the rate of urbanisation among Africans was 3,5% and that the African population in urban areas had risen from 8,5m in 1985 to some 14m in 1993.⁵⁷ [⁵⁷ *The Star* 15 March 1993]

Policy

The President's Council report on *A Revised Urbanisation Strategy For South Africa*, published in August 1992, recommended the formation of a single development corporation to undertake large-scale township development. Furthermore, the report said that land for urban settlement should be identified in advance of settlement to limit further growth of 'squatter' areas and prevent unplanned development. The report maintained that much of South Africa's urbanisation in the 'foreseeable future' would take the form of informal settlements with site-and-service schemes.⁵⁸ [⁵⁸ President's Council report of the Committee For Economic Affairs, *A Revised Urbanisation Strategy For South Africa*, Cape Town, August 1992]

The President's Council report suggested that city managers and town planners should aim to establish viable communities in informal settlements, replan and upgrade existing townships, and incorporate informal and formal settlements into 'nodal white urban areas' on the basis of integrated local authorities. The report identified as a problem too many small towns accommodating too few people set against too many people in a few large metropolitan areas. The report suggested that the circumstances of rural inhabitants be improved to decrease migration to the cities (see also chapter on *Land, Agriculture and Rural Areas*).⁵⁹ [⁵⁹ Ibid]

The deputy minister of land affairs, Mr Johan Scheepers, said in April 1993 that a Land Rights Advisory Forum had been established to advise the government on (among other issues) urbanisation policy⁶⁰ [⁶⁰ *The Citizen* 1 May 1993] (see also chapter on *Land, Agriculture and Rural Areas*). Ms Estelle Rendall, a spokeswoman for the Association for Rural Advancement (Afra), a rural development service organisation based in Pietermaritzburg (Natal), said Afra was 'extremely cautious' about the establishment of the forum, as 'dispossessed' communities had not been canvassed prior to its establishment. The director of the National Land Committee, Ms Joanne Yawitch, said that the announcement was 'another example of unilateral decision making by the government'.⁶¹ [⁶¹ *Business Day* 3 May 1993]

A senior policy analyst at the Development Bank of Southern Africa (DBSA), Dr Richard Tomlinson,

noted that the World Bank had changed its urban policy away from 'neighbourhood interventions' like site-and-service schemes in favour of 'city-wide policy reform, institutional development and priority investments'. These served 'broader objectives of economic development and macro-economic performance'. The World Bank highlighted the impact of urban developments on the macro-economy, while emphasising the promotion of urban productivity, the relief of urban poverty and the creation of 'environmentally sustainable urban areas'. Dr Tomlinson believed that the Independent Development Trust, the DBSA and the Urban Foundation (UF) agreed with the World Bank regarding its approach to urbanisation policy.⁶² [⁶² Tomlinson R, 'Competing Urban Agendas in South Africa', *Urban Forum*, vol 3 no 1, 1992, pp92-105]

It was reported in November 1992 that the World Bank considered the pattern of urbanised land in South Africa to be the most important contributing factor to the inefficiencies of its cities. This included the spatial separation of (former) black and (former) white cities, the high concentration of jobs and services in (former) white areas, and the location of high-density, low-income areas located on the fringe of South Africa's cities. The bank recommended that a future government adopt policies which integrated the spatially segregated racial areas within cities. This could be achieved by increasing the densities of residential areas (which would require a change in current land-use zoning regulations) and concentrating settlements around urban centres.⁶³ [⁶³ *The Star* 12 November 1992]

Research completed by the development strategy and policy unit at the UF on the experiences of some 50 African, Asian and Latin American countries found that there was a close link between the overall condition of a country's economy and its ability to deal successfully with the growth of its largest cities. The UF noted that there was a growing belief internationally that urban planners and city managers should transcend the outmoded practice of 'master planning' (producing a plan of how a city might look in the future), and instead promote and guide urban economic development. According to the UF, attempts at curbing urban growth should make way for policies which allowed and encouraged metropolitan areas to 'unleash their full potential as economic power-houses'.⁶⁴ [⁶⁴ *UF research*, 'Managing Urban Growth: The International Experience', February 1993]

Research undertaken by the Urban Problems Research Unit (Upru) at the University of Cape Town showed the high costs associated with urban sprawl. Upru argued that South African cities should be physically restructured by directing urban growth inwards and promoting higher residential densities. According to Upru, inward urban growth would:⁶⁵ [⁶⁵ Behrens R and Watson V, 'Inward Development: Solutions to Urban Sprawl', *Indicator SA*, vol 9 no 3, winter 1992]

- enable more efficient use to be made of infrastructure and services;
- reduce the rate of land use at the urban fringe;
- situate the poor closer to employment centres;

- reduce travel costs and distances travelled by the poor; and
- provide favourable conditions for the development of informal businesses.

Regional Issues

Durban

Dr Doug Hindson and Mr Mark Byerley of the Institute for Social and Economic Research at the University of Durban–Westville, and Dr Mike Morris of the Centre for Social and Development Studies at the University of Natal (Durban), noted in December 1992 that African urbanisation had occurred in three stages in Durban since the 1970s. These were as follows:⁶⁶ [⁶⁶ Hindson D, Morris M and Byerley M, 'What Durban lacks is an integrated metropolitan plan', *Prospects: South Africa in the Nineties*, December 1992]

- illegal 'clandestine' informal settlement on the periphery of African townships from the early 1970s;
- open informal settlement around African townships in the early 1980s; and
- 'squatting' on vacant land within African townships and the migration of Africans to the city centre following the onset of violence in the mid to late 1980s.

The researchers noted that the present growth of informal urban settlements in the Durban functional region (DFR) was the outcome of 'spontaneous movements' both from overcrowded townships and, to a lesser degree, from neighbouring rural areas. Noting that Durban lacked an integrated metropolitan plan the researchers argued for a more integrated metropolitan approach. Such a plan would include inner-city 'deracialisation and densification', the upgrading of informal settlements on the urban peripheries and the integration of these settlements' infrastructure with that of the Durban city centre.⁶⁷ [⁶⁷ *Ibid*]

Research undertaken by Ms Libby Ardington, a researcher at the Centre for Social and Development Studies at the University of Natal (Durban), and published in mid 1992, showed that the majority of residents in the 'more recently established' informal settlements within the DFR had their origins within the DFR. She found that natural population growth, a reduction in the average number of inhabitants of overcrowded township houses and violence ensured the growth of these newer informal settlements. Ms Ardington believed that the findings dispelled the commonly held view that the growth of informal settlements was the result of the continuing movement of people to the Durban metropolis from rural areas in search of employment.⁶⁸ [⁶⁸ *Ardington L, 'In the Land of Canaan', Indicator SA*, winter 1992]

Research by the Centre for Social and Development Studies at the University of Natal (Durban) found that in 1989 the population of the Natal region comprised some 21% of the total South African

population (including the ten homelands) and that by 2000 its proportion would have grown to 23%. The DFR comprised some 45% of the Natal population in 1989 and would have grown to some 54% by 2000. Research also found that 'migration into the DFR was complex' and cautioned against assumptions that people left rural areas for peri-urban areas and subsequently left peri-urban areas for a metropole where they lived in one fixed dwelling. The research noted the following broad trends in the DFR's migration process:⁶⁹ [⁶⁹ Cross C, Bekker S and Clark C, 'People on the Move: Migration Streams in the DFR', *Indicator SA*, winter 1992]

- most adult migrants to urban areas were still of rural origin but the rural proportion was falling;
- families moving into informal settlements increasingly came from adjacent communities;
- some residents of informal settlements were taking steps to acquire control over the settlement process; and
- large-scale 'landlordism' (ie a person with actual power in an area who extracts taxes from people living in the area in exchange for 'protection') in informal settlements might be occurring less often in the DFR generally.

Eastern Cape

Professor William Davies, professor of development studies at Rhodes University (Grahamstown), noted in January 1993 that the smaller urban centres in the eastern Cape had declining white populations, together with relatively large and growing African and coloured populations. Professor Davies said that many white farmers had retrenched their employees in response to the drought. These employees had migrated first to smaller urban centres in the region and then to the Port Elizabeth/Uitenhage metropolitan area. He quoted estimates by the Urban Foundation in 1992 that 15 families a day were moving into Port Elizabeth, which represented 20 000 people a year 'at conservative estimates'.⁷⁰ [⁷⁰ *Sash* January 1993]

Pretoria/Witwatersrand/Vereeniging

The Central Witwatersrand Metropolitan Chamber (CWMC) published its *Land Availability Report* in September 1992. The report identified some 180 sites with a 'high potential' for low-income housing in a 164 000ha study area of the greater central Witwatersrand. According to the CWMC, an 'overall strategy plan' for the region would be developed to identify and analyse all potential land for urbanisation. The report said the 'legacies of apartheid' had resulted in severe shortages of land and housing, particularly for low-income people; 'excessive' travelling distances between home and work; 'racially structured' land, housing and rental markets; and inefficient use of resources.⁷¹ [⁷¹ *Financial Mail* 2

October 1992, *The Star* 10 September 1992, *The Citizen* 10 September 1992]

Land regarded as 'high priority' for low-income housing in the report included large farms and land owned by the government. 'Medium priority' land consisted of smallholdings and land owned by large companies. Privately owned land and township erven were regarded as of 'low importance'. Key principles of the report included the need to:⁷² [⁷² *The Star* 10 September 1992]

- promote 'integrated urban development';
- create work opportunities;
- include effective community participation and decision making;
- ensure the efficient use of financial and human resources; and
- protect the environment.

The Physical Development Working Group of the CWMC published its *Interim Strategic Framework* (ISF) for the central Witwatersrand in November 1992. The chairman of the working group, Mr Graham Pirie, said that through the ISF guidelines the CWMC would facilitate the establishment of a post-apartheid urban model for the Johannesburg metropolitan region to meet the needs of all its people.⁷³ [⁷³ Ibid 27 November 1992]

The ISF noted that the population of the Pretoria/Witwatersrand/ Vereeniging region would increase by 80% (from 8,9m in 1990 to 16m by 2010). Of the 16m people in 2010, the report said that 13,4m would fall into the low-income bracket (earning R1 000 or less a month per household) compared with 6,5m who were in the low-income bracket in 1990. Seven 'strategic objectives' were identified by the ISF which would enable the region to cope with urbanisation. These included:⁷⁴ [⁷⁴ Central Witwatersrand Metropolitan Chamber, Physical Development Working Group, *Interim Strategic Framework. Policy Guidelines*, supplementary report, November 1992; *Business Day* 13 November 1992]

- the development of vacant or underused land for residential and commercial use;
- an increase in the density of inner city areas;
- upgrading of townships and informal settlements; and
- the provision of improved services and the provision of an affordable, efficient transportation system.

Planact, an urban development service organisation based in Johannesburg, noted in August 1992 that certain government bodies were in the process of selling 8 286ha of public land in the Transvaal. Planact also pointed out that the Transvaal Provincial Administration (TPA) had appropriated 53,6ha of land at Orange Farm and 8,5ha at Rietfontein (both south of Johannesburg), despite the TPA agreeing in the CWMC that further development of land for low-income housing on the margins of the Witwatersrand was 'undesirable' at this stage of political transition.⁷⁵ [⁷⁵ *Fast Facts* no 6, 1993; Planact, annual report 1991/92]

In November 1992 the African National Congress called for a moratorium on the sale and transfer of public land until an interim government was established.⁷⁶ [⁷⁶ *The Citizen* 4 November 1992] In the same month the National Housing Forum (NHF) (representing the private sector, development agencies, political parties and community-based organisations) said that the 'recent trend' of the disposal of public urban land throughout the country was a matter of 'serious concern' to the NHF. The NHF said that while it recognised that proceeds from the sales were used partly to redress the government's financial difficulties, it was 'highly questionable' as to whether present or future national assets should be used to finance current expenditure. The NHF called for a moratorium on the sale of public land which had development potential and could be used to help resolve South Africa's urban and housing crisis (see also chapter on *Housing and Infrastructure*).⁷⁷ [⁷⁷ The National Housing Forum, Land and Services Working Group, *Proposed directive for strategic sale, transfer and/or development of public urban land (including a moratorium on the inappropriate development of such land)*, 26 November 1992] The deputy minister of land affairs, Mr Johan Scheepers, said in April 1993 that the government rejected the idea of a moratorium on the sale of public land for the following reasons:⁷⁸ [⁷⁸ *Hansard* (joint sitting) 13 col 6549, 30 April 1993]

- the Advisory Commission on Land Allocation would be hampered (see also chapter on *Land, Agriculture and Rural Areas*);
- a 'significant' proportion of government-owned land was unsuitable for development owing to its position, size and soil quality; and
- there currently existed a demand for land 'within the ranks of landless individuals' which, he said, should be met.

The executive director of health, housing and urbanisation for the Johannesburg City Council, Professor Nicky Padayachee, disclosed a council plan in February 1993 which aimed to house an additional 1m people within a 10km radius of Johannesburg's central business district once the mining houses made such land available for low-income housing. Professor Padayachee said that the vacant mining land, which was close to employment areas, should be developed for both residential and commercial purposes.⁷⁹ [⁷⁹ *Sunday Star* 14 February 1993]

The managing director of Rand Mines Properties (RMP), Mr Colin Steyn, said in December 1992 that RMP was investigating the possibility of setting aside some 100ha of land southwest of Johannesburg for affordable housing as RMP believed ‘people should live close to their places of work’.⁸⁰ [⁸⁰ *Business Day* 3 December 1992]

Western Cape

A metropolitan development framework prepared by the Western Cape Regional Services Council (RSC) towards the end of 1992 argued for a new approach to planning for low-cost housing in the Cape metropolitan area. The plan would focus on developing existing vacant and under-used land within the existing boundaries of the metropolitan area. According to an RSC spokesman, the new metropolitan development guidelines differed from previous ones which had made provision for large black township areas to be set aside on the city’s periphery. The guidelines maintained that future development for low-cost housing would ‘probably’ take the form of low-rise, high-density construction along existing transport corridors.⁸¹ [⁸¹ *Argus* 19 December 1992]

According to the deputy director general of community services in the Cape Provincial Administration (CPA), Mr Karl du Preez, the African population of Cape Town ‘more than trebled’ between 1982 and 1992 from 200 000 people in 1982 to more than 900 000 people in 1992—an increase of 350%. Mr du Preez believed that Cape Town was one of the fastest growing cities in Africa with an average growth of more than 13% a year between 1982 and 1992. Cape Town’s housing backlog in 1992 was between 120 000 and 150 000 units, according to the Development Action Group (Dag), an urban development service organisation based in Cape Town.⁸² [⁸² *Ibid* 30 January 1993]

Mr du Preez said that more than 3 700ha of land was required in Cape Town to meet the demand for land and housing before 2010. He said a further 1 400ha of land was needed in the area north of Milnerton and added that land on the west coast, north of De Noon, had already been identified by the CPA for the development of low-cost housing.⁸³ [⁸³ *Ibid*]

Dag said the area of Cape Town would double over the next 15 to 20 years if it continued to grow in a sprawl-like manner (ie dispersed and low-density city growth). Another eight developments the size of Khayelitsha (Cape Town) would be needed by 2010 to accommodate the influx of people. Dag said vacant and underutilised land close to Cape Town should be used for low-income housing so as not to perpetuate urban sprawl.⁸⁴ [⁸⁴ *Fast Facts* no 6, 1993]

Dag noted that Cape Town had at least seven pieces of land close to large industrial or urban areas, totalling some 1 690ha, which were owned by the South African Defence Force (SADF), Transnet and Telkom. Dag estimated that if this land was developed to densities of 75 dwelling units a hectare, some 127 000 housing units could be constructed. Dag noted, however, that the SADF, Telkom and Transnet were in the process of selling the land for purposes other than low-income housing.⁸⁵ [⁸⁵ *Ibid*; Development

Action Group, annual report 1992]

Key Projections

- The Institute for Futures Research noted that the country's population was expected to increase to 80m by 2018.
- The President's Council report on *A Revised Urbanisation For South Africa* estimated that by 2005 some 20,1m people would be living in the country's four major metropolitan areas (Cape Peninsula, Durban/Pinetown/Pietermaritzburg, Port Elizabeth/ Uitenhage and Pretoria/Witwatersrand/Vereeniging (PWV)).
- The report estimated that by 2010, 69% (33,2m) of the total African population (including the ten homelands) would live in urban areas and 31% (15,2m) in rural areas of South Africa.
- The report noted that some 20m additional people would have to be provided for in urban areas in South Africa (including the ten homelands) by 2010.
- The Birth to Ten study estimated in March 1993 that more than 20m Africans would be living in urban areas by 2000.
- The Centre for Social and Development Studies at the University of Natal (Durban) said that by 2000 the population of the Natal region would comprise 23% of the total South African population. The Durban functional region would comprise some 54% of the Natal population by 2000.
- The Central Witwatersrand Metropolitan Chamber's *Interim Strategic Framework* said that the population of the PWV region would increase by 80% in 1990 to 16m by 2010. By 2010, 84% of the population in the PWV would fall into the low-income bracket compared with 73% in 1990.

HEALTH AND WELFARE

Key Points

- The amount allocated to expenditure on health in South Africa (excluding the 'independent' homelands) increased from R9,93bn in 1992/93 to R10,99bn in 1993/94 (ie by 11%).
- According to the registrar of medical aid schemes, 69% of whites were covered by medical aid schemes in 1991 together with 33% of Indians, 29% of coloured people and 7% of Africans.

- In 1992 there were 3 998 dentists, 25 375 doctors, 143 791 nurses and 9 277 pharmacists in South Africa (excluding the 'independent' homelands).
- The number of women in South Africa (excluding the 'independent' homelands) using contraceptives totalled 2,3m in 1991/92. This constituted 43% of women between 15 and 49 years of age.
- In 1992, 5 641 beds in provincial hospitals were not utilised (in comparison with 7 003 in 1991).
- The amount allocated to primary health care in South Africa (excluding the 'independent' homelands) increased from R183m in 1992/93 to R205m in 1993/94 (ie by 12%). However, the amount allocated in 1993/94 represented only 6% of the health budget.
- The head of the AIDS unit in the Department of National Health and Population Development, Ms Natalie Stockton, said in June 1993 that the actual number of cases of AIDS in South Africa (including the ten homelands) was between 7 000 and 10 000. She said that 322 000 people in South Africa had been infected with the human immuno-deficiency virus by the end of 1992.
- Of the total number of cases of AIDS reported by 29 February 1993, 51% were heterosexual African men and women, 21% were African infants, 21% were homosexual white men and 7% were all other races and sexual orientations.
- The budgetary allocation to fighting AIDS increased from R20,9m in 1992/93 to R21,1m in 1993/94, which represented a real decrease of 11%.
- Although Africans comprised 69% of the population of South Africa (excluding the 'independent' homelands) they received only 49% of the welfare budget. Coloured people, who comprised 10% of the population, received 25% of the welfare budget; Indians, who comprised 3% of the population, received 6%; and whites, who comprised 16% of the population, received 21%.
- On 1 September 1993 old-age pensions for South Africans of all races were equalised at R370.

Health

Policy

During the period under review the government continued with its restructuring of the public health service. It also passed legislation affecting the private health sector by deregulating medical aid schemes (see *Legislation* below). Both these measures met with protest from a range of organisations.

In January 1993 the chief director of primary health care of the Department of National Health and

Population Development, Dr Leon du Toit, reiterated that the government's health policy specified that:¹
[¹ *GP Bulletin* January 1993]

- health care should be devolved to regional health authorities;
- primary health care should be rendered at the lowest possible effective level, based on available expertise and local needs;
- communities should be involved in the provision of health services at all levels;
- academic hospitals should enjoy maximum autonomy; and
- the private sector should take an active part in the provision of health services.

In February 1993 it was announced that the three own affairs health departments would be abolished on 1 April, their functions being taken over by the Department of National Health and Population Development. The minister of national health, Dr Rina Venter, said that the rationalisation measure would not result in significant savings as only 8% of the health budget had been allocated to the own affairs departments. She added that rationalisation of other departments of health, including those of the four provincial administrations and the ten homelands, would depend on the progress of constitutional negotiations (see chapter on *Constitutional Change*). Dr Venter said that the amalgamated department would have 'minimum executive functions', with most decision making devolved to regional and local authorities.² [² *Business Day, The Citizen* 3 February 1993]

The African National Congress (ANC) said in response to the announcement that South Africa needed a single health ministry, and that the move still left 11 departments of health. It said that the abolition of own affairs health departments would not solve the country's health crisis.³ [³ *The Citizen* 16 February 1993]

In April 1993 the report of an investigation of the public health service of South Africa (excluding the 'independent' homelands) was published. The investigation had been carried out by an interdepartmental committee (the Steinmetz committee) appointed by Dr Venter and under the chairmanship of Mr Gerard Steinmetz, the chairman of the Sage Group. The committee had been asked to 'formulate a strategy and proposals to enable government to render an effective health service within the financial resources available'. The Steinmetz committee recommended that.⁴ [⁴ *The Star* 27 April 1993]

- a national department of health determine overall health policy, standards, training and research, but that it have no direct responsibility for services;
- responsibility for health services be vested in regional departments of health, based on the nine

development regions (or whatever regions formed the basis for a future constitutional dispensation); and

- district health authorities within each region be responsible for the day-to-day running of health services, from primary to tertiary health care.

The Steinmetz committee estimated that such structural changes to the health service would save R400m a year.⁵ [⁵ Ibid]

Regarding hospitals, the committee recommended that:⁶ [⁶ Ibid]

- hospitals be funded by income derived from charging all patients at the rates charged by medical aid schemes (with services for the poor being funded from the regional health budgets);
- state hospitals be made available to private practitioners in return for services rendered to state patients;
- specialised services and equipment in the private sector not be duplicated in the public sector and vice versa; and
- three academic hospitals be converted to tertiary care (which would save R150m a year).

The committee said that the number of pharmaceutical items procured by the public health services totalled 2 386 while the number of pharmaceutical items regarded as essential by the World Health Organisation was 260. The committee recommended that:⁷ [⁷ Ibid]

- the number of pharmaceutical items supplied in the public health sector be reduced to 500 (which would save R350m a year);
- strict controls be placed on the number of items dispensed and the quantities of each item dispensed per prescription; and
- a new stock control system be introduced at hospitals to eliminate fraud and theft (which cost the state as much as R500m a year).

The Steinmetz committee also examined the maldistribution of doctors. Although the average population/doctor ratio in South Africa was 978:1, in the non-independent homelands it ranged from 10 000:1 in QwaQwa to 30000:1 in Lebowa. In this regard the committee recommended that:⁸ [⁸ Ibid]

- contractual obligations to serve in rural areas be attached to medical bursaries and loans;
- one year's compulsory service in selected areas prior to registration with the South African Medical and Dental Council be introduced; and
- funding of patients rather than institutions be introduced, in order to encourage new private practices in underserved areas (such as rural areas).

The Medical Association of South Africa said that it welcomed the report of the Steinmetz committee. However, it added that the terms of reference of the investigation were too broad and, 'therefore, issues were too superficially addressed'.⁹ [⁹ Ibid]

The Health Systems Trust said that the report demonstrated a commitment to a unitary health system and a serious attempt to achieve appropriate budgeting and financial control. It concluded that 'overall, the impression is that there has been an attempt to accomplish too much with too little discussion. The report could nevertheless be the catalyst for further discussion'.¹⁰ [¹⁰ Ibid]

The ANC said that it welcomed the report of the Steinmetz committee but found it disappointing. 'The committee has seen the need for a single health department, the need to find a new formula for funding services, and the need to combat fraud and theft. However, the report's perspective is too narrow. It is steeped in years of apartheid ideology and the belief that privatisation will prove a panacea.' The ANC added that 'a single businessman and 15 civil servants', whom it said had been responsible for drawing up the report, 'together have a very narrow perspective ... the views of most nurses, doctors and health workers were not taken into account'.¹¹ [¹¹ Ibid 27 May 1993, 14 June 1993]

The director general of national health and population development, Dr Coen Slabber, said in June 1993 that it would be 'difficult to sell the [Steinmetz] committee's report because the major health players were not involved' in drawing it up.¹² [¹² Ibid 14 June 1993]

In May 1993 Dr Venter announced that she had appointed a committee to investigate private hospitals. She said that the committee had been asked to inquire into 'the desirability or not of regulation for the industry; the level and criteria of such regulation, the establishment of operational standards and the regulation of the provision of sophisticated medical equipment'. The committee's members included academics and civil servants. It was to produce a final report by the end of August.¹³ [¹³ *New Nation* 7 May 1993, *Business Day* 1 June 1993]

In the same month the KwaZulu minister of health, Dr Ben Ngubane, announced that health services in KwaZulu and Natal were to be merged 'without delay'. The chairman of the KwaZulu/Natal Joint

Executive Authority, Mr Val Volker, said that the move would prevent duplication of services and save money. However, given the limited funds available in Natal for health, he did not foresee that the merger would allow for a significantly better health service to be provided. The merger was criticised by the deputy chairman of the Natal Midlands region of the ANC, Mr Blade Nzimande, who said that the merger represented ‘unilateral restructuring’.¹⁴ [¹⁴ *The Natal Witness* 14 May 1993, *Echo* 20 May 1993]

In August 1993 the government announced that it was to establish a national health forum in conjunction with representatives of the health departments of the ten homelands and the Patriotic Health Front, which comprised the ANC, the Congress of South African Trade Unions, the National Progressive Primary Health Care Network, the Pan-Africanist Congress, the South African Communist Party, the South African Health and Social Services Organisation and the South African National Civic Organisation. Issues to be considered by the forum included the ‘unilateral restructuring of health services’ (including the privatisation of hospitals), the spiralling costs of health care, the pharmaceutical industry, health legislation and the adoption of policies to provide accessible health care to all South Africans. The forum held its first meeting at Midrand (near Johannesburg) on 7 August.¹⁵ [¹⁵ *Business Day* 4 August 1993]

Alternative Proposals

The **African National Congress** said in January 1993 that access to health care was a basic human right which should be incorporated into the constitution. It proposed that:¹⁶ [¹⁶ *GP Bulletin* January 1993]

- a comprehensive, equitable and integrated national health service (NHS) should be created;
- a single government department should co-ordinate the delivery of public and private health care. Health care provision by the private sector should be recognised and regulated;
- health services should be regulated so that resources could be used to bring health care to all South Africans, with priority given to vulnerable groups;
- the responsibility for health care should be shared by national, regional and district authorities;
- those who could afford to do so should contribute to the cost of health care through taxation, contributions to a special fund, or both. However, public health facilities should provide free services;
- incentives should be offered to persuade health workers in the private sector to return to the public sector; and
- a national drug policy should control the provision of medicines and ensure low prices.

The **Democratic Party (DP)** said that it believed that an urgent restructuring of the health care system was needed. It said that it was inappropriate to ‘throw more money into the present system without restructuring taking place first’ as this was merely wasteful. The emphasis in restructuring should be on primary health care, which would involve the development of a network of clinics, both mobile and fixed, throughout the country. The DP added that a single ministry of health was essential in the restructuring process, and that the ministry should be responsible for broad policy making and the distribution of finances. It said that restructuring should be followed by the effective devolution of power to regional and local health authorities. According to the DP, no one should be denied health care because he/she was unable to pay for it.¹⁷ [¹⁷ Ibid]

The manager of health sciences for the **Medical Association of South Africa**, Dr David Green, said that a future health dispensation would need to:¹⁸ [¹⁸ Ibid]

- address the need to extend health services to all those who required them ‘in the face of a shrinking national health budget’;
- create incentives for increased efficiency in the private sector;
- implement a major primary health care network countrywide; and
- rationalise health services and temper community expectations.

The **South African Health and Social Services Organisation (Sahsso)** said the government had ‘proved itself to be incompetent and distanced from the realities of life as lived by the majority of South Africans’. It called for a moratorium on the ‘government’s unilateral restructuring of health’. Sahsso said that South Africa needed the health service to be restructured in consultation with the ‘progressive sector’. It said that the health service should:¹⁹ [¹⁹ Ibid]

- comprise district health authorities (which would be accountable to local communities), regional health authorities (which would support district health authorities and supply specialised services) and a central department (which would allocate funds to regions according to population size and health needs);
- give high priority to affirmative action in the training and employment of health workers, and in the provision of services to disadvantaged communities; and
- emphasise primary health care at every level of the NHS.

In 1993 the **Centre for Health Policy** at the University of the Witwatersrand proposed that the South African health care system could be reformed by initiating a national health insurance scheme (NHI). Income earners would contribute to such a scheme which, together with general taxation, would finance cost-effective and free health care for all South Africans, whether or not they had paid such contributions. The centre envisaged that every South African would be registered with, and be served by, a health team based in a particular area and comprising a range of health-care workers. There would be health teams within both the public and private sectors.²⁰ [²⁰ Centre for Health Policy, *A National Health Service for South Africa Part II: a Proposal for Change*, University of the Witwatersrand, Johannesburg, 1993]

The centre said that the NHI fund would pay health teams for the services they provided, with fees based on the number of patients served rather than for services provided. (In this way, it suggested, health care workers would be encouraged to keep patients healthy rather than to provide more services.) The centre argued that certain regions (eg rural areas with fewer health workers) should receive higher fees in order to encourage health workers to work in these areas. If a patient required higher-level care, he or she would be referred to a hospital.²¹ [²¹ Ibid]

Legislation

The **Medical Schemes Amendment Act** was gazetted on 12 March 1993. It was to take effect from 1 September. The amendment act amended the Medical Schemes Act of 1967, and provided for:²² [²² *Government Gazette* vol 333 no 14640, 12 March 1993]

- the abolition of guaranteed direct payment by medical aid schemes to providers of medical services who charged within the scales of benefits;
- the removal of prescribed minimum and maximum benefits provided by medical aid schemes to their members; and
- the termination of the Representative Association of Medical Aid Schemes (Rams) as a statutory body. Hence, the scales of benefits designated by Rams as payable by medical aid schemes would no longer be obligatory, but would merely be guidelines. (The amendment bill tabled in 1992 but subsequently withdrawn had sought to allow Rams to continue to operate as a statutory body—see 1992/93 *Survey* pp268–269.)

According to the Centre for Health Policy at the University of the Witwatersrand, the amendment act would also facilitate the development of health maintenance organisations (HMOs) (see 1992/93 *Survey* p269). HMOs comprising general practitioners, specialists, nurses and paramedical personnel would be able to provide health care to patients at a fixed cost, which would remove the incentive to oversupply services.²³ [²³ *The Star* 5 April 1993]

The minister of national health, Dr Rina Venter, said that benefits paid out by medical aid schemes in 1991 had increased by 30% over the figure for the previous year, while membership of such schemes had increased by only 0,1% and the number of beneficiaries by 2,6%. She added that the motivation for the legislation was to curb abuses of medical aid schemes that cost the country millions of rands a year. Dr Venter argued that the new legislation would allow consumers to choose affordable health care which would suit their needs. 'A deregulated environment will no doubt bring private health-care cover within the reach of a wider spectrum of the public.'²⁴ [²⁴ *Sowetan* 12 February 1993, *Financial Mail* 19 March 1993]

Dr Venter stressed that consumers of health care would be expected to accept greater responsibility for containing health-care costs by using benefits sparingly and negotiating fees with health-care suppliers. She denied allegations that the new act would affect doctors and other medical practitioners adversely. 'Rather, practitioners must exploit the challenges of the free market. In this regard, the new law will set a stable stage for suppliers to market their services.'²⁵ [²⁵ *Financial Mail* 19 March 1993]

Commenting on the amendment act, the Centre for Health Policy said that it would mean that:²⁶ [²⁶ *The Star* 5 April 1993]

- patients' choice of medical care providers would be narrowed as medical aid schemes would require members to seek out providers who offered discounted fees or who were part of managed care groups;
- providers would be exposed to more bad debt;
- administrative costs would 'rocket' as medical aid schemes entered into separate contracts with a large number of providers;
- large numbers of medical scheme members would be left without the ability to meet substantial out-of-pocket medical expenses; and
- the introduction of flexible medical scheme packages would 'fracture the cross-subsidisation that is a feature of the current system. Those people faced with expensive packages (the old and very sick) are unlikely to be able to afford them. Such patients will inevitably have to be cared for by a public sector already struggling to provide adequate care to almost 80% of the population'.

The South African Nursing Association welcomed the amendment act.²⁷ [²⁷ *Sowetan* 11 February 1993] It was also welcomed by the executive director of Rams, Mr Rob Speedie, who said that the amendment act would 'increase the scope for negotiation as players become increasingly competitive and patients become more aware of costs',²⁸ [²⁸ *Financial Mail* 18 December 1992]

The secretary general of the Medical Association of South Africa (Masa), Dr Hendrik Hanekom, said that Masa feared that as a result of the legislation doctors would face an increased economic burden owing to inadequate financial regulations for medical aid schemes. He believed that the country needed integrated public health insurance legislation to protect members of the public. Dr Hanekom said that many people would now not be able to afford private health care and would be compelled to turn to public hospitals, which were already ‘in a crisis of overcrowding and underfunding’.²⁹ [²⁹ *The Citizen* 19 February 1993]

The South African Health and Social Services Organisation suggested that the legislation was intended to ensure the continued profitability of medical aid schemes and medical practitioners. ‘The total effect of the amendments is that medical aid schemes are now going to set their own tariffs and doctors will move from public into private practice. There is no denying that abuse was and still is rife and we condemn this as unethical. But ... to push a secret agenda to privatise health-care services is equally repugnant,’ the organisation said.³⁰ [³⁰ *Sowetan* 15 February 1993]

An organisation calling itself the South African Medical and Dental Practitioners said in response to the amendment act that the government had acted unilaterally and ‘at the behest of big capital’. The organisation accused the government of turning health care into a ‘profit commodity for the benefit of [medical scheme] operators’. Furthermore, the organisation argued that patients would suffer in the end as the new scheme provided for stratified benefits ‘with second-class contributions for second-class treatment’.³¹ [³¹ *Ibid* 12 February 1993]

The Medical Schemes Amendment Act was also rejected by the African National Congress (ANC), the Azanian People’s Organisation, the National Council of Trade Unions and the Congress of South African Trade Unions.³² [³² *Ibid* 15 February 1993]

The South African National Consumer Union subsequently called on the government to appoint a health-care ombudsman to advise the public on the implications of the amendment act. The union said that ‘tremendous ignorance’ existed among the public about medical aid schemes and few people realised that in terms of the new legislation they would be able to negotiate contributions to medical aid schemes and benefits. It added that an ombudsman would assist consumers to adapt to and take advantage of the new legislation.³³ [³³ *Business Day* 10 June 1993]

An amended version of the **Associated Health Service Professions Amendment Bill** was published in February 1993. It sought to:³⁴ [³⁴ Associated Health Service Professions Amendment Bill, W48B-93 (AS)]

- provide for the registration of persons practising allied medical services such as chiropractic and homeopathy, extending to them recognition which they had not previously enjoyed;
- provide for the establishment of professional boards to control the activities of such practitioners. The

boards would control the education of practitioners and discipline those who were found guilty of improper or disgraceful conduct; and

- allow for fines not exceeding R10 000 to be imposed in cases of improper or disgraceful conduct.

Speaking in Parliament in March 1993, Dr Venter said that the Confederation of Complementary Health Associations of South Africa had indicated that it did not wish its members to fall within the ambit of the bill. The confederation represented 29 organisations, including practitioners of aromatherapy, electrocrystal therapy, holistic massage, hypnotherapy and reflexology. Dr Venter added that accordingly provision had been made for these practitioners not to be included. Instead the confederation was to ensure self-regulation of its members through the establishment of a professional board.³⁵ [³⁵ *Hansard* (joint sitting) 7 col 2881, 16 March 1993]

The government also undertook during the 1993 parliamentary session to draft amendments to the Occupational Diseases in Mines and Works Act of 1973. The amendments would, inter alia, delete all references to race and ensure that payments for injuries or disease incurred as a result of occupational hazards would be equal for all races (see chapter on *Labour Relations*).³⁶ [³⁶ *Business Day* 25 February 1993]

The South African Law Commission recommended in April 1993 that legislation be introduced to restrict and control surrogate motherhood. The commission said that legislation should prohibit artificial insemination unless:³⁷ [³⁷ *Ibid* 20 April 1993]

- it was approved by a court;
- the parties commissioning the insemination were married;
- the couple was unable to conceive a child and no previous children had been born from their marriage; and
- the generative cells of at least one parent were used in the artificial insemination.

The commission said that legislation should allow for a child born of a surrogate mother following a legal agreement to have the status of a legitimate child of the commissioning couple from birth. It added that failure to comply with the requirements of the proposed legislation should make a guilty party liable to a fine of up to R20 000 or a year in prison.³⁸ [³⁸ *Ibid*]

In May 1993 the **Academic Health Centres Bill** was published. It sought to regulate hospitals and other health care facilities which were involved in the training of medical personnel (and which would be deemed to be 'academic health centres'). The bill provided for:³⁹ [³⁹ *Academic Hospital Centres Bill*, W90-93]

(AS)]

- a policy council to be established to advise the minister of national health on academic health centres;
- each academic health centre to be controlled by a supervisory board comprising an equal number of representatives from the university concerned, the state and the community to be served by the centre;
- each academic health centre to have its own chief executive officer and to appoint its own staff; and
- academic health centres to receive funds from the government, but also to engage in fundraising.

The ANC rejected the Academic Health Centres Bill, saying that it was being ‘steamrollered through Parliament with no public debate. Such indecent haste stinks of ulterior motives and/or powerful vested interests’.⁴⁰ [⁴⁰ *The Star* 15 June 1993]

In the same month the **Tobacco Products Control Bill** was published. The bill made provision for:⁴¹ [⁴¹ Tobacco Products Control Bill, W73-93(AS)]

- the minister of national health to be empowered to prescribe the information regarding the hazardous constituents of tobacco products which was to appear on packaging and in advertisements;
- the sale of tobacco products to persons under 16 years of age to be prohibited; and
- any person who sold tobacco products to persons under 16 years of age to be liable to prosecution and on conviction to imprisonment of a term not exceeding six months or to an unspecified fine, or both.

Finance

From 1 April 1993 expenditure on health was determined by the Department of National Health and Population Development, the four provincial administrations and the authorities of the ten homelands. Half of all expenditure takes place at provincial level, for which no racial breakdown is available. It is hence not possible to determine the racial breakdown of actual spending on health services.

According to the government’s functional classification of expenditure, budgetary allocations to health in South Africa (including the ten homelands) between 1990/91 and 1993/94 were as follows:⁴² [⁴² Department of Finance, *Budget Review*, 17 March 1993]

Expenditure on health: 1990/91–1993/94

ExpeProPro1990/91

8 390

10,1%

3,1%

1991/92

10 630

11,0%

3,5%

1992/93

12 709

10,8%

3,8%

1993/94

12 942

10,2%

3,5%

a

Gross domestic product

Expenditure on health services in South Africa (including the ten homelands) in 1992/93 and 1993/94 was as follows:⁴³ [⁴³ McIntyre D and Strachan B, *Commentary on the 1993/94 Health Budget*, University of Cape Town, 1993; Estimate of Expenditure to be Defrayed from the State Revenue Account for the Year ending 31 March 1994, RP2-1993]

Health expenditure in South Africa: 1992/93–1993/94

199199IncCentral government

Department of National Health and Population Development^a

1 110 078 000

2 177 343 000

96%

House of Assembly^a

702 422 000

–

–

House of Delegates^a

54 341 000

–

–

House of Representatives^a

207 468 000

–

–

Provinces

Cape

Health

2 065 342 000

2 277 384 000

10%

Other^b

80 267 000

85 802 000

7%

Natal

Health

1 155 601 000

1 373 820 000

19%

Other^b

30 814 000

39 000 000

27%

Orange Free State

Health

617 063 000

739 481 000

20%

Other^b

51 246 000

42 400 000

(17%)

Transvaal

Health

2 690 889 000

2 927 930 000

9%

Other^b

167 575 000

252 778 000

51%

Homelands

'Independent'

N/A

N/A

N/A

Non-independent

988 234 000

1 020 344 000

3%

Walvis Bay

6 577 000

7 152 000

9%

Public works^c

—

134 037 000

—

Total

9 927 917 000

11 074 471 000

12%

a

From 1 April 1993 the health departments of the houses of Assembly, Delegates and Representatives were absorbed by the Department of National Health and Population Development

b

Comprises proposed works and capital expenditure

Construction of hospitals and clinics

N/A – Not available

The head of the Health Department of the African National Congress (ANC) in the Cape, Dr Kamy Chetty, said in response to the 1993/94 budget that in real terms government spending on health would decline during the 1993/94 financial year. Dr Chetty said that while the most recent estimate of the increase in the year-on-year consumer price index was 11%, the medical price index (MPI) had increased by 13,2% between January 1992 and January 1993. She took issue with the statement in the *1993/94 Budget Review* that good progress had already been made with the reconstruction of health services, with primary health care devolved to local authorities ‘with, of course, corresponding resources’. According to Dr Chetty, the subsidy to local authorities for rendering primary health care had increased by only 12,6%, which was below the increase in the MPI. She accused the government of not being serious about extending primary health care services to all.⁴⁴ [⁴⁴ *Cape Times* 18 March 1993]

The Democratic Party spokesman on health, Mr Ken Andrew, criticised the 1993/94 budget for its failure to exclude medicines and health services from value added tax (VAT).⁴⁵ [⁴⁵ *The Citizen* 18 March 1993] The director of the Representative Association of Medical Aid Schemes, Mr Rob Speedie, said that the private healthcare sector would have to charge about R350m more for health care as a result of the increase in VAT by four percentage points in 1993 (see also chapter on *The Economy*).⁴⁶ [⁴⁶ *Ibid*]

The chairman of the federal council of the Medical Association of South Africa, Dr Bernard Mandell, said in April 1993 that state health services were ‘substantially underfunded for the services they supply. Excessive bureaucracies and lack of integrated vision and leadership in public health services continue to result in inappropriate use of limited resources’.⁴⁷ [⁴⁷ *Business Day* 8 April 1993]

Commenting on the 1993/94 health budget Ms Diane McIntyre and Dr Brigid Strachan of the Department of Community Health at the University of Cape Town said that it had not kept pace with inflation. ‘Given that the actual expenditure in most health departments will exceed their 1992/93 budgets, the real decrease in resources available for public sector health services is even more significant,’ they added.⁴⁸ [⁴⁸ McIntyre D and Strachan B, *Commentary on the 1993/94 Health Budget*]

Ms McIntyre and Dr Strachan said that the main features of the 1993/94 health budget were as follows:⁴⁹ [⁴⁹ *Ibid*]

- there was once again a relative shift in resources away from the Cape and Transvaal provincial administrations and towards the Natal and Orange Free State provincial administrations. The reallocation was based on a formula developed by the Department of National Health and Population

Development;

- there was only a 3% increase in the allocation to the non-independent homelands. According to the director general of national health and population development, Dr Coen Slabber, the small increase was owing to a reallocation of responsibilities for particular services, and, in particular, owing to the provincial administrations' assuming responsibility for health services on South African Development Trust land;
- although the government had said that it was committed to 'bring[ing] primary health care [PHC] services within the reach of everyone in South Africa', allocations in the PHC budget did not bear this out. In particular, allocations to local authorities for PHC increased by only 12,6%, a slight real decrease (see also *Primary Health Care* below);
- the budgetary allocation for AIDS increased from R20,9m in 1992/93 to R21,1m in 1993/94, which was a real decrease of 11%;
- nearly R31m was set aside in 1993/94 for 'determining guidelines regarding pharmaceutical service practices', an allocation 48% higher than the total AIDS budget for that year; and
- the allocation for nutrition increased from R441m in 1992/93 to R448m in 1993/94 (ie by only 2%). A greater proportion of these funds was set aside for local authorities than in the previous financial year (see *Malnutrition* below).

Provincial Health Budgets

In 1993/94, 70% of the health budget of South Africa (excluding the 'independent' homelands) was allocated to the provincial administrations, compared with 69% in 1992/93. The budgets for the four provinces increased between 1992/93 and 1993/94 as follows: Cape province, 6%; Natal, 19%; Orange Free State, 17%; and the Transvaal, 11%. For the second year in succession the Cape province received the lowest increase. However, when additional amounts allocated in 1992/93 were taken into account, the amounts allocated to the provinces increased between 1992/93 and 1993/94 as follows: Cape, 1%; Natal, 4,6%; and Transvaal, 8%. Hence the amounts allocated in 1993/94 represented real decreases in provincial expenditure on health. (The figure for the Orange Free State was unavailable.)

However, the comparatively small proportional increase received by the Cape needs to be seen in the light of per capita allocation per province. In 1992/93 the per capita allocation was as follows: Cape, R395; Natal, R223; Orange Free State, R277; and the Transvaal, R250.⁵⁰ [⁵⁰ *Sunday Tribune* 11 April 1993]

Owing to the real decreases in health expenditure by the provinces, the provincial administrations of the Cape, Natal and the Transvaal warned that some hospitals might need to be closed down and a broad

range of services curtailed or terminated in order to curb the rising costs of health care.⁵¹ [⁵¹ *Business Day* 7, 8 April 1993]

The member of the executive council (MEC) for the Cape responsible for health and hospital services, Mr Peter Marais, said in April 1993 that the Cape health services faced ‘possible labour unrest, third-world health services, a neglected ambulance service and overfull wards. We’ve been forced to cut capital projects by 50%’. He added that the following measures would be taken to reduce expenditure on health:⁵² [⁵² *Hansard* (joint sitting) 10 cols 4207-4214, 6 April 1993]

- 15 health building projects would be cancelled, including the building of three new community health centres;
- 139 of the Cape’s 740 ambulances would be withdrawn from service;
- extensions to hospitals at Beaufort West, Humansdorp, Knysna, Ladismith, Mossel Bay and Oudtshoorn would be postponed; and
- services at hospitals at East London, George, Kimberley, Paarl, Port Elizabeth, Somerset West and Worcester would be curtailed.

Mr Marais added that the Cape’s strategic rationalisation plan had, however, ‘paid dividends’, as shown by the closure of Woodstock Hospital (Cape Town) and its transformation into a day hospital. The closure had allowed staff to be released for primary health care in areas such as Elsies River, Guguletu and Khayelitsha (all western Cape).⁵³ [⁵³ *The Citizen* 7 April 1993]

The administrator of Natal, Mr Con Botha, announced in April 1993 that the following measures would be taken to keep the costs of Natal’s health services within its budget:⁵⁴ [⁵⁴ *Ibid* 7, 8 April 1993; *The Natal Mercury* 7 April 1993]

- admissions for maternity confinements would be limited to cases where there were complications or where Caesarian sections were necessary;
- the early discharge of long-term, chronically ill patients would be sought;
- stricter control would be exercised over the admission of patients for non-emergency services;
- oncology services would be limited to patients with certain types of cancer;

- there would be a one-third reduction in the number of neurosurgical and heart bypass operations performed at Wentworth Hospital (Durban);
- the number of available hospital beds would be cut by 1 342; and
- outpatient fees at some hospitals would be increased by one third for the lowest-income group.

The MEC of Natal for health, Mr Peter Miller, said that monitoring of the human immuno-deficiency virus (HIV) in Natal (which had the worst rate of infection in South Africa for AIDS) might also need to be curtailed severely owing to lack of funds (see also *Acquired Immune Deficiency Syndrome* below).⁵⁵
[⁵⁵ *The Citizen* 7 April 1993]

The administrator of the Transvaal, Mr Danie Hough, said that the amount required for health services in the Transvaal exceeded the amount budgeted for 1993/94 by R315m. He said that all provincial hospitals in the Transvaal had been asked to introduce economising measures which would save R91m in the 1993/94 financial year. A further R48m would be saved through the closure or alteration of hospitals. Mr Hough added that new medical equipment to the value of R69m would need to be bought during 1993/94, leaving a net deficit of R245m.⁵⁶ [⁵⁶ *Hansard* (joint sitting) 10 cols 4609-4620, 6 April 1993]

The ANC said in response to the provincial budgets that it was shocked by plans to turn maternity cases away from hospitals. 'In the long run society will have to pay much more in hospital bills, as well as in pain and suffering, if the government refuses to help women bear healthy babies.'⁵⁷ [⁵⁷ *Business Day* 8 April 1993]

The chairman of the federal council of the Medical Association of South Africa, Dr Bernard Mandell, said that the majority of patients were dependent on state health services, and that the 1993/94 provincial health budgets would leave them 'totally vulnerable'. He believed that the necessary primary health care and supportive services were not in place to take care of women in labour, the aged, and the chronically and terminally ill. 'There is no doubt that state health services are substantially underfunded for the services they are expected to deliver. Excessive bureaucracies and lack of integrated vision in public health services continue to result in inappropriate use of limited resources.'⁵⁸ [⁵⁸ *Ibid*]

A spokesman for the Centre for Health Policy at the University of the Witwatersrand, Mr Melvyn Freeman, said that the provincial health budgets were yet another example of saving money at the expense of the worst off in society. He added that the public-health sector had come under pressure from the influx of people who could not afford private health care. Although the government's focus was on a shift to primary health care, Mr Freeman argued that it was 'a fallacy' to believe that resources for this purpose could be drawn away from hospitals and clinics. 'Cutbacks in hospital care are very likely to result in a spiral of deterioration at these institutions,' he said.⁵⁹ [⁵⁹ *Ibid*]

The president of the South African Nursing Association, Dr Anne-Marie Bruwer, condemned the low increases in the provincial health budgets. She said that the proposed cuts in services would increase further the backlog in health services. Nurses' workloads would be increased because they would be expected to take over more non-nursing tasks such as administrative duties, she said.⁶⁰ [⁶⁰ Ibid]

Homeland Budgets

The ten homeland administrations made the following allocations for spending on health in the 1991/92 and 1992/93 financial years:⁶¹ [⁶¹ Estimates of expenditure for the various homelands for 1991/92 and 1992/93, except for KwaZulu, where the figures for 1992/93 are the final estimates given in the 1993/94 estimates of expenditure]

Health expenditure in the homelands: 1991/92–1992/93

1991/92 Increase

Bophuthatswana

224 023 740

270 271 246

21%

Ciskei

223 000 000

248 255 000

11%

Gazankulu

127 705 700

169 988 800

33%

KaNgwane

62 619 206

83 870 068

34%

KwaNdebele

8 820 000

23 443 000

166%

KwaZulu

460 840 000

602 027 000

31%

Lebowa

259 500 214

316 518 320

22%

QwaQwa

43 330 000

56 400 000

30%

Transkei

380 816 000

N/A

N/A

Venda

74 174 563

N/A

N/A

Total

1 864 829 423

N/A

N/A

N/A – Not available

Although most of the allocations for spending on health in the Ciskei increased between 1991/92 and 1992/93, the allocation for spending on tuberculosis declined by 2,5% in nominal terms over this period, at a time when the number of cases of tuberculosis was increasing. The amount allocated for laboratory examinations also declined by 25% in nominal terms over this period.

In the allocation for 1992/93 for Gazankulu, an amount of R8m was allocated for the first time to primary health care. The amount allocated to hospitals in Gazankulu increased by 21% in nominal terms between 1991/92 and 1992/93. The amount allocated by KwaNdebele to clinics increased by 79% between 1991/92 and 1992/93.

Medical Aid Schemes

The 1992 annual report of the registrar of medical aid schemes provided the following figures regarding membership of medical aid schemes by race in South Africa (excluding the 'independent' homelands) as at 31 December 1991:

Membership of medical aid schemes: 31 December 1991a

Members

Beneficiaries

BeneAfrican

490 428

6 291 355

7%

Coloured

365 972

948 164

29%

Indian

132 005

329 488

33%

White

1 389 907

3 490 001

69%

Total

2 378 312

11 059 008

20%

a

These comprise only schemes registered with the registrar of medical aid schemes. In 1991 a further 888 188 people were members of schemes not registered with the registrar.

Between 1990 and 1991 the number of beneficiaries of medical aid schemes registered with the registrar increased as follows: Africans, 5,7%; Indians, 0,3%; and whites, 1,1%. The number of coloured beneficiaries of medical aid schemes declined by 1,7% between 1990 and 1991. This meant that Africans were the only race group whose membership of medical aid schemes increased faster between 1990 and 1991 than its population growth rate (2,8%).

The report of the registrar said that taking into account 888 188 people who were members of medical aid schemes not registered with the registrar, some 22,9% of the population was covered by medical aid schemes in 1991 (in comparison with 23,6% in 1990).

The Medical Schemes Amendment Act was passed in March 1993 and made provision for the deregulation of medical aid schemes (see *Legislation* above).

According to the 1992 annual report of the Department of National Health and Population Development, the total income of medical aid schemes in 1991 was R7,10bn and their administrative costs R420m (or 6% of income). Disbursements by medical aid schemes in 1991 were as follows:⁶² [⁶² Department of National Health and Population Development, annual report 1992]

Benefits disbursed by medical aid schemes: 1991

R(000)^aProportion^a

Medicine

1 996 995

29%

Hospitals

1 542 737

22%

Medical specialists

1 197 453

17%

General practitioners

967 214

14%

Dentists

688 354

10%

Other benefits

477 909

7%

Total

6 870 661

100%

a

Figures may not add up owing to rounding

Speaking in Parliament in February 1993, Dr Johannes Vilonel MP (National Party) said that between 1980 and 1989 medical aid payments had increased by 700%, to total R3,85bn. He ascribed the increase to insufficient awareness of costs by suppliers of services, overuse by consumers, abuses and fraud. Dr

Vilonel said that an estimated R10bn would be paid out in 1993 to 6,2m members of 239 medical aid schemes. Of this amount, he said, R2,5bn (ie 25%) would be paid out as a result of fraud or excessive claims.⁶³ [⁶³ *The Citizen* 10 February 1993]

Speaking in the same debate, the minister of national health, Dr Rina Venter, said that over the previous five years benefits paid out by medical aid schemes had increased at an average rate of 28% a year while membership had risen at an average of only 3,3% a year. The turnover of medical aid schemes constituted 45% of all health expenditure in the country, she said.⁶⁴ [⁶⁴ *Sowetan* 10 February 1993]

Dr Venter said earlier, in February 1993, that she had the names of about 200 doctors who were guilty of abusing the medical aid system by overcharging or charging for services never rendered. She alleged that a single unnamed doctor had claimed R997 000 from medical aid schemes in 1991, including R680 000 for prescribed medicines. Dr Venter said that the government was to establish a commission of inquiry to investigate.⁶⁵ [⁶⁵ *Business Day, The Star* 10 February 1993]

- whether medical aid schemes were adequately funded and whether their funding could be controlled;
- what role the insurance industry could play in providing medical cover;
- whether intermediaries, such as recruiting agents, should be allowed to market membership of schemes; and
- what role institutions such as benefit funds and mutual aid societies could play in helping individuals pay for medical expenses.

At the time of writing the commission had not yet been established.

In April 1993 the Representative Association of Medical Aid Schemes announced that it would implement an increase of 3,64% in all its scales of benefits. The increase was believed to be a response to the rise in the rate of value added tax (VAT) on 1 April. The director of Medicaid, Mr Quentin Robinson, said that his organisation had already increased its medical aid premiums by 35% in 1992.⁶⁶ [⁶⁶ *The Citizen* 2 April 1993]

Medical Personnel

According to the South African Medical and Dental Council (SAMDC) and the South African Pharmacy Council, the following numbers of dentists, doctors and pharmacists were registered with the councils in 1990, 1991 and 1992 in South Africa (excluding the 'independent' homelands):⁶⁷ [⁶⁷ Figures provided by the

South African Medical and Dental Council and the South African Pharmacy Council, 25 May 1993]

Registered dentists, doctors and pharmacists: 1990–1992

<i>Year</i>
Dentists
Doctors
Pharmacists
1990
3 775
23 139
8 794
1991
3 944
24 619
9 058
1992
3 998
25 375
9 277

Between 1991 and 1992 the number of registered dentists, doctors and pharmacists increased by 1,4%; 3,0% and 2,4% respectively. This meant that the number of doctors and pharmacists per capita had improved between 1991 and 1992 while the number of dentists per capita had worsened over the same period.

Although the number of medical personnel per capita in comparison with other countries is acceptable, there is a geographical maldistribution of medical personnel, with a shortage in rural areas and in the homelands. In 1992, in Venda, for example, there were only three dentists serving a population of 568 200 people.⁶⁸ [⁶⁸ *Sowetan* 17 September 1993]

However, the Department of National Health and Population Development said in an article in the *South African Medical Journal* in October 1992 that South Africa's doctor-to-patient ratio compared favourably with that of other countries. The United Nations recommended one doctor to every 1000 people in urban areas and one doctor to every 5000 people in rural areas. The department said that the number of people per doctor in South Africa (excluding the 'independent' homelands) was 696 in urban areas and 1 920 in rural areas.⁶⁹ [⁶⁹ *Cape Times* 3 October 1992] The number of people per doctor in the 'independent' homelands was reported to be 15 000.⁷⁰ [⁷⁰ *The Star* 12 July 1993]

According to the Central Statistical Service, the number of medical personnel who emigrated from and immigrated to South Africa in 1991 and 1992 was as follows:⁷¹ [⁷¹ Central Statistical Service, *Tourism and migration: December 1992*, PO351, 7 April 1993]

Emigration and immigration: 1991–1992

Emigrants

Immigrants

1991

1992

1991

1992

Medical practitioners

21

27

217

317

Medical specialists

2

10

11

10

Dental professionals

4

10

16

19

Total

27

47

244

346

There was a net increase of 299 medical personnel in 1992 compared with 217 in 1991.

In reply to a question in Parliament in March 1993 the minister of national health, Dr Rina Venter, said that in 1991 the following numbers of Africans were enrolled in medical courses at universities in South Africa (including the ten homelands): medicine and surgery, 1 335; nursing, 351; dentistry, 242; pharmacy, 26; and other courses, 366. These figures did not include nurses who were being trained at nursing c

Doctors

In November 1992 it was reported that junior doctors serving their internships in hospitals were working more than 100 hours a week owing to shortages of staff in public hospitals. According to the SAMDC, doctors should not work more than 30 hours continuously or more than 80 hours a week. The Junior Doctors' Association of South Africa (Judasa) said that problems experienced by interns included:⁷³ [⁷³ *Sowetan* 20 November 1992]

- low salaries. Take-home pay for interns was about R1 500 a month;
- inadequate sleeping facilities at hospitals for interns;
- little or no provision for interns' irregular eating habits. At some hospitals sandwiches for doctors were no longer being provided in order to save money; and
- the lack of adequate channels through which interns could express their grievances to their superiors.

The chairman of Judasa, Dr Johann Scholtz, said that a 1991 survey of interns had shown that they spent 30% of their time attending to patients, 29% doing administrative work, 17% undergoing informal training and 13% undergoing formal training. (The remaining 11% was not accounted for.) Dr Scholtz added that a Judasa delegation had met Dr Venter in 1989 and 1991 to complain about interns' poor working conditions and low pay, but that the government had taken no action about the issues raised.⁷⁴ [⁷⁴ *Ibid*]

In the same month Dr R Colborn of the faculty of medicine at the University of Cape Town (UCT) said that there was a growing gulf between the costs of training as a doctor and starting salaries for doctors at state hospitals. Dr Colborn reported that over the previous seven years the cost of medical tuition and residence fees at UCT had increased by an average of 21,7% a year while the starting salary of a medical officer in a state hospital had increased by only 9,7% a year over the same period. 'If this continues, the chances of young medical officers in these posts being able to repay their loans is bleak, and the services will experience increasing difficulties in filling posts, especially in peri-urban and rural areas,' Dr Colborn argued.⁷⁵ [⁷⁵ *The Star* 5 November 1993]

Dr Colborn added that an innovative manner of financing medical education was needed. He said that proposed solutions included:⁷⁶ [⁷⁶ *Ibid*]

- improving subsidies to universities;
- introducing a subsidised education bank to provide loans to students;
- reducing interest rates on study loans; and

- allowing medical training expenses to be tax deductible over a number of years of service.

In January 1993 it was reported that about half of the medical graduates of the universities of Cape Town and the Witwatersrand emigrated to countries such as Australia, Canada, New Zealand and the United Kingdom. The chairman of the Medical Students' Representative Council of the University of the Witwatersrand, Mr John Davis, said that at least 20% of the university's medical students had indicated that they wished to emigrate upon completing their studies. The registrar of the SAMDC, Dr Nico Prinsloo, said that each year the council issued hundreds of certificates of status to South African doctors who wished to practise abroad. The cost of educating a single doctor was estimated at more than R1m.⁷⁷ [77 *Vrye Weekblad* 22 January 1993]

In the same month the Medical Association of South Africa (Masa) and the South African Police (SAP) agreed to form a working committee to counter the rise in attacks on health workers in the Vaal Triangle (southern Transvaal). A spokesman for the SAP, Colonel Mark Alton, said that he was unable to say why health workers and, in particular, doctors, were being attacked, but it appeared that robbery was the main motive as criminals assumed doctors were wealthy. The chairman of the federal council of Masa, Dr Bernard Mandell, said that doctors often worked irregular hours, making them easy and visible targets for attack. He expressed concern that the violence could make it difficult to recruit medical personnel to the Vaal Triangle and could result in a breakdown of health services.⁷⁸ [78 *Business Day, The Citizen* 13 January 1993]

In May 1993 Dr Seipati Makunyane became the first African woman and only the third African in the country to qualify as an ophthalmologist. All three African ophthalmologists were resident on the Reef.⁷⁹ [79 *Sowetan* 18 May 1993]

Dr Mandell said in July 1993 that doctors did not enjoy sufficient recognition and protection in accordance with the 'vital service' they provided. He said that Masa was considering various incentives to remedy the shortage of doctors in peri-urban and rural areas, and in public hospitals. Methods of attracting doctors to such posts included:⁸⁰ [80 *The Star* 15 July 1993]

- a shorter working week;
- financial and promotion incentives to encourage doctors to sign contracts for such posts;
- compulsory service in such posts before admission to specialist training; and
- reduced payment of bursaries.

Nurses

The South African Nursing Council provided the following figures for the total number of nurses of all races in South Africa (excluding the 'independent' homelands) in 1991 and 1992. (A breakdown of these figures by race is no longer available. However, in 1990 African nurses comprised 51% of the total number of nurses.)⁸¹ [⁸¹ Figures provided by the South African Nursing Council, 26 May 1993]

Nurses in South Africa: 1991–1992

1991

1992

Increase

Registered nurses

67 894

70 236

3,5%

Enrolled nurses and midwives

28 047

28 270

0,8%

Enrolled nursing auxiliariesa

44 519

45 285

1,7%

Total

140 460

143 791

2,4%

a

Previously nursing assistants

As the rate of increase between 1991 and 1992 in the number of nurses was lower than the growth rate of the population, there was a worsening between 1991 and 1992 in the population/nurse

In December 1992 it was announced that the Transvaal Provincial Administration (TPA) had become the first provincial body to sign an agreement of recognition with the South African Nursing Association (Sana). (Some 31 000 nurses—or 20% of the membership of Sana—were employed by the TPA.) In terms of the agreement, channels of communication between the two bodies were established and clear rules and procedures created to deal with conflict between nurses and the TPA. According to the executive director of Sana, Ms Susan du Preez, Sana was also negotiating with other provincial administrations for recognition.⁸² [⁸² *The Star* 15 December 1992]

In February 1993 a three-day conference in Durban was convened by a group calling itself Concerned Nurses of South Africa and attended by about 300 nurses. The conference was addressed by the deputy president of the African National Congress Women's League, Mrs Albertina Sisulu, who said that the Nursing Amendment Act of 1992 had made the unionisation of nurses illegal and enforced compulsory membership of Sana, thus denying nurses freedom of association (see also 1992/93 *Survey* p268). She claimed that Sana had been in the forefront of applying 'moral blackmail tactics' to dissuade nurses from fighting for their legitimate rights. The conference resolved that nurses should take one of the following courses of action:⁸³ [⁸³ *City Press* 21 February 1993]

- restructure Sana from within;
- join the National Education, Health and Allied Workers' Union (Nehawu) and so become part of a larger public sector union; or
- form a new nurses' organisation.

Traditional Healers

During the period under review traditional healers received official recognition from a number of organisations which had previously not recognised them.

In February 1993 the NBC Medical Aid Society agreed to honour claims from its members who had consulted a traditional healer. The agreement stipulated that claims of up to a maximum of R750 a year for consultation with a healer would be honoured by the society. The maximum fee to be charged was set at R80 per consultation. The society had 20 000 members who were employed by 400 private companies.⁸⁴ [⁸⁴ *Sunday Star* 14 February 1993]

In May 1993 OK Bazaars, in terms of an agreement with the South African Commercial, Catering and Allied Workers' Union, agreed to recognise traditional healers in terms of medical aid cover.⁸⁵ [⁸⁵ *The Weekly Mail* 15 May 1993]

However, there was some opposition to the recognition of traditional healers. An organisation called Doctors for Life, which described itself as 'upholding sound scientific principles and basic Christian principles in the medical profession', said in April 1993 that it opposed moves to incorporate traditional healers into the primary health care system. Doctors for Life said that traditional healers should not be included until their treatment had been scientifically tested. In particular, it argued, traditional healers' medicines should be available for testing in the laboratory and for quantification of their ingredients.⁸⁶ [⁸⁶ *South African Medical Journal* April 1993]

A Soweto doctor and civic leader, Dr Nthato Motlana, said that he opposed the official recognition of traditional healers. He argued that healers used 'pseudo-psychological mumbo-jumbo'. Dr Motlana said that he could cite numerous examples of patients who had been treated by traditional healers for serious diseases and who had sought help from doctors only when their diseases were terminal. He added, 'As we move into the 21st century I see people, especially white romantics, who want to move my people back into the tenth century. They say to my people, "This is your culture". I say it is absolute nonsense.'⁸⁷ [⁸⁷ *Health Beat* February 1993]

In January 1993 it was announced that the Traditional Healers' Council had been established to work for the full acceptance of healers by all sectors of South African society, including medical aid schemes. The council was to institute a code of ethics, formulate standards of training and requirements for entry into the field, and describe areas of specialisation for purposes of registration of healers. It was reported that the council was negotiating with the Department of National Health and Population Development for official recognition.⁸⁸ [⁸⁸ *South African Medical Journal* January 1993]

In April 1993 it was announced that members of 20 traditional healers' groups were to participate in a one-week training programme in primary health care to be run by the Department of National Health and Population Development. The programme was to be offered at the department's regional centres in Bloemfontein (Orange Free State), Cape Town, Durban, Johannesburg, Kimberley (northern Cape),

Pietersburg (northern Transvaal) and Port Elizabeth (eastern Cape).⁸⁹ [⁸⁹ *Daily Dispatch* 20 April 1993]

Other Health Workers

In February 1993 the TPA and Nehawu signed a recognition agreement. The agreement followed a strike in June 1992, in which 5 000 health workers who were members of Nehawu had participated (see 1992/93 *Survey* pp278–279). The recognition agreement provided for health workers to have freedom of association, for structures to be set up to facilitate communication between the two bodies and for a procedure to be established for the holding of demonstrations.⁹⁰ [⁹⁰ *Sowetan* 17 February 1993]

In the same month the Health Workers' Union, which was based in the western Cape, merged with Nehawu. The general secretary of Nehawu, Mr Phillip Dexter, estimated the membership of Nehawu after the merger to be about 100 000. The merger was seen as a significant step towards the formation of a single public sector union (see also chapter on *Labour Relations*).⁹¹ [⁹¹ *New Nation* 26 February 1993]

Health Indicators

According to the World Bank's annual development report for 1993, health indicators for South Africa (including the ten homelands) in comparison with other countries were as follows:⁹² [⁹² *Business Day* 14 July 1993]

- between 1980 and 1990, 53% of children in South Africa between two and five years of age suffered from stunting (low height for age), in comparison with 39% in the whole of Africa;
- in 1990/91, 63% of children in South Africa younger than one year had received a complete course of vaccination for diphtheria, tetanus and pertussis, in comparison with 89% of children in Zimbabwe and 79% in Zambia;
- the annual incidence of tuberculosis in South Africa in 1990 was 250 per 100 000 people, in comparison with an average incidence in Africa of 220 per 100 000 people;
- in 1990 South Africa had 0,61 doctors per 1 000 people and 4,1 hospital beds per 1 000 people. Comparable figures for Africa were 0,12 doctors per 1 000 people and 1,4 hospital beds per 1 000 people. The world average was 1,34 doctors per 1 000 people and 3,6 hospital beds per 1000 people;
- in 1990 South Africa spent \$158 per capita on health care, in comparison with \$23 per capita in Africa and a world average of \$323 per capita; and

- in 1990 South Africa devoted 5,6% of gross domestic product to health expenditure, in comparison with 4,7% in the developing world and 9,2% in the developed world.

The United Nations Children's Fund (Unicef) said in October 1993 that South Africa's child mortality rate (ie the number of children per 1 000 live births who died before the age of five years) was 72, in comparison with a worldwide average of 34. Comparable figures for other African countries were as follows: Algeria, 61; Botswana, 60; Kenya, 75; Malawi, 228; Mauritius, 26; Mozambique, 292; Namibia, 81; Niger, 320; and Zimbabwe, 88. The organisation said that South Africa's child mortality rate was double that to be expected of a country with its income level. Unicef said that South Africa also had a poor record in measles immunisation, coming only 14th in coverage out of 38 countries in sub-Saharan Africa.⁹³ [⁹³ *Sunday Times* 3 October 1993]

According to the head of the Department of Sociology at the University of the Orange Free State, Professor Dingie van Rensburg, and two lecturers in the Department of Sociology, Dr Engela Pretorius and Ms Annalize Fourie, infant mortality per 1 000 live births in South Africa (including the ten homelands) between 1936 and 1985, and projected figures for 1985 to 2005 were as follows:⁹⁴ [⁹⁴ Van Rensburg H C J, Fourie A and Pretorius E, *Health Care in South Africa: Structure and Dynamics*, Academica, Pretoria, 1992]

Infant mortality in South Africa: 1936–2005^a

Period

African

Coloured

Indian

White

1936–1941

169,0

158,0

74,4

53,0

1941–1946

174,0

149,0

70,7

45,0

1946–1951

162,0

128,0

57,0

36,0

1951–1956

143,0

125,0

51,6

33,0

1956–1960

116,0

120,0

50,5

30,0

1960–1965

110,0

120,0

47,7

28,0

1965–1970

106,0

120,0

42,1

24,0

1970–1975

98,0

100,0

35,5

20,0

1975–1980

93,0

76,0

27,2

17,0

1980–1985

82,0

56,0

18,9

13,0

1985–1990^b

74,0

47,0

16,4

10,8

1990–1995^b

65,0

36,0

13,7

8,9

1995–2000^b

56,0

26,0

11,0

8,3

2000–2005^b

48,0

16,0

8,5

8,3

a

Data for South African infant mortality, especially for Africans, has many deficiencies. The reporting of births and deaths for rural Africans is poor and this means that infant mortality figures for some areas are only estimates. One estimate is that 50% of deaths of Africans are not reported.

b

P

Figures for infant mortality for 1991 and 1992 were not available at the time of writing. According to the Department of National Health and Population Development, statistics are no longer kept for infant mortality according to race group. The latest available figures are updated figures for 1990, when the infant mortality rates per 1 000 live births for South Africa (excluding the 'independent' homelands) were as follows: Africans, 52,8; coloured people, 39,4; Indians, 10,6; and whites, 8,6.⁹⁶ [⁹⁶ Department of National Health and Population Development, *Health Trends in South Africa 1992*, April 1993]

Writing in the *South African Medical Journal* in October 1992, Dr D Bradshaw, Dr F Sitas and Professor R E Dorrington said that while the infant mortality rate for whites in South Africa was comparable to that of developed countries, the rate for Africans was ten times as high and that for coloured people five times as high as that for whites. They said that the infant mortality rate for Indians was 1,5 times to twice as high as that for whites. Male infants, regardless of race, were reported to have an infant mortality rate much higher than that of female infants. The researchers said that the poor quality of routinely collected health statistics in South Africa made it 'impossible to analyse adequately the health needs of the population or to utilise mortality data for health planning'.⁹⁷ [⁹⁷ Bradshaw D, Dorrington R E, and Sitas F, 'The level of mortality in South Africa—what does it tell us about health?', *South African Medical Journal*, October 1992]

Health Services

Family Planning

Expenditure on family planning in South Africa (excluding the ten homelands) in 1992/93 and 1993/94 was as follows:⁹⁸ [⁹⁸ Estimates of expenditure of the central government and of the four provinces for the 1992/93 and 1993/94 financial years]

Expenditure on family planning: 1992/93–1993/94

199199IncCape province

45 136 000

40 130 000

(11%)

Natal

208 408 000

240 876 000

16%

Orange Free State

18 897 000

18 177 000

(4%)

Transvaal

55 170 000

56 400 000

2%

National Health^a

139 040 000

149 447 000

7%

Total

466 651 000

505 030 000

8%

a

Department of National Health and Population Development

The increases between 1992/93 and 1993/94 in the allocations for family planning (except for Natal) were all less than the increase in the consumer price index and so represented real decreases in spending.

In addition to its expenditure on the provision of family planning services the government also allocated R149m in the 1993/94 financial year to its Population Development Programme (in comparison to an allocation of R139m in 1992/93). The programme, which was initiated in 1984, aims to curb rapid population growth in South Africa through an educational programme aimed at changing public perceptions of optimal family size in favour of small families and improving the status of women.⁹⁹ [99 Department of National Health and Population Development, annual report 1992]

The Department of National Health and Population Development said in March 1993 that the number of service points at which family planning had been provided in South Africa (excluding the 'independent' homelands) had increased from 61 158 in 1990/91 to 65 182 in 1991/92 (ie an increase of 6,6%). The service points were distributed as follows:¹⁰⁰ [100 Health promotion information bulletin, vol 3 no 1, March 1993]

Family planning service points: 1991/92

Province

FixMobMobile clinic points

Total

Cape

1 050

434

25 661

27 145

Natal

421

110

1 962

2 493

OFS^a

348

184

21 076

21 608

Transvaal

1 319

357

12 260

13 936

Total

3 138

1 085

60 959

65 182

a

Orange Free State

The department gave the following figures for the total fertility rate (ie the average number of children per woman) for different race groups in South Africa (including the ten homelands) between 1986 and 1990:101 [¹⁰¹ Department of National Health and Population Development, *Health Trends in South Africa 1991*, April 1992]

Total fertility rate: 1986–1990

African

Asian

Coloured

White

1986

5,2

2,8

3,6

2,1

1987

5,1

2,5

3,2

2,0

1988

5,0

2,4

3,0

1,8

1989

4,9

2,3

2,9

1,7

1990

4,7

2,3

2,8

1,7

The number of women in South Africa (excluding the 'independent' homelands) who used contraceptive methods increased from 2 044 513 in 1990/91 to 2 301 152 in 1991/92 (or by 13%). The figure for 1991/92 represents more than 43% of women between the ages of 15 and 49 years.

The department said in its annual report for 1992 that 1 653 pharmacists had passed a course in family

planning and were, therefore, entitled to dispense contraceptives to women without a doctor's prescription (see 1992/ 93 *Survey* p281). However, only 13% of all pharmacists reported that they had dispensed contraceptives during the period June to December 1992 as a result of the training provided.¹⁰² [¹⁰² *Health Trends in South Africa 1992*; Health promotion information bulletin, vol 3 no 1, March 1993]

Abortion

The minister of national health, Dr Rina Venter, said in February 1993 that 1027 legal abortions had been performed in South Africa in the first nine months of 1992 (in comparison with 981 in the whole of 1991). Some 82 people were convicted between July 1988 and June 1991 of performing illegal abortions.¹⁰³ [¹⁰³ *The Citizen* 11 February 1993, 28 May 1993]

However, it was reported in March 1993 that although Baragwanath Hospital (Soweto) had provided 31 legal abortions in 1991 and 38 in 1992, it had treated 3 252 women in 1991 and 2 967 in 1992 for complications arising from illegal abortions.¹⁰⁴ [¹⁰⁴ *Sowetan* 31 March 1993] Some 200 000 to 300 000 illegal abortions are believed to take place in South Africa each year.¹⁰⁵ [¹⁰⁵ *Critical Health* no 34, 1991]

A survey conducted by the Society of Psychiatrists of South Africa in 1992 found that 89% of psychiatrists believed that the legislation governing abortion was unacceptable and needed revision. Of the psychiatrists surveyed, 78% supported abortion on request for girls under 14 years of age and 87% supported it for girls under 16 years of age. Some 51% of psychiatrists supported abortion on request before the 12th week of pregnancy.¹⁰⁶ [¹⁰⁶ *The Citizen* 14 January 1993]

Hospitals

According to the 1992 edition of the *South African Hospital and Nursing Yearbook*, the total number of hospitals and hospital beds in South Africa (including the ten homelands) in 1992 was as follows:¹⁰⁷ [¹⁰⁷ Engelhardt H (ed), *Hospital and Nursing Yearbook*, H Engelhardt, Cape Town, 1992]

Hospitals in South Africa: 1992

No TotaResNo

Private

Public

Provinces

Cape

Provincial

95

N/A

N/A

21 306

Private and aided

102

2 071

5 174

7 245

Natal

Provincial

32

N/A

N/A

15 752

Private and aided

39

1 042

4 142

5 184

OFS^a

Provincial

23

N/A

N/A

5 464

Private and aided

12

333

940

1 273

Transvaal

Provincial

53

N/A

N/A

24 596

Private and aided

107

5 020

6 853

11 873

Sub-total

463

8 466

17 109

92 693

Homelands

Bophuthatswana

16

24

6 436

6 460

Ciskei

8

—

3 047

3 047

Gazankulu

8

–

2 602

2 602

KaNgwane

3

–

968

968

KwaNdebele

1

–

524

524

KwaZulu

30

–

10 033

10 033

Lebowa

17

4

5 288

5 292

QwaQwa

2

–

626

626

Transkei

32

–

7 897

7 897

Venda

4

–

1 751

1 751

Sub-total

121

28

39 172

39 200

Other hospitals

Oral and dental^b

4

—

30

30

Own affairs^c

47

3 369

5 448

8 817

Aided nursing homes

12

430

183

613

Psychiatric

39

N/A

N/A

11 477

Mining industry

72

N/A

N/A

6 937

Santa^d

22

—

5 328

5 328

Sub-total

194

3 799

10 989

33 202

Total

780

12 293

67 270

a

Orange Free State

b

All oral and dental hospitals are teaching hospitals

c

Own affairs hospitals include general, psychiatric and tuberculosis hospitals

d

South African National Tuberculosis Association. These hospitals are in the non-homeland area, Bophuthatswana, KwaZulu and the Transkei.

N/A – Not available

Public Hospitals

Dr Venter announced in March 1993 that the government had approved the construction of a new 1 025-bed academic hospital in Cato Manor (Durban). She said that the new hospital would cost R431m and would take five years to build. Dr Venter explained that the decision had been taken despite the moratorium on the building of new public hospitals which had been in force since December 1989 because Durban was one of the most rapidly growing metropolitan areas in the world. In addition, she said, the King Edward VIII Hospital, which was the academic training institution for Durban, was overcrowded and it was not possible to expand its facilities or to refurbish it except at great expense.¹⁰⁸ [108 *Hansard* (A) 8 q cols 702-703, 22 March 1993]

Dr Venter said further that the Garankuwa and H F Verwoerd academic hospitals (both in Pretoria) would be upgraded. Capital funds would also be set aside to buy equipment for the Johannesburg,

Tygerberg (Cape Town) and Universitas (Bloemfontein, Orange Free State) academic hospitals, in order to raise academic standards.¹⁰⁹ [¹⁰⁹ *Argus* 12 March 1993]

In the same month Dr Venter announced that legislation would be introduced to give academic hospitals autonomy in terms of management and fundraising (see *Legislation* above). Doctors at such hospitals would also be permitted to engage in limited private practice in order to augment their incomes and to halt the exodus of doctors from the public to the private health sectors.¹¹⁰ [¹¹⁰ *Weekend Argus* 20/21 March 1993]

The chief medical superintendent of Groote Schuur Hospital (Cape Town), Dr Jocelyne Kane-Berman, said that she had initially been opposed to the introduction of limited private practice in state hospitals, as she believed that the public service should pay doctors what they were worth. However, she argued, in a situation where the government had made it clear that it would not substantially increase doctors' salaries, she saw little choice. 'If this will allow us to retain highly qualified teachers and doctors, we must see that it works. But the principle is a bad one. The state should pay staff market-related salaries.'¹¹¹ [¹¹¹ *Ibid*]

Later in March the chairman of the ministers' council in the House of Delegates, Dr Bhadra Ranchod, announced that the cabinet had approved the construction of a community hospital at Phoenix (Durban) at a cost of R46m. The hospital would open in 1995 with a capacity of 250 beds and would eventually comprise 500 beds. Surgical facilities would be included but no intensive care facilities would be available.¹¹² [¹¹² *The Natal Mercury* 19 March 1993]

Dr Venter said in May 1993 in reply to a question in Parliament that in 1992 the following numbers of beds in provincial hospitals had not been utilised (comparable figures for 1991 are also given):¹¹³ [¹¹³ *Hansard* (A) 14 q cols 1374-1378, 4 May 1993]

Unutilised hospital beds: 1991 and 1992

1991

1992

Increase (decrease)

Cape

5 443

2 316

(57%)

Natal

462

241

(48%)

Orange Free State

237

486

105%

Transvaal

861

2 598

202%

Total

7 003

5 641

(19%)

Dr Venter said in reply to a question in Parliament in February 1993 that the average bed occupancy rates in 1992 in the 47 hospitals falling under the white own affairs administration were as follows: Cape, from 41% to 103%; Natal, from 37% to 95%; Orange Free State, from 21% to 60%; and the Transvaal, from 30% to 96

The 1991/92 annual report of the Transvaal Provincial Administration (TPA) revealed that occupancy rates in 1991 in formerly white and black hospitals differed widely. While the Pretoria West Hospital (in

a white area) had an occupancy rate of only 37%, the occupancy rates in the Mamelodi and Kalafong Hospitals (both in African areas near Pretoria) were 85% and 78% respectively. High occupancy rates tended to occur in formerly black hospitals and low occupancy rates in formerly white hospitals.¹¹⁵ [¹¹⁵ *Cape Times* 10 February 1993]

As the Cape and Natal Provincial administrations no longer kept statistics for hospital admissions according to race, it was no longer possible to monitor countrywide whether or not formerly white own affairs hospitals continued to admit mainly white patients. However, figures for admissions to formerly white own affairs hospitals in the Transvaal in 1992 were provided in Parliament in May 1993 and showed that the majority of patients admitted to these hospitals continued to be white. Admissions in 1992 were as follows: Africans, 41 187 (23% of total admissions); coloured people, 9 363 (5%); Indians, 2 874 (2%); and whites, 126 073 (70%).¹¹⁶ [¹¹⁶ *Hansard* (A) 14 q cols 1381-1382, 4 May 1993]

Four of the formerly white own affairs hospitals in the Transvaal admitted no Africans in 1992. One hospital in the Transvaal admitted no blacks in 1992, in comparison with six which admitted no blacks in 1991.

During the period under review racial inequality in health spending continued to be evident in budgetary allocations to hospitals. For example, in the 1992/93 financial year Groote Schuur Hospital, with a greater proportion of white patients, received R392m, or twice as much as the King Edward VIII Hospital, which had mainly black patients and 33% more beds than Groote Schuur Hospital. Groote Schuur Hospital also had a staff complement 132% bigger than that of the King Edward VIII Hospital.¹¹⁷ [¹¹⁷ *The Natal Mercury* 27 April 1993]

In April 1993 several thousand residents of Alexandra (Johannesburg) marched to the nearby Edenvale Hospital to protest against the difficulty of obtaining admission to Edenvale Hospital. Alexandra, with a population of 180 000, had no hospital of its own and was served by the Alexandra Health Centre and University Clinic.¹¹⁸ [¹¹⁸ *The Star* 22 April 1993] The general manager of the centre, Dr David Robb, said, 'We're supposed to be zoned for Tembisa, but the hospital there is 35km away. And anyway, Tembisa [Hospital] is overcrowded. For at least two months now, we've had nowhere to refer paediatric patients, especially those under two, and women with maternity complications.' Dr Robb said that deaths had occurred owing to problems with referring patients from Alexandra.¹¹⁹ [¹¹⁹ *Ibid*]

Dr Robb added that the most logical point of referral for patients from Alexandra was Edenvale Hospital, barely 3km away. The chairman of the clinic's board, Mr Martin Mabiletsa, said that Edenvale Hospital was perhaps the most underutilised hospital in the country.¹²⁰ [¹²⁰ *Sunday Star* 13 March 1993]

The medical superintendent of Edenvale Hospital, Dr Mervyn Damelin, said in response to calls for his hospital to admit residents of Alexandra that it did not have 'the facilities to become a full referral hospital for Alexandra or anybody else'. He said that only 108 beds were in use in the hospital, which had the capacity to accommodate 200 beds, and that the beds in use had an occupancy rate of 80%. He

added, 'I have pointed out on many occasions that we are fully prepared to offer a more extensive service, provided that increased resources be made available to us.'¹²¹ [¹²¹ *The Star* 22 April 1993]

A spokesman for the TPA said that although the TPA had managed the Edenvale Hospital on an agency basis for some time, it had assumed direct control for it only on 1 April 1993, when the own affairs health departments were abolished (see *Policy* above). 'Our intention is to convert Edenvale into a regional hospital which serves the geographic area, including Alexandra. This will mean increased personnel and budget. Our constraint is financial.'¹²² [¹²² *Ibid*]

In June 1992 the national programme leader for the trauma research programme of the Medical Research Council, Dr Johan van der Spuy, said that South Africa's hospitals had become 'overrun' with trauma cases because of increased violence and higher accident rates, especially on the roads. He pointed out that in February and March 1993 some 43% of all beds in surgical wards and 17% of beds in all wards at Groote Schuur Hospital had been occupied by trauma patients. He said that in South Africa physical trauma was the second largest cause of death. Dr van der Spuy said that vehicle accidents alone cost the country R19m a day in injury, lost productivity and damage. 'A full 16% of overall deaths are due to injury, compared to a [worldwide] figure of 5,2%. Per unit distance travelled we kill ten times more people on our roads than the United States does.'¹²³ [¹²³ *Cape Times* 22 June 1993]

Private Hospitals

In May 1993 Dr Venter declared that licences for the construction of new private hospitals would be issued only under exceptional circumstances pending an investigation of private health care (see *Policy* above). She said that the private health care industry had 'reached saturation point' in most urban areas. Dr Venter said that private hospitals provided about 17 000 beds and applications for another 3 000 beds were currently being considered.¹²⁴ [¹²⁴ *The Citizen* 1 May 1993]

Earlier in 1993 Dr Jonathan Broomberg of the Centre for Health Policy at the University of the Witwatersrand argued that private hospitals had initiated an uncontrollable cost spiral through their excessive use of technology, surgery and medicine. Rather than adding to health resources, private hospitals consumed a disproportionate share of financial and personnel resources, which undermined the ability of the public health sector to provide care, he said. Dr Broomberg added that 21% of nurses and 63% of doctors were working in the private sector and all had been trained at public expense.¹²⁵ [¹²⁵ *Business Day* 18 January 1993]

Dr Broomberg said that there was an incentive for 'hospitals and doctors to do too much' and 'patients to demand too much'. Analysis of expenditure by medical aid schemes had shown that over the previous decade expenditure on private hospitals had risen almost twice as fast as total medical expenditure. Between 1979 and 1988 expenditure on hospitals had increased by 107% while total medical aid expenditure had increased by 60%. Dr Broomberg said that as the private hospital sector accounted for

29% of all hospital beds it could make a major contribution to national health resources, but that this was not possible as long as the majority of the population could not afford its fees. He called for a comprehensive national policy on private hospitals.¹²⁶ [¹²⁶ Ibid]

However, the executive director of the National Association of Private Hospitals, Dr Annette van der Merwe, said that on the basis of taxes paid by the private hospital sector, the industry was contributing more than its share to state coffers.¹²⁷ [¹²⁷ Ibid]

Primary Health Care

According to Dr Venter, the government allocated the following proportions of the health budget to primary health care in the 1992/93 financial year in South Africa (excluding the ten homelands):¹²⁸ [¹²⁸ *Hansard* (A) 9 q cols 1018-1024, 1 April 1993]

Amounts allocated to primary health care: 1992/93

Amount Proportion of health budget

Own affairs administrations

Coloured

29

14%

Indian

37

69%

White

98

14%

Provinces

Cape

215

10%

Natal

249

21%

Orange Free State

47

7%

Transvaal

172

6%

Department of National Health and Population Development

Cape

N/A

14%

Natal

N/A

4%

Orange Free State

N/A

4%

Transvaal

N/A

15%

N/A – Not available

According to the 1992 edition of the *Hospital and Nursing Yearbook*, the number of clinics in South Africa (including the ten homelands) was as follows:¹²⁹ [¹²⁹ *Hospital and Nursing Yearbook* 1992]

Clinics in South Africa: 1992^a

No of clinics

Non-homeland area

Cape province

Eastern Cape

172

Northern Cape

211

Western Cape^b

309

Natal

147

Orange Free State

134

Transvaal

357

Sub-total

1 330

Homelands

Bophuthatswana

180

Ciskei

95

Gazankulu

57

KaNgwane

54

KwaNdebele

35

KwaZulu

200

Lebowa

141

QwaQwa

22

Transkei

N/A

Venda

46

Sub-total

830

Total

2 160

a

Clinics provide a wide range of services, including ante- natal care, child health care, cancer prevention, dental care, family planning, geriatric care, health education, immunisation, psychiatric care, and treatment for tuberculosis and sexually transmitted diseases.

b

Including 29 day hospita

In December 1992 the Department of National Health and Population Development unveiled a primary health care (PHC) plan designed to address key areas identified by the World Health Organisation as essential to health care. These were disease control, family planning, medical treatment, medication, nutrition, provision of information about health, and sanitation. The department planned to build 151 clinics throughout the country in order to improve PHC, including nine satellite clinics in Soweto.¹³⁰ [¹³⁰ *The Star* 18 December 1992]

The department announced in April 1993 that it had made a commitment to 'bringing PHC services within the reach of everyone in South Africa'. However, in 1993/94 only 6% of the health budget was allocated to PHC.¹³¹ [¹³¹ *Sunday Tribune* 16 May 1993]

In their commentary on the 1993/94 health budget Ms Diane McIntyre and Dr Brigid Strachan of the Department of Community Health at the University of Cape Town said that the budgetary allocations to PHC did not bear out the government's stated commitment to PHC. They said that the government's intention was that PHC should be provided mainly by local authorities, and yet the allocation to local authorities for this purpose had increased from R183m in 1992/93 to R205m in 1993/94, ie by only 12%. This increase was less than the inflation rate for the cost of medical services and so represented a decrease in real terms.¹³² [¹³² *Commentary on the 1993/94 Health Budget*]

Ms McIntyre and Dr Strachan said that additional resources for PHC would be provided from revenue generated by the sale of strategic oil reserves, but that these funds would be used mainly to build additional clinics. They added that the only area of PHC provision which would receive a substantial increase was the allocation for 'special projects', which would be used to provide 'demonstration' PHC centres in certain areas. The allocation for this purpose increased from R13m in 1992/93 to R49m in 1993/94 (ie by 277%).¹³³ [¹³³ *Ibid*]

The Democratic Party spokesman on health, Mr Mike Ellis, said in May 1992 that at least 600 new nurse-based clinics were needed if the goal of PHC for all was to be attained. 'Where clinics exist they handle up to 20000 people and there are thousands of square kilometres with no clinics at all. There should be one clinic per 10 000 people and enough clinics to enable everyone to receive treatment,' he suggested. Mr Ellis added that mobile clinics were especially effective as they could serve wider areas and were 'truly able to take health care to the people'. He believed that a comprehensive PHC system could be funded from the budget and could save the country millions of rands, as a network of clinics would ensure that people entered the health care system at the correct level, they were 'fairly cheap to run' and they would relieve the pressure on hospitals.¹³⁴ [¹³⁴ *Sunday Tribune* 16 May 1993]

The African National Congress said in the same month that it believed that about 20% of the health budget (or three times the present proportion) should be spent on PHC.¹³⁵ [¹³⁵ *Ibid*]

The Independent Development Trust (IDT) planned to fund the building of 200 clinics throughout South Africa in 1993 and 1994, and to train health workers in local communities to run the clinics.¹³⁶ [¹³⁶ *Financial Mail* 21 May 1993]

Vaccination

According to the Department of National Health and Population Development, the vaccination coverage of children of different races between 12 and 23 months of age in 1990 in South Africa (excluding the 'independent' homelands) was as follows:¹³⁷ [¹³⁷ *Health Trends in South Africa 1991*]

Vaccination coverage: 1990

BCG ^a

DTP3 ^b

Polio ^c

Measles

African

84%

64%

66%

60%

Coloured

98%

84%

87%

82%

Indian

95%

87%

87%

87%

White

93%

85%

86%

73%

a

Tuberculosis vaccine

b

Diphtheria, tetanus and pertussis

c

Poliomye

The department said that vaccination rates in 1990 according to geographical area were as follows:

Vaccination coverage by area: 1990

BCG ^a

DTP3 ^b

Polio ^c

Measles

Cape

98%

81%

83%

72%

Natal/KwaZulu

84%

64%

65%

59%

Orange Free State

85%

61%

61%

59%

Transvaal

88%

74%

75%

73%

Non-independent homelands

Gazankulu

86%

78%

78%

64%

KaNgwane

82%

63%

63%

61%

KwaNdebele

82%

70%

69%

64%

KwaZulu

N/A

N/A

N/A

N/A

Lebowa

77%

56%

59%

46%

QwaQwa

64%

31%

33%

61%

a

Tuberculosis vaccine

b

Diphtheria, tetanus and pertussis

c

Poliomyelitis

N/A – Not available

The United Nations Children’s Fund (Unicef) has set as a target for the year 2000 that 90% of all children worldwide of one year of age be vaccinated against the six major childhood diseases, namely diphtheria, measles, pertussis, poliomyelitis, tetanus and tuberculosis. However, according to the National Children’s Rights Committee (NCRC) and Unicef, in 1991 vaccination coverage in the non-homeland area was as follows: BCG, 57%; DTP, 72%; measles, 76%; and poliomyelitis, 73%. The NCRC and Unicef said that vaccination coverage in the ‘independent’ homelands was especially poor, and that in 1988 only 30% of children in the Transkei between one and two years of age were fully immunised. Rural areas and informal settlements were mentioned as having especially low immunisati

Diseases

The number of cases of some specific notifiable diseases reported in South Africa (excluding the ‘independent’ homelands) in 1990, 1991 and 1992 was as follows:¹³⁹ [¹³⁹ *Hansard* (A) 17 q cols 1595-1598, 17 May 1993; *Health Trends in South Africa 1992*]

Notifiable diseases: 1990–1992

Disease

1990

1991

1992^a

Cholera

1

2

14

Diphtheria

34

12

2

Leprosy

41

34

72

Malaria

6 822

4 693

2 777

Measles

10 622

4 766

20 348

Meningococcal infection

926

816

593

Poliomyelitis

5

2

N/A

Trachoma

325

269

7

Tuberculosis

80 318

77 608

76 672

Typhoid fever

2 146

1 624

1 147

Viral hepatitis

2 639

2 881

2 348

a

Notifications may be incomplete

N/A – Not available

A senior lecturer in the Department of Community Health at the University of Cape Town, Dr William Pick, said in November 1992 that the repeal in 1991 of the Population Registration Act of 1950 meant that race would no longer be recorded as part of health statistics. He added that this meant that epidemiologists would no longer be able to monitor statistical differences between different race groups in the occurrence of disease and

AIDS

The government allocated the following amounts to combating AIDS in South Africa (excluding the ten homelands) in the 1992/93 and 1993/94 financial years:¹⁴¹ [¹⁴¹ Estimates of Revenue and Estimates of Expenditure for the Financial Year Ending 31 March 1994]

Funds allocated to combating AIDS: 1992/93–1993/94

199199IncTraining and information centres

2 500 000

5 000 000

100%

Education

13 919 000

6 782 000

(51%)

Disease surveillance

880 000

5 000 000

468%

Subsidising NGOs^a

500 000

2 074 000

315%

Research

505 000

1 500 000

197%

Administrative services

2 600 000

700 000

(73%)

SAIMR^b surveys

972 000

708 000

(27%)

Total

21 876 000

21 764 000

(1%)

a

Non-government organisations

b

South African Institute for Medical Research

The total AIDS budget showed a real decrease of 11% between 1992/93 and 1993/94. Commenting on the 1993/94 AIDS budget, Ms Diane McIntyre and Dr Brigid Strachan of the Department of Community Health at the University of Cape Town said that it reflected a relative redistribution of funds from educational activities to disease surveillance and research. They pointed out that the amount allocated for AIDS education in 1993/94 was half of that allocated in 1992/93, but this was partly compensated for by the increased allocation to AIDS training and information centres and by the increased subsidies to non-government organisations, partly because such organisations had greater acceptability and credibility in providing information about AIDS.¹⁴² [¹⁴² *Commentary on the 1993/94 Health Budget*]

The AIDS Consortium, an alliance of 60 organisations working in the field of AIDS, said in response to the 1993/94 AIDS budget that the amount allocated to AIDS prevention was less than a tenth of the

annual budget of one academic hospital. It argued that South Africa spent less per capita on its AIDS control programme than many much poorer countries. The consortium added that while South Africa spent only R0,63 per capita on AIDS prevention, Zimbabwe spent R2,79 per capita on AIDS prevention (or more than four times as much, even though South Africa's gross domestic product per capita was four times as much as Zimbabwe's). According to the consortium, the World Health Organisation suggested that South Africa spend R3,68 per capita on AIDS prevention or R143m a year, which was more than six times the present AIDS budget.¹⁴³ [¹⁴³ *New Nation* 4 June 1993]

According to the Institute for Behavioural Sciences at the University of South Africa, the number of organisations in South Africa (including the ten homelands) involved in AIDS work in 1993 was as follows:¹⁴⁴ [¹⁴⁴ Griesel R D and Wege J W, *A National AIDS Database*, paper presented at a reportback session held by the Department of National Health and Population Development, Pretoria, 9 June 1993]

Organisations involved in AIDS work: 1993

Number of organisations

Number of organisations per 100 000 population

Non-homeland area

Cape

200

3,27

Natal

135

5,56

Orange Free State

51

2,33

Transvaal

287

3,02

Non-independent homelands

Gazankulu

4

0,42

KaNdwane

2

0,26

KwaNdebele

2

0,50

KwaZulu

6

0,11

Lebowa

1

0,04

QwaQwa

1

0,23

'Independent' homelands

Bophuthatswana

1

0,05

Ciskei

3

0,36

Transkei

6

0,19

Venda

2

0,36

Total

701

1,86

A survey undertaken at the end of 1992 by the Human Sciences Research Council of the attitudes of 5 360 adults in South Africa (including the ten homelands) to AIDS and the human immuno-deficiency virus (HIV), found the following:¹⁴⁵ [145 Du Plessis G E, Meyer-Weitz A J and Steyn M, 'Study of knowledge, attitudes, perceptions and beliefs regarding HIV and AIDS: summary of a survey undertaken among the general public in 1992', paper presented at a reportback session held by the Department of National Health and Population Development, Pretoria, 9 June 1993]

- ‘most’ respondents indicated that poverty, violence, crime and other issues were of greater concern to them than AIDS. Other health problems (such as tuberculosis) were also more frequently identified as a health problem than AIDS;
- 83% of respondents were aware that HIV could be transmitted through sexual intercourse. Africans, especially in the Orange Free State, were least well inform
- coloured and white respondents were best informed about casual means of transmission of HIV, with Africans from the Transkei the least well informed;
- respondents with higher educational qualifications were best informed about methods of preventing HIV infection, with Africans from the Transkei least well informed;
- some 62% of respondents said that they would be willing to offer home care to a relative with AIDS;
- almost 30% of respondents believed that AIDS was a ‘gay disease’, and respondents with higher educational levels were more likely to assert this;
- almost two thirds of respondents indicated that they had been exposed to some form of AIDS information in the previous six months. The main sources mentioned were television (27%), radio (22%), magazines (8%) and newspapers (7%);
- 68% of respondents indicated that they were sexually active. Some 19% said that they were in ‘multiple partner relationships’; and
- 63% of respondents who were involved in sexual relationships had not used condoms in the previous three months. Only 9% of respondents used a condom for every sexual encounter.

Statistics

The Department of National Health and Population Development provided the following information regarding the number of AIDS cases reported in South Africa (including the ten homelands) from 1982 to 28 February 1993:¹⁴⁶ [146 Information supplied by the AIDS unit of the Department of National Health and Population Development, 30 June 1993]

AIDS cases reported in South Africa: 1982–1993

Year

No of reported cases

No of reported deaths

Fatality rate

1982

2

2

100%

1983

4

3

75%

1984

8

8

100%

1985

8

8

100%

1986

24

23

96%

1987

40

33

83%

1988

91

56

62%

1989

175

97

55%

1990

318

88

28%

1991

443

111

25%
1992
659
100
15%
1993^a
31
1
3%
Total
1 803
530
29%
a

As at 28 F

The department supplied the following breakdown of AIDS cases up to 28 February 1993 according to method of transmission, race and sex:¹⁴⁷ [¹⁴⁷ Ibid]

AIDS cases according to method of transmission, race and sex:1982–1993^a

Homo/bi- sexual

Hetero- sexual

Haemo- philiac

Other blood transfusion

IVDU ^b

Paed- iatric

Total

African

Mc

3

440

3

4

1

198

649

F^d

0

472

0

0

0

167

639

U^e

0

12

0

0

0

5

17

Coloured

M^c

21

15

1

1

0

1

39

F^d

0

14

0

1

0

1

16

Indian

Mc

4

1

0

0

0

0

5

Fd

0

0

0

0

0

0

0

White

Mc

378

17

18

12

1

0

426

Fd

0

6

0

4

0

0

10

U^e

0

1

0

1

0

0

2

Sub-total

M^c

406

473

22

17

2

199

1 119

F^d

0

492

0

5

0

168

665

U^e

0

13

0

1

0

5

19

Total

406

978

22

23

2

372

1 803

a

As at 28 February 1993

b

Intravenous drug user

c

Male

d

Female

e

Sex unknown

By 31 December 1989, 60% of AIDS cases were homosexual white men, 20% of AIDS cases were heterosexual African men and women, and 5% were African infants. In comparison, by 28 February 1993, 51% of AIDS cases were heterosexual African men and women, 21% were African infants and 21% were homosexual white men.

The Department of National Health and Population Development said that 64% of new cases of AIDS diagnosed in 1992 were adults who developed AIDS through heterosexual contact and 31% were infants who developed AIDS as a result of HIV transmission from their mothers during pregnancy or at birth. Transmission by all other means did not exceed 5% in 1992. This meant that whereas between 1982 and 1989 the great majority of cases of AIDS had been homosexual white men, by 1992 it was affecting mainly African heterosexual men and women, and African children.¹⁴⁸ [¹⁴⁸ Ibid]

As at 28 February 1993 the cities which had reported the greatest numbers of AIDS cases were Johannesburg (359), Durban (335), Soweto (303), Cape Town (166), and Pietermaritzburg (Natal) (104).

By 28 February 1993 KwaZulu had reported 153 cases of AIDS; KaNgwane, 15; the Transkei, four; the Ciskei, two; and Bophuthatswana and QwaQwa, one each. However, under-reporting in the homelands

was believed to be a

The head of the AIDS unit in the Department of National Health and Population Development, Ms Natalie Stockton, said in June 1993 that although the number of cases of AIDS reported in South Africa (including the ten homelands) totalled only 1 803, she believed that the actual number of cases was between 7 000 and 10 000. Ms Stockton added that the number of HIV-positive people at the end of 1992 was estimated to exceed 322 000, and that 550 people were being infected with the HIV virus each day.¹⁴⁹ [¹⁴⁹ Information supplied by Ms Natalie Stockton, head of the AIDS unit of the Department of National Health and Population Development, 9 June 1993]

Major Developments

A lecturer in the Department of Sociology at the University of Cape Town, Ms Judith Head, said in December 1992 that there was a widespread belief that AIDS was spreading more rapidly among Africans because of their promiscuous sexual behaviour. She argued that this belief was a myth and that there was a direct link between poverty and the spread of HIV. Ms Head claimed that this factor made many black South Africans vulnerable to infection, however restrained their sexual behaviour. 'People whose immune systems have already been compromised are more likely to become infected with the virus after exposure than those whose immune systems are intact. Secondly, the presence of [other] infections will make those with HIV infection more infectious to others. Clearly this will lead to a vicious circle of spiralling infection.' Ms Head concluded that the most vulnerable—the poor—would be especially vulnerable to infection and to developing AIDS symptoms more quickly.¹⁵⁰ [¹⁵⁰ Medical Research Council, *AIDS Bulletin*, vol 1 no 2, December 1992]

In February 1993 it was reported that life assurance companies had received 548 AIDS-related life and disability claims worth R24m during 1992, which represented a doubling of the number of claims received in 1991. The number of claimants increased from 168 in 1991 to 338 in 1992, but the average age of claimants remained 37 years. The proportion of married claimants increased from 26% in 1991 to 34% in 1992.¹⁵¹ [¹⁵¹ *Business Day* 22 February 1993]

In the same month Old Mutual and Macmillan Boleswa (a publishing company) launched an AIDS awareness programme for schools under the Department of Education and Training. The programme involved the distribution of 700 000 books and 7 000 teaching guides to standard 4 and 5 pupils and their teachers. Macmillan Boleswa was also to run workshops to train teachers in the provision of AIDS education. The teaching material was praised by the former head of the AIDS centre at the South African Institute for Medical Research, Dr Reuben Sher. He said, 'We have been trying unsuccessfully for years to get into schools to educate our children about AIDS and sexual awareness but were thwarted by the powers that be. The acceptance of these books into schools [must be seen as a milestone].'¹⁵² [¹⁵² Ibid 18 February 1993, *The Weekly Mail* 19 February 1993]

A government-sponsored AIDS educational kit for use in schools had been released in early 1992 (see

1992/93 *Survey* p285) but withdrawn later in the same year. Ms Stockton said that the kit had been 'too expensive and glossy. It was geared towards more developed communities, so it did not meet the needs of individual grassroots communities. This meant that teachers were only using parts of it, if at all, and discarding the rest'.¹⁵³ [¹⁵³ *The Weekly Mail* 19 February 1993]

The minister of justice, Mr Kobie Coetsee, said in Parliament in March 1993 that the number of HIV-infected people in prisons in South Africa (excluding the 'independent' homelands) had increased from 67 in July 1991 to 237 in December 1992. This meant that one in every 434 prisoners was HIV-infected (in comparison with one in every 92 people in the general population). The number of prisoners with AIDS had increased from zero to 11 over the same period. Mr Coetsee added that if present trends continued, by 1995 one in 15 prisoners would be infected with HIV.¹⁵⁴ [¹⁵⁴ *Hansard* (A) 8 q cols 792-814, 24 March 1993]

In the same month it was reported that the Publications Control Board had confirmed an earlier decision by the committee on publications to ban the distribution of two safe-sex videos made in South Africa. The videos, targeted at the heterosexual and homosexual communities respectively, had aimed to promote safe-sex practices and prevent the spread of AIDS. Commenting on the decision, Ms Stockton said that the videos could be construed as pornographic by sections of the community but that their distribution should have been restricted rather than banned. An AIDS activist group, Act-Up, said that 'to deprive people of this sort of information is no different from infecting them. Preserving the archaic, hyper-moralistic attitudes of a handful of people is no excuse for genocide'.¹⁵⁵ [¹⁵⁵ *The Weekly Mail* 5 March 1993]

In May 1993 it was announced that the Salvation Army was to establish an orphanage in Soweto for babies abandoned by mothers who were HIV positive. The orphanage was to accommodate 20 babies initially but would expand as demand for the facility increased. A Salvation Army commissioner, Mr Roy Olckers, said that four babies born to HIV positive mothers were abandoned at Baragwanath Hospital (Soweto) each month. The orphanage was believed to be the first of its kind in South Africa.¹⁵⁶ [¹⁵⁶ *The Star* 25 May 1993]

In the same month Southern Life announced that it was to introduce a life assurance scheme for people who were 'AIDS free'. In terms of the scheme, clients would have to test free of AIDS on taking out a policy and every five years thereafter until the age of 45 years. If a policy holder tested HIV positive in an AIDS test subsequent to taking out the policy or refused to undergo such a test, life cover would be reduced to 10% of the sum insured. Southern Life said that the new scheme would allow people who were AIDS free to avoid subsidising the insurance of those who contracted AIDS. However, the scheme met with widespread protest. The AIDS Consortium said that it discriminated against people with AIDS and that it was 'derisive and derogatory'. The consortium lodged a complaint with the Advertising Standards Authority about an advertisement for the scheme. Southern Life subsequently withdrew the scheme.¹⁵⁷ [¹⁵⁷ *Cape Times* 10 May 1993, *Financial Mail* 14 May 1993]

Projections

In May 1993 the head of the AIDS programme of the Johannesburg City Council, Dr Clive Evian, said that by the end of the century 70% of hospital beds in Johannesburg would be filled with people who had AIDS. He warned that the country could not afford to provide care for so many people in this form, and that new forms of care would have to be evolved, including more home-based care 'keeping people comfortable and clean and ... halfway houses that would provide day care'.¹⁵⁸ [¹⁵⁸ *The Star* 11 May 1993]

In June 1993 the minister of national health, Dr Rina Venter, warned that without serious intervention, one in five South Africans would be HIV positive by the year 2010. She added that with education programmes, condom promotion programmes, and a reduction of 40% in the number of people who had sexual intercourse with more than one partner, the number of HIV-positive people would be one in 12 by the year 2010.¹⁵⁹ [¹⁵⁹ Information supplied by the AIDS unit of the Department of National Health and Population Development, 30 June 1993]

In the same month the head of the national AIDS research programme at the Medical Research Council, Dr Malcolm Steinberg, warned that South Africa was entering a period of 'rapid spread' of HIV. He said that between January and December 1992 the rate of HIV infection of women attending antenatal clinics had increased from 1,49% to 2,69%. Dr Steinberg predicted that by the year 2005 between 16% and 25% of the adult South African population would be infected.¹⁶⁰ [¹⁶⁰ *Cape Times* 22 June 1993]

Cancer

The head of the National Cancer Registry of the South African Institute for Medical Research, Dr F Sitas, said in May 1993 that an average of 125 cases of cancer were reported in South Africa each day. He added that smoking, diet, lifestyle, pollution and infectious agents were responsible for between 80% and 90% of all cancers. Dr Sitas pointed out that between 1975 and 1986 there had been a 30% increase in the number of people who smoked, which contributed directly to the number of cases of cancer. Some 40% of cancers in males and 15% of cancers in females between 15 and 64 years of age were associated with smoking, he said. According to Dr Sitas, the number of reported cases of cancer had risen from 35 498 in 1986 to 38 027 in 1987, 45 570 in 1988 and 46 500 in 1989.¹⁶¹ [¹⁶¹ *The Citizen* 27 May 1993]

Two researchers at the Centre for Health Policy at the University of the Witwatersrand, Ms Sharon Fonn and Ms Barbara Klugman, and a researcher at the Medical School of the University of Cape Town, Ms Katrien Dehaeck, said in February 1993 that cancer of the cervix was the most common cancer in South African women, with the incidence among South Africa (excluding the 'independent' homelands) being 18,6 per 100 000 women. The highest incidence of cervical cancer was in African women, with an incidence of 21,5 per 100 000 women. The researchers said that most women with cancer presented themselves for treatment at a stage when the cancer was non-curable. They added that although cervical cancer could be prevented by early detection by means of pap smears, there was almost no routine

screening of women in the public health sector. They proposed the following measures to reduce the number of deaths from cervical cancer:¹⁶² [¹⁶² Fonn S, Klugman B and Dehaeck K, *Towards a National Screening Policy for Cancer of the Cervix in South Africa*, Centre for Health Policy, University of the Witwatersrand, February 1993]

- the creation of a consumer demand for pap smears through education and publicity;
- the training of health personnel (especially nurses) in collecting pap smears;
- the introduction of pap smears into a national health service;
- the introduction of a health record card to be kept by each woman, which would include details of pap smears and immunisation; and
- the establishment of a national database to monitor pap smear services.

Malaria

In January 1993 it was reported that there had been a ten-fold increase in the number of cases of malaria in the far northern Transvaal as a result of good rainfall following the 1992 drought. According to the regional director of the Department of National Health and Population Development, Dr Nicholas Crisp, the outbreak was serious but confined to the endemic malaria areas. In the first three weeks of 1993 some 200 cases of malaria were reported in Venda, 100 in Gazankulu, 50 in Lebowa and another 50 in the non-homeland area of the northern Transvaal. Dr Crisp said that the increase in the number of cases was also attributable to the large number of illegal immigrants from countries north of South Africa entering the country and who had malaria.¹⁶³ [¹⁶³ *The Citizen* 22 January 1993]

In the first three months of 1993 more than 2 500 cases were reported in South Africa (excluding the 'independent' homelands), compared to 1 017 cases for the same period in 1992. It was suggested that if these trends continued, 1993 could see the highest incidence of malaria in three decades.¹⁶⁴ [¹⁶⁴ *The Star* 10 June 1993]

In March 1993 the World Health Organisation (WHO) warned that while the world's attention was focused on AIDS, malaria infected 270m people worldwide and caused the deaths of 2m people a year. The WHO said that the number of cases of the disease was rising as the malaria parasite became more resistant to drugs.¹⁶⁵ [¹⁶⁵ *The Citizen* 18 March 1993]

Malnutrition

The Department of National Health and Population Development allocated the following amounts for nutrition in the 1992/93 and 1993/94 financial years: 166 [166 Initial estimates of expenditure for the 1992/93 and 1993/94 financial years]

Funds allocated for nutrition: 1992/93–1993/94

199199 Increase (decrease)

Collection of information and education

908 000

8 003 000

781%

Assistance to local authorities

400 000

40 000 000

9 900%

National nutrition and social development programme

440 000 000

400 180 000

(9%)

Total

441 308 000

448 183 000

2%

The large increase between 1992/93 and 1993/94 in the allocation of nutrition funds to local authorities

reflected the government's belief that local authorities were well equipped to distribute such funds efficiently.

Dr Spinnie Benade of the National Research Programme for Nutritional Intervention at the Medical Research Council said in January 1993 that chronic malnutrition or stunted growth occurred in between 25% and 35% of South African children under five years of age. He added that although the proportion of children who were undernourished was smaller than had been the case 30 years ago, the population had grown so rapidly that a larger number of children now suffered from malnutrition.¹⁶⁷ [¹⁶⁷ *Cape Times* 22 January 1993]

In March 1993 the Department of National Health and Population Development said that its national nutrition and social development programme had already provided R420m in assistance to 1 620 non-government organisations which financed 5 537 projects throughout South Africa (including the ten homelands). The funds were used to provide food and to encourage self-reliance through projects such as vegetable growing. The department said that the projects it had funded had succeeded in assisting 5,8m of the 9m people living below the minimum subsistence level (or 16% of the population of South Africa, including the ten homelands).¹⁶⁸ [¹⁶⁸ Press release by the Department of National Health and Population Development, 27 March 1993]

However, in the same month the executive director of Operation Hunger, Mrs Ina Perlman, accused the government of impeding hunger relief and of being responsible directly for a worsening infant mortality rate. She said that in some rural areas the infant mortality rates had worsened to twice their levels in the mid 1980s as a result of the government's preventing private relief organisations from obtaining state funding to work in areas where government relief agencies were functioning, 'in order to prevent unnecessary duplication'. Mrs Perlman said that whereas in 1986, 26% of all African deaths were of children under five years of age, the figure had increased to 40% in 1992. She claimed that the government's relief efforts were inadequate and often carried out by officials who had 'no interest in their tasks other than safeguarding their jobs'. As a result, she said, aid was reaching only a select group—specifically those who were already ill from malnutrition—instead of reaching families before their health was affected by starvation.¹⁶⁹ [¹⁶⁹ *Business Day* 26 March 1993]

Mrs Perlman remarked that where government assistance was available, it usually 'came with unacceptable conditions', for example, allowing homeland administrations direct control over funds administered by private relief organisations. 'Under the pretext of not duplicating services or of preventing misuse of funds elaborate and unnecessary structures are set up,' she added.¹⁷⁰ [¹⁷⁰ *Ibid*]

The Department of National Health and Population Development denied these allegations, saying that it was concerned with the optimal use of funds for nutrition and that administrative structures had been set up to prevent the misuse of such funds.¹⁷¹ [¹⁷¹ *The Citizen* 27 March 1993]

The regional director of Operation Hunger in Natal, Ms Phillipa Yarker, said in March 1993 that the

number of people in Natal fed by her organisation had increased from 39 000 a day in 1992 to 153 000 a day in early 1993. She added that the problem of starvation could not be attributed solely to the drought, but was also a result of political unrest and people fleeing from their homes.¹⁷² [¹⁷² *The Natal Witness* 1 March 1993]

During the period under review the recession was also reported to have resulted in white families going hungry. The deputy director of Operation Hunger, Mr Mpho Mashinini, said in July 1993 that blacks and whites were queueing together at Operation Hunger offices in the northern Orange Free State for food. A Pretoria-based welfare organisation, Werk en Oorleef, said in the same month that it was feeding 9 000 white families (see also chapter on *Employment*).¹⁷³ [¹⁷³ *The Star* 16 July 1993]

Measles

The number of reported cases of measles in 1991 was as follows: Africans, 1791; coloured people, 129; Indians, 25; and whites, 143.¹⁷⁴ [¹⁷⁴ *Cape Times* 3 April 1992]

An article in the *South African Medical Journal* in May 1993 said that the national mass measles immunisation campaign in 1990 had resulted in a marked reduction in the incidence of measles in KwaZulu/Natal in the first six months after the campaign (see 1989/90 *Survey* p422). However, data collected at Clairwood Hospital (Durban) showed that while admissions to the hospital for measles had remained low for 12 months after the campaign, they had risen sharply to above pre-campaign levels by 21 months after the campaign. The article suggested that the effect of the measles campaign had not been maintained by vaccinations since 1990 and that urgent action was needed to avert a possible epidemic.¹⁷⁵ [¹⁷⁵ *South African Medical Journal* May 1993]

See also *Immunisation* above.

Tuberculosis

The number of notifications of tuberculosis (TB) per 100 000 people in South Africa (including the ten homelands) in 1991 is given below:¹⁷⁶ [¹⁷⁶ *Health Trends 1992*]

Incidence of tuberculosis: 1991

*Inc*Non-homeland area

Cape

Eastern Cape

494

Northern Cape

317

Western Cape

679

Natal

115

Orange Free State

375

Transvaal

Northern Transvaal

36

Southern Transvaal

158

Homelands^a

Bophuthatswana

10

Ciskei

250

Gazankulu

89

KaNgwane

152

KwaNdebele

31

KwaZulu

148

Lebowa

36

QwaQwa

157

Transkeib

178

Venda

65

a

Cas^b

Figure for 1990

In January 1993 the Democratic Party spokesman on health, Mr Mike Ellis, said that the rising incidence of TB was 'so sad because TB is controllable. It means that the whole primary health care system is just not in place'. He added that the incidence of TB among Africans was 200 per 100 000 people, which was 'far from satisfactory, but at least rates are not rising'. In contrast, he said, the incidence of TB

among coloured people was at its highest level ever and still rising. The Department of National Health and Population Development said that the rising trend among coloured people was evident in all age groups. In young coloured males the incidence was higher than 800 per 100 000 people, and in some areas higher than 1000 per 100 000 people. The rates of infection for Indians and whites were both declining, the department said.¹⁷⁷ [¹⁷⁷ *Cape Times* 28 January 1993]

Dr Venter said in March 1993 that a third of all cases of TB in 1992—23 915 out of 67 157—had occurred in the western Cape. She added that the reason for the large number of cases in the western Cape was unclear, but urbanisation, poor socio-economic circumstances, political unrest and the AIDS epidemic were all contributory factors.¹⁷⁸ [¹⁷⁸ *Ibid* 12 March 1993]

The South African National Tuberculosis Association (Santa) launched a six-month awareness campaign in April 1993 to promote awareness of the disease and to encourage voluntary participation in combating TB. Groups targeted by the campaign included employees, nurses, teachers, traditional healers, women's groups and youth. Santa said in a statement that the government had instituted cuts in its funding of health services 'to the extent that TB services must be pared at a time when new and better facilities are required to deal with a growing number of victims'.¹⁷⁹ [¹⁷⁹ *New Nation* 30 April 1993]

A spokeswoman for Santa, Ms Julia van Heerden, said that one of the biggest obstacles in the control of TB was the fragmented health service in South Africa. The decline in real terms in the provincial health budgets also meant that TB services would be cut at a time when more facilities were desperately needed, she added.¹⁸⁰ [¹⁸⁰ *Business Day* 28 April 1993] According to Ms van Heerden, one South African died of TB every 40 minutes.¹⁸¹ [¹⁸¹ *Argus* 19 February 1993]

In the same month Santa said that the greatest danger in the fight against TB was multiple drug resistance, which developed when TB sufferers took medication irregularly. Secondary medication for the highly resistant strain of the disease was available, but it was expensive and resources were being stretched by the large number of people developing the resistant variety of TB, the organisation added.¹⁸² [¹⁸² *Business Day* 28 April 1993]

An official in the TB unit of the World Health Organisation in London, Dr Richard Bumgarner, said in April 1993 that TB and the human immunodeficiency virus (HIV) (which leads to AIDS) were 'synergistic. HIV activates TB in people who are TB-infected but whose immune systems successfully suppressed the TB germ until the HIV exposure. Conversely, TB can hasten the progression to AIDS in HIV-infected people'.¹⁸³ [¹⁸³ *Saturday Star* 24 April 1993] The head of the Department of Microbiology at the University of London, Dr John Grange, added that a person infected with the TB bacillus had a chance of 1% or less of developing TB, but that if infected with HIV, the chances of developing TB increased to 10%.¹⁸⁴ [¹⁸⁴ *Argus* 19 February 1992]

A medical consultant to Southern Life, Dr Jack van Niftrik, said earlier in March 1993 that 10% of all

TB cases in South Africa were HIV positive.¹⁸⁵ [¹⁸⁵ *Daily Dispatch* 5 March 1993]

Occupational Health

See chapter on *Labour Relations*.

Pollution and Health

In October 1992 the Council for Scientific and Industrial Research (CSIR) said that airborne particle pollution in the Vaal Triangle (southern Transvaal) was affecting the health of children in the area adversely. According to the CSIR, in areas where coal was burnt children were exposed to 'horrific' concentrations of air pollution and had a significantly higher risk of respiratory illnesses. The limit on air particle pollution set by the United States Environmental Protection Agency was 180 units per million, but the CSIR stated that its study had shown levels of between 300 and 2 000 per million in the Vaal Triangle. In such areas, it said, a four-fold increase in upper respiratory tract illnesses in children had been measured.¹⁸⁶ [¹⁸⁶ *The Star* 29 October 1992]

The minister of national health, Dr Rina Venter, said in reply to a question in Parliament in April 1993 that during 1992 air pollution had reached 'unacceptable levels' in Cape Town, Edenvale (east Rand), Kempton Park and Modderfontein (both north east Rand), and the Vaal Triangle. In Cape Town nitrogen oxide levels had been excessive on a number of occasions, mainly as a result of pollution from motor vehicles. She added that air pollution in the Vaal Triangle had been unacceptably high during the winter months as a result of industrial pollution and domestic coal burning (in African townships). In addition, Dr Venter said that in unelectrified urban areas (mainly in African and coloured townships) no control of air pollution could be exercised until alternative forms of energy, such as electricity, were being used.¹⁸⁷ [¹⁸⁷ *Hansard* (A) 13 q cols 1284-1285, 28 April 1993]

In March 1993 the government announced that it was to make unleaded petrol available to consumers from 1995. Petrol with lead added to it would be gradually phased out after this date. (Lead is added to petrol in order to boost its octane rating and to improve car performance. However, studies have shown that such lead is emitted from car exhausts in large quantities and absorbed especially by children, with negative effects on their ability to learn.) The executive director of Samcor, Mr John Sadler, welcomed the decision, saying that car engines would need to be adapted to use unleaded fuel but that the decision would also mean that South African motorists would be allowed access to the latest engine technology in their cars, such technology already being used in many other countries which used only unleaded petrol.¹⁸⁸ [¹⁸⁸ *The Weekly Mail* 12 March 1993]

See also chapter on *Environment*.

Welfare

Policy

The minister of national health, Dr Rina Venter, said in May 1993 that the idea of an independent department of welfare, separate from the Department of National Health and Population Development, was being investigated. She added that just as the own affairs departments of health had been amalgamated with the central department of health on 1 April 1993 (see *Health Policy* above), so the government was also investigating the amalgamation of the own affairs departments of welfare with the central department.¹⁸⁹ [¹⁸⁹ *The Citizen* 1 May 1993]

The government spent R440m on its national nutrition and social development programme in the 1992/93 financial year. It said that it had assisted 1 614 non-government organisations which had provided help to 5456 projects and to 5,8m people living below the minimum subsistence level.¹⁹⁰ [¹⁹⁰ Press release of the Department of National Health and Population Development, 9 March 1993] For further details see *Malnutrition* above.

Legislation

The **Prevention of Family Violence Bill** was tabled in Parliament in June 1993. The bill made provision for:¹⁹¹ [¹⁹¹ Prevention of Family Violence Bill, B114-93(GA)]

- a judge or magistrate, on the application of a husband or wife, to grant an interdict against the other party in the marriage (the respondent), enjoining the respondent not to commit certain acts (such as acts of violence against the spouse or other family members). If such an interdict were breached, the respondent could be imprisoned for a period not exceeding 12 months. It was envisaged that the issuing of an interdict would act as a strong deterrent against prohibited behaviour;
- any person who suspected that a child had been ill-treated to report such suspicions to a police officer. Failure to report suspected ill-treatment would be regarded as an offence; and
- a husband to be liable to prosecution for the rape of his wife.

Finance

The following amounts were allocated to welfare services (including pensions) in South Africa (excluding the 'independent' homelands) in the 1993/94 financial year:¹⁹² [¹⁹² Estimates of expenditure for

1992/93 of the central government; the coloured, Indian and white own affairs administrations; and the Cape, Natal, Orange Free State and Transvaal Provincial Administrations; population figures provided by the Urban Foundation, 11 May 1993]

Total welfare expenditure: 1993/94

All Proportion of total welfare budget ^a

Proportion of total population^a

African

3 184 174 000

49%

69%

Coloured

1 607 672 000

25%

10%

Indian

359 696 000

6%

3%

White

1 378 202 000

21%

16%

Total

6 529 744 000

100%

100%

a

Proportions may not add up to 100% owing to rounding

The following table gives a breakdown of welfare expenditure in South Africa (excluding the ten homelands) in 1993/94:¹⁹³ [¹⁹³ Estimates of expenditure for 1993/94 of the central government; the coloured, Indian and white own affairs administrations; and the Cape, Natal, Orange Free State and Transvaal Provincial Administrations]

Breakdown of welfare expenditure: 1993/94

Social pensions

Other welfare expenditure

R(000)

Proportion

R(000)

Proportion

Africana

2 505 941

49%

325 309

30%

Coloured

1 402 816

28%

204 856

19%

Indian

314 485

6%

45 211

4%

White

864 678

17%

513 524

47%

Total

5 087 920

100%

1 088 900

100%

a

Excluding the ten homelands

Welfare expenditure figures for the homelands for 1993/94 are not available. However, welfare expenditure in the ten homelands in 1992/93 was as follows:¹⁹⁴ [¹⁹⁴ Estimates of expenditure of the ten homelands for the 1992/93 financial year, except for KwaZulu, where the figures are the final estimates for 1992/93, given in the 1993/94 estimates of expenditure]

Welfare expenditure in the homelands: 1992/93

Homeland

SocOthTotBophuthatswana

281 972 820

9 353 954

291 326 774

Ciskei

218 241 000

8 229 000

226 470 000

Gazankulu

135 962 000

2 343 200

138 305 200

KaNgwane

85 391 000

1 984 096

87 375 096

KwaNdebele

59 644 000

1 265 000

60 909 000

KwaZulu

964 006 881

4 453 065

968 459 946

Lebowa

408 000 000

6 395 680

414 395 680

QwaQwa

55 750 000

10 160 000

65 910 000

Transkei

N/A

N/A

N/A

Venda

N/A

N/A

N/A

N/A – Not available

The Development Resources Centre said in February 1993 that in 1991 more than R10bn had been spent on development and welfare projects in South Africa (including the ten homelands). According to the centre, South Africa generated more development finance internally than any other country in Africa, Asia or Latin America which received foreign aid. The centre said that in 1991, 74% of development finance had come from individuals, 8% from corporate social investment and 12% from foreign funding.¹⁹⁵ [¹⁹⁵ *Business Day* 10 February 1993]

Welfare Personnel

A researcher at the Centre for Development Studies at the University of Natal, Ms Frances Lund, said in December 1992 that 2 175 social workers were employed in government departments in South Africa (including the ten homelands). (However, this figure excluded social workers employed by the Department of National Health and Population Development, the Department of Development Aid and the Department of Planning, Provincial Affairs and Housing.) The coloured, Indian and white own affairs administrations employed 17%, 4% and 20% of social workers in the public sector respectively. Some 59% of social workers who were employed in African welfare were distributed as follows: provincial departments, 28%; nonindependent homelands, 18%; and the ‘independent’ homelands, 13%.¹⁹⁶ [¹⁹⁶ *Prospects: South Africa in the nineties*, vol 1 no 4, December 1992]

Ms Lund added that the numbers of people being served per publicsector social worker were as follows: coloured people, 8 560; Indians, 10298; and whites, 12 174. The number of Africans per public-sector social worker in the non-homeland area was 14 576. However, Ms Lund added, in the ten homelands the number of Africans per public-sector social worker exceeded 25 000. She said that the number of people per subsidised social worker in the private welfare sector was similarly uneven: coloured people, 6 097; Indians, 3 751; and whites, 5 030. Ms Lund said that figures for Africans in the non-homeland area were unavailable, but that there were no reports of subsidised social workers in the private welfare sector in the ten homelands.¹⁹⁷ [¹⁹⁷ *Ibid*]

Ms Lund pointed out that senior welfare posts in the tricameral, provincial and central welfare departments were occupied by white men, despite the fact that the majority of social workers were African women. She added that it was only in the homelands that Africans had been able to advance to senior welfare posts, and that even there, the most senior posts were occupied by men rather than women. Ms Lund argued that the homeland system had thus made possible the advancement of African social workers. Amalgamation of the welfare departments could mean that this trend was reversed.¹⁹⁸ [198 Ibid]

Welfare Services

Social Pensions

The minister of national health, Dr Rina Venter, announced in March 1993 that from 1 July monthly old-age pensions and disability grants were to be increased by 7,5%. This meant that from 1 July old-age and disability pensions were to be increased to R318 for Africans, R343 for coloured people and Indians, and R370 for whites. Dr Venter added that parity in pensions for all races would be attained on 1 September, when pensions in all the following categories would be equalised at R370: old age, disability, war veterans, the blind and single-care grants.¹⁹⁹ [199 *The Natal Witness* 19 March 1993]

The minister of finance, Mr Derek Keys, said in the same month that civil pensions would be increased by 5% and military pensions by 9% on 1 July.²⁰⁰ [200 *The Citizen* 18 March 1993]

The South African Council for the Aged welcomed the government's announcement that it would equalise all social pensions, but said that 'this shameful practice of racial discrimination' should have ended on 1 April. 'Although the council appreciates the increases in social pensions, it must be stressed that these benefits will largely be negated by the dramatic increases in value added tax and transport costs. The fact that the tax increases precede the pension increases indicates little appreciation of the needs of pensioners ... We are deeply concerned that the majority of social pensioners have to share their meagre incomes with unemployed and impoverished family members,' the council said.²⁰¹ [201 Ibid]

Old-Age Pensions

The following amounts were allocated for pensions for the aged in 1992/93 and 1993/94:²⁰² [202 Estimates of expenditure for the central government, the three own affairs administrations and the four provinces for the 1992/93 and 1993/94 financial years]

Pension budgets for the aged: 1992/93–1993/94^a

199199Change

African^b:

Cape

298 851 000

344 969 000

15%

Natal

203 596 000

214 956 000

6%

OFS^c

228 778 000

279 826 000

22%

Transvaal

804 445 000

938 836 000

17%

Coloured

479 185 000

535 652 000

12%

Indian

125 678 000

139 872 000

11%

White

577 274 000

588 106 000

2%

Total

2 717 807 000

3 042 217 000

12%

a

Including war pensions

b

Excluding the ten homelands

c

Orange Free State

The following amounts were allocated for pensions for the aged in the non-independent homelands in 1993/94:203 [203 *Hansard* (A) 10 q col 1037, 6 April 1993]

Pension budgets for the aged in the non-independent homelands: 1993/94

R

Gazankulu

170 003 000

KaNgwane

103 613 000

KwaNdebele

83 543 000

KwaZulu

992 793 000

Lebowa

412 808 000

QwaQwa

57 800 000

Total

1 820 560

Other Services for the Aged

The following amounts were allocated to the aged in the 1992/93 and 1993/94 financial years (these amounts exclude pensions):²⁰⁴ [²⁰⁴ Estimates of expenditure for the central government, the three own affairs administrations and the four provinces for the 1992/93 and 1993/94 financial years]

Welfare budgets for the aged (excluding pensions): 1992/93–1993/94

199199Increase (decrease)

African^a:

Cape

1 318 000

7 100 000

439%

Natal

3 011 000

3 022 000

0,4%

OFS^b

3 572 000

3 178 000

(11%)

Transvaal

15 121 000

26 026 000

72%

Coloured

48 362 000

50 380 000

4%

Indian

5 156 000

2 196 000

(57%)

White

257 320 000

306 887 000

19%

Total

333 860 000

398 789 000

19%

a

Excluding the ten homelands

b

Orange Free State

In November 1992 it was reported that:²⁰⁵ [²⁰⁵ *The Citizen* 4 November 1992]

- 45% of whites and 80% of Africans over the age of 65 were living below the poverty datum line;

- 67% of old-age pensioners were financially worse off than pensioners ten years previously;
- there was a higher incidence of suicide, marital problems and depression among the elderly than had previously been the case; and
- the elderly were increasingly the victims of crime. In the first four months of 1992 more elderly people were reported to have been robbed, raped, seriously assaulted or killed than in the whole of 1991.

Also in November 1992, it was reported that more than 15 000 people in Lebowa were on a waiting list for pensions. Ms Beulah Rollnick, a researcher for Learn and Teach (a literacy magazine), said that people in the homeland were dying before they had succeeded in obtaining old-age pensions. The Commission of Inquiry into the Appropriation of the Lebowa Revenue Fund and Alleged Mismanagement (the de Meyer commission), which published its report in November 1992, said that the inability of the Lebowa administration to pay pensions was not attributable to the widely accepted explanation that there was no money available, but rather owing to maladministration and dishonesty among some officials (see 1992/93 *Survey* pp26–27). The Legal Resources Centre in Johannesburg said that it had had some success in obtaining pensions for its clients who were citizens of Lebowa. However, cases were reported of elderly people who had been waiting for pensions for more than five years.²⁰⁶ [²⁰⁶ *Saturday Star* 14 November 1993]

The government said in May 1993 that 629 men and 14 women over the age of 60 years were being held in prisons in South Africa (excluding the ‘independent’ homelands).²⁰⁷ [²⁰⁷ *The Weekly Mail* 14 May 1993]

Services for Alcoholics and Drug Addicts

The following amounts were allocated to rehabilitation services for alcoholics and drug addicts in the 1992/93 and 1993/94 financial years:²⁰⁸ [²⁰⁸ Estimates of expenditure for the central government, the three own affairs administrations and the four provinces for the 1992/93 and 1993/94 financial years]

Rehabilitation budgets: 1992/93–1993/94

199199IncAfrican^a:

Cape

367 000

667 000

82%

Natal

574 000

904 000

57%

OFS^b

192 000

174 000

(9%)

Transvaal

1 828 000

1 771 000

(3%)

Coloured

4 636 000

5 476 000

18%

Indian

2 509 000

3 159 000

26%

White

6 105 000

10 769 000

76%

Total

16 211 000

22 920 000

41%

a

Excluding the ten homelands

b

Orange Free State

According to the South African National Council on Alcoholism and Drug Dependence (Sanca), there were 1 025 198 alcoholics in South Africa (including the ten homelands) at the end of 1992. A third of this number were women. Sanca said that the proportion of adults in each race group who consumed alcohol was as follows: African men, 80%; African women, 60%; coloured men, 59%; coloured women, 27%; Indian men, 49%; Indian women, 8%; white men, 89%; and white women, 77%. The total annual cost to the South African economy as a result of alcohol-related problems was estimated to be R1bn. Sanca said that alcohol had been found to be a contributory factor in 8% of fatal road accidents, 30% of injuries and 50% of drownings.²⁰⁹ [²⁰⁹ *Business Day*, *The Star* 21 January 1993]

A spokesman for Sanca attributed the increase in alcoholism in recent years to the recession, mass retrenchments, the breakdown of family life, violence and political uncertainty.²¹⁰ [²¹⁰ *Daily Dispatch* 21 January 1993]

The chief medical officer at Sappi-Saiccor, Dr Mike McCann, said in April 1993 that between 5% and 35% of employees of South African companies suffered from drinking problems that affected their work. He said that many managers were reluctant to tackle the issue of alcohol in the workplace because of fear of trade union opposition. Dr McCann argued that although drinking often caused injuries and

fatalities, 'unions and management are ill-equipped, and wait for a disaster before addressing the problem'. He said that collective preventive action was better than individual treatment and cure, and that the working environment needed to be changed if it encouraged or condoned the abuse of liquor. In this respect he drew attention to 'corporate culture', particularly at management level, which he said set a poor example for other employees, since many managers drank heavily during business lunches and after work.²¹¹ [²¹¹ *The Weekly Mail* 5 March 1993]

The minister of defence, Mr Gene Louw, said in reply to a question in Parliament in March 1993 that 907 members of the South African Defence Force (SADF) had been identified as drug addicts or alcohol abusers during 1992 (in comparison with 739 in 1990). He added that the most commonly abused drugs were alcohol and a combination of other substances, including dagga and Mandrax. Mr Louw reported that 847 addicts had been treated within the SADF and a further 60 had received treatment outside the SADF.²¹² [²¹² *The Citizen* 24 March 1993]

In March 1993 two Nigerians were arrested at Jan Smuts Airport (Johannesburg) with 2kg of cocaine in their possession. A week previously, a Nigerian citizen, Mr Uchenna Amaechi, appeared in the Wynberg magistrate's court (Cape Town) on charges of dealing in 400g of cocaine with a street value of R150 000. The head of the South African Narcotics Bureau, Colonel Neels Venter, said that these men had been acting as couriers for large international drug syndicates which were attempting to establish cocaine smuggling in South Africa. He added that there had been a 'tremendous escalation' in the amount of cocaine crossing South Africa's borders, and that 18 Nigerians had been arrested in connection with drug smuggling since the beginning of the year.²¹³ [²¹³ *The Weekly Mail* 5 March 1993]

Services for Children

The following amounts were allocated to child welfare in 1992/93 and 1993/94 (amounts given below include grants for child allowances, singlecare allowances and foster-care allowances):

Child welfare budgets: 1992/93–1993/94

199199Increase (decrease)

African^a:

Cape

105 564 000

125 251 000

19%

Natal

23 100 000

22 556 000

(2%)

OFS^b

33 440 000

28 918 000

(14%)

Transvaal

89 574 000

94 522 000

6%

Coloured

499 294 000

526 312 000

5%

Indian

76 979 000

92 640 000

20%

White

140 835 000

163 353 000

16%

Total

968 786 000

1 053 552 000

9%

a

Excluding the ten homelands

b

Orange Free State

Although coloured people comprised only 15% of the population of the non-homeland area they received 52% of the child welfare budget in 1992/93 and 50% in 1993/94. Africans, who comprised 57% of the population of the non-homeland area, received 26% of the child welfare budget in both 1992/93 and 1993/94. Whites, who comprised 23% of the population of the non-homeland area, received 15% of the child welfare budget in 1992/93 and 16% in 1993/94. Indians, who comprised 5% of the population of the non-homeland area, received 8% of the child welfare budget in 1992/93 and 9% in 1993/94.

The minister of law and order, Mr Hernus Kriel, provided the following figures in Parliament in April 1993 for the number of people who had been convicted on charges of assault, sexual abuse and neglect of children under 16 years of age between 1989 and 1992:²¹⁴ [²¹⁴ *Hansard* (A) 13 q cols 1253-1254, 27 April 1993]

Convictions on charges of offences against children: 1989–1992

Year

Assault

Sexual abuse

Neglect

1989

705

1 086

314

1990

687

1 061

372

1991

780

1 345

305

1992

768

1 124

282

However, the number of cases of child abuse brought before the courts and the number of cases in which convictions on charges of child abuse were obtained appeared to be a small proportion of the total

number of cases of child abuse occurring. The South African Police (SAP) reported that in 1992, 15 333 cases of child abuse had been reported to the Child Protection Unit or more than double the number of cases reported in 1988 (7 545). Of this number, 3 571 cases involved physical assault, 3 639 involved rape and 4 135 involved sexual abuse (including sodomy, incest and other forms of sexual assault).²¹⁵ [215 *Children and Women in South Africa: a Situation Analysis*]

The head of the Child Protection Unit in Johannesburg, Captain W Botha, said in June 1993 that the number of reported assaults on children in the Johannesburg area had almost doubled between 1991 and 1992. In 1992, she said, the unit in Johannesburg had dealt with 430 cases of sodomy and 3639 complaints regarding the alleged rape of girls under 14 years of age.²¹⁶ [216 *The Citizen* 22 June 1993]

The number of children of various races who were institutionalised or placed in foster care during the period 1991–93 was as follows:²¹⁷ [217 *Children and Women in South Africa: a Situation Analysis*]

Children institutionalised or in foster care: 1991–1993

African^a

Coloured^b

Indian^c

White^d

Children's homes

1 443

2 143

97

5 863

Places of safety

1 339

645

N/A

914

Reform schoolse

548

N/A

41

570

Foster care

N/A

21 340

726

6 922

Total

3 330

24 128

864

14 269

a

As at February 1993

b

As at 31 December 1992

c

As at February 1993

d

As at 30 March 1991

e

Including schools of industry

N/A – N

According to the United Nations Children’s Fund (Unicef) and the National Children’s Rights Committee (NCRC), the number of street children in South Africa (including the ten homelands) in 1992 was as follows:²¹⁸ [218 Ibid]

Street children in South Africa: 1992

Area

Number

Cape

528

Eastern Cape

528

Northern Cape

222

Western Cape

812

Natal

367

Orange Free State

640

Transvaal

1 827

'Independent' homelands

Bophuthatswana

559

Ciskei

303

Transkei

977

Venda

128

Total

6 363

Unicef and the NCRC said in June 1993 that in 1991 there were some 781000 African and coloured children between the ages of five and 14 years involved in child labour. The number of Indian and white children involved in child labour was believed to be negligible. Most of these under-age workers were believed to be employed in the informal and agricultural sectors.²¹⁹ [²¹⁹ Ibid]

It was reported in April 1993 that children were being trucked in from the homelands to work on white

farms. Welfare groups in the northern Transvaal were said to have found that such children were working under contract for white farmers despite the fact that employment of child labour was illegal. The welfare organisations reported brutal treatment, the swapping of children under contract between farmers and sexual abuse. A survey at a farm school in the north-eastern Transvaal was said to have found that more than half of the pupils at the school worked for as many as 12 hours daily, and some for as little as R3 a day.²²⁰ [²²⁰ *The Citizen* 16 April 1993]

National figures for the number of abandoned children are not available. According to Unicef and the NCRC, abandonment occurs mainly in African communities and is more common in urban and peri-urban areas than in rural areas. Between 1 June 1991 and 31 May 1992, 118 babies or toddlers were reported to have been abandoned in the Vaal Triangle (southern Transvaal), while 21 babies were reported to have been abandoned at Baragwanath Hospital (Soweto) in the first six months of 1992. Some 300 children were abandoned in Natal and KwaZulu in 1991, with the political violence seen as a contributing factor to the large number of cases of abandonment in

Unicef and the NCRC also said that large numbers of children in South Africa were living apart from their parents, 'with [adverse] implications for mother/child bonding'. The All Media and Products Survey of the South African Advertising Research Foundation estimated in 1992 that some 1,8m children were separated from their mothers owing to the women's employment as live-in domestic workers. Unicef and the NCRC added that in 1980, 17% of children in South Africa were estimated to be living apart from their parents.²²² [²²² *Ibid*]

The Child Protection Unit of the SAP said in June 1993 that during 1992, 1 366 children under 18 years of age were reported to have committed crimes. In 1993 some 4 000 children under the age of 18 years were reported to be held in police cells or prisons, with the danger of such children being physically or sexually abused by adult prisoners, or acquiring the skills needed to become hardened criminals.²²³ [²²³ *The Citizen* 23 June 1993]

The minister of correctional services, Mr Adriaan Vlok, said in March 1993 that at the end of 1992 there were 202 women in prisons who had one or more children with them.²²⁴ [²²⁴ *Hansard* (A) 8 q cols 777-779, 24 March 1993]

A survey in the Cape Peninsula of 7 000 schoolchildren of all races, whose findings were published in January 1993, found that:²²⁵ [²²⁵ *The Citizen* 22 January 1993]

- 19% of the children surveyed had thought seriously about committing suicide during the previous year;
- 8% of those surveyed had actually attempted to commit suicide;
- 26% of those surveyed had used alcohol during the previous week;

- 17% of the adolescents surveyed had already engaged in sexual intercourse, with a median age at first intercourse of 15 years;
- 63% of those surveyed reported having driven a vehicle without being in possession of a driver's licence; and
- 8% of those surveyed had driven a vehicle while under the influence of alcohol or dagga.

In June 1993 the Congress of South African Trade Unions (Cosatu) said that it was lobbying big business and the government to provide subsidised child-care facilities for workers. The co-ordinator of Cosatu's gender programme, Ms Dorothy Mokgalo, said that Cosatu's shortterm goal was to obtain up to 20 days' paid leave a year for parents to take care of their children's educational and health needs. In the medium term it aimed to ensure that employers provided facilities near the workplace or in the community for pre-primary and after-school child care. According to Ms Mokgalo, some employers in the motor industry had responded favourably to Cosatu's demands (see also chapter on *Labour Relations*).²²⁶ [²²⁶ *Sowetan* 7 June 1993]

Services for Disabled People

The following amounts were allocated to welfare services for disabled people (excluding maintenance grants) in the 1992/93 and 1993/94 financial years:

Budgets for disabled people: 1992/93–1993/94

199199Increase (decrease)

African^a:

Cape

2 089 000

4 170 000

100%

Natal

2 077 000

3 820 000

84%

OFS^b

1 235 000

1 410 000

14%

Transvaal

11 448 000

30 977 000

171%

Coloured

6 960 000

7 016 000

1%

Indian

5 384 000

4 104 000

(24%)

White

30 635 000

42 262 000

38%

Total

59 828 000

93 759 000

57%

a

Excluding the ten homelands

b

Orange Free State

In September 1992 it was reported that there were about 3,5m disabled people in South Africa and that some 80% were unemployed.²²⁷ [²²⁷ *Sunday Star* 6 September 1992]

In October 1992, 250 representatives of a wide range of organisations for the mentally handicapped marched in Johannesburg to the Department of National Health and Population Development. The marchers presented a document, entitled *A Charter of Rights for Persons with Mental Handicap*, to the department, requesting that the same rights be accorded those who were mentally handicapped as those who were of normal intelligence. A petition in support of the charter was also to be circulated nationally.²²⁸ [²²⁸ *The Star* 26 October 1993, *The Citizen* 27 October 1993]

According to the National Council for the Physically Disabled, the following numbers of people were physically or mentally disabled in South Africa (including the ten homelands) in 1993:

Disabled people in South Africa: 1993^a

Type of disability

No of people^b

Proportion of population

Hearing impaired

1 410 780

3,50%

Intellectually handicapped

1 209 240

3,00%

Speech impaired

1 007 700

2,50%

Physically impaired

657 020

1,63%

Chronically sick

201 540

0,50%

Genetic defects not included elsewhere

201 540

0,50%

Visually impaired

145 109

0,36%

Cerebral palsied

100 770

0,25%

Mentally disabled^c

100 770

0,25%

Epilepsy

80 616

0,20%

Autistic

8 062

0,02%

Total

5 123 147

12,71%

a

Proportions of disabled people are based on the 1985 census. (No questions about disability were asked in the 1991 census.) According to the National Council for the Physically Disabled, the proportion of the population suffering from mental and physical disability has grown substantially since 1985 owing to political and criminal violence.

b

Based on Urban Foundation estimates of the South African population in 1993

c

Includes people disabled by m

Services for Returning Exiles

In February 1993 the national co-ordinating committee for the repatriation of South African exiles (NCCR) reported that less than 6% of exiles who had returned to South Africa since the beginning of 1990 had been able to find jobs. The deputy chairman of the NCCR, Brother Jude Pieterse, said that many returnees were destitute. He added that the NCCR had run out of funds to assist returning exiles in August 1992, and that thousands who had been promised grants of R4 200 each could not be assisted. Brother Pieterse said that funds had run out because of a discrepancy between the number of exiles the United Nations (UN) had originally predicted would return (12 600) and the number who had actually returned (16 000).²²⁹ [²²⁹ *Business Day* 22 February 1993]

The NCCR said that because of a shortage of funds it had been compelled to suspend its assistance to returning exiles and to scale down its administrative operations. It said that an additional R12m was needed to provide grants to those who had not been assisted in 1992 and to another 5000 people who were expected to return.²³⁰ [²³⁰ *Ibid*]

In June 1993 it was alleged that 800 people 'masquerading as returning exiles' and issued with UN documentation obtained through bribing UN officials had attempted to return to South Africa and to defraud the NCCR of 'large sums of money'. It was also reported that some R7m donated by the UN to the NCCR was unaccounted for.²³¹ [²³¹ *Ibid* 9 June 1993]

An official of the UN High Commissioner for Refugees, Mr Kallu Kalumiya, subsequently denied that as much as R7m was missing from NCCR coffers. He explained that his organisation had ordered an audit of the financial records of the NCCR in October 1992 and that a preliminary auditor's report indicated that between R200 000 and R300 000 was unaccounted for. Mr Kalumiya said that some 87% of the R55m budget allocated by the UN to the NCCR had been spent on returnees' grants, with the remainder used to cover administrative costs. He added that no more than 20 people who had not been entitled to returnees' grants had been brought to South Africa. This figure included two people from Sierra Leone and four from Zimbabwe, all of whom had been repatriated.²³² [²³² *Ibid* 17 June 1993]

The head of the special fraud unit in the office of the attorney general of the Witwatersrand, Mr F Stander, said that the unit was investigating allegations of fraud within the NCCR which involved an amount less than R300 000. He added that about ten people were under investigation.²³³ [²³³ *Ibid*]

Speaking at the national conference of the South African Council of Churches in Midrand (Johannesburg) in July 1993, the vice president of the NCCR, Mrs Sheena Duncan, said that auditors had established that R10m unaccounted for in the records of the NCCR had been paid out in the form of grants and other assistance. She added that fraud involving R400 000 of the NCCR's funds had been committed through a sophisticated computer network, but that R206 000 had been recovered and charges brought against those involved.²³⁴ [²³⁴ *The Citizen* 7 July 1993]

Mrs Duncan said that the NCCR had been dissolved. In its place the UN High Commissioner for Refugees had established a mechanism to provide a one-off payment of R2 500 per adult and R250 per child to exiles who had returned during 1992 and who had not received grants.²³⁵ [²³⁵ *Ibid*]

Key Projections

- The head of the AIDS programme of the Johannesburg City Council, Dr Clive Evian, said that by the year 2000, 70% of beds in Johannesburg hospitals would be filled with people who had AIDS.
- The minister of national health, Dr Rina Venter, predicted that without serious intervention one in five South African adults would be infected with the human immuno-deficiency virus (HIV) by the year 2010.
- The head of the national AIDS research programme of the Medical Research Council, Dr Malcolm Steinberg, predicted that by the year 2005 between 16% and 25% of the adult South African population would be infected with HIV.

BUSINESS

Key Points

- The National Affirmative Action Alliance was launched in January 1993 to spearhead, facilitate and monitor the effective implementation of affirmative action initiatives in the private and public sectors.
- An analysis of the top 100 companies on the Johannesburg Stock Exchange in 1992 showed that only 1,6% of the 2 550 directorships were held by Africans. There were no more than 11 African executive directors in 1992.
- Less than 10% of the 700 000 African businesses in South Africa were in manufacturing and related services, according to the executive director of Job Creation SA, Mr Ian Hetherington.

- By 1993 only the Cape province had implemented the Businesses Act of 1991 to repeal laws requiring trading licences in more than 70 categories. In the other three provinces, interim measures had exempted traders from licensing requirements.
- The managing director of the Small Business Development Corporation, Dr Ben Vosloo, said in February 1993 that the informal sector contributed 15% to gross domestic product.
- The African consumer confidence index for the second quarter of 1993 was 75, compared with 98 in the same period in 1992, according to the Bureau for Economic Research at the University of Stellenbosch.
- African consumption accounted for about 80% of clear beer sales, 50% of brandy sales and 75% of gin and vodka sales, according to *Finance Week*.
- Some 43% of 700 companies surveyed by the Quest Personnel Group in 1993 said that they had affirmative action programmes.
- A document on affirmative action published by the South African Chamber of Business in July 1993 opposed any prescriptive state intervention to ensure affirmative action.
- High tariffs and other protectionist policies raised the prices of products in the local economy by an average of 30%, a World Bank study said in February 1993.
- A review in June 1993 of South Africa's trade policy by the General Agreement on Tariffs and Trade advised that South Africa should move away from the sectoral protection of industries, reduce tariffs and phase out import surcharges.

Affirmative Action

During the period under review many people expressed the view that affirmative action would have to be implemented to address socio-economic inequalities in all spheres of society. While the debate on affirmative action concentrated on the entry of blacks and women into managerial and boardroom positions in the private sector, affirmative action also included programmes to assist blacks and women in areas such as culture, education, land, politics, the public sector and sport. Specific programmes in these areas are discussed in the relevant chapters.

The concept of affirmative action is controversial. Many critics regard it as reverse discrimination which places the criterion of race before that of merit, and so has the effect of lowering standards while discriminating against those who are best qualified. Furthermore, critics of affirmative action suggest that such a policy could heighten tensions between groups rather than promote racial harmony. Proponents of affirmative action counter that such programmes are necessary because disadvantaged

communities have not had an equal start although opportunities may have been equalised now.

A professor of political science at the Massachusetts Institute of Technology (United States), Professor Myron Weiner, said in March 1993 that affirmative action had two goals: to equalise opportunities for various racial, religious and ethnic groups to the greatest possible extent; and to reduce conflict between groups.¹ [¹ *Financial Mail* 2 April 1993]

According to Professor Weiner, affirmative action implied 'laws, regulations, administrative rules, court orders and various public interventions and private actions, to provide certain public and private goods such as admission to schools and colleges, jobs, promotions, business loans and land rights' to people from disadvantaged groups, in order to achieve equality among these groups.² [² *Development and Democracy* May 1993]

Some of the concerns raised by affirmative action policies emanated from people who wanted to build a nonracial, 'colour-blind society' and who were, therefore, uncomfortable with the idea of allocating benefits on the basis of race or ethnic identity. According to Professor Weiner, other commentators objected because they feared that individual merit would be ignored when admissions to universities and job allocations were decided on on the basis of group membership.³ [³ *Business Day* 2 April 1993] However, the chairman of the Independent Development Trust, Professor Wiseman Nkuhlu, argued that there was no evidence to show that affirmative action led inevitably to lower performance.⁴ [⁴ Nkuhlu W, 'Affirmative action for South Africa in transition', in Adams C (ed), *Affirmative Action in a Democratic South Africa*, Juta, Kenwyn, 1993]

According to the rector of the Peninsula Technikon (Cape Town), Mr Franklin Sonn, affirmative action could refer to 'racial preferential treatment for good reasons', the redistribution of resources and opportunities, or preferential financial assistance by business to institutions in communities which had been disadvantaged. Mr Sonn stressed that only the implementation of 'deliberate and practical steps' could eliminate inequalities which had been created by 'deliberate design'.⁵ [⁵ Sonn F, 'Afrikaner nationalism and black advancement as two sides of the same coin', in Adams, *Affirmative Action in a Democratic South Africa*]

According to the Institute for Futures Research at the University of Stellenbosch, affirmative action should not be seen as a policy to punish groups which had benefited in the past, but rather as a step towards economic development and the more efficient utilisation of the country's human resources.⁶ [⁶ Institute for Futures Research, *Strategy Insights*, June 1992] The publicity secretary of the Azanian People's Organisation, Dr Gomolemo Mokaé, said in March 1993 that affirmative action should not seek to improve the position of one particular race group by oppressing another.⁷ [⁷ *Development and Democracy* May 1993]

According to a Development Bank of Southern Africa report published in April 1992, there was no ethical basis for separating affirmative action from equal opportunity. Equal opportunity in South Africa needed to be supplemented with the right to an equal start, the bank said.⁸ [⁸ *Finance Week* 23 April 1992]

According to Professor Nkuhlu, a strategy of affirmative action needed to encompass all major areas such as culture, the economy, politics and sport. Professor Nkuhlu emphasised the role of the state, development institutions and the private sector in facilitating affirmative action programmes. He said that in order to achieve 'effective equality of opportunity' blacks had to be afforded preferential support to enable them to attain a higher level of managerial and technological capability, they needed to gain access to economic resources and to be provided with appropriate support, and they needed to have access to positions of leadership and decision making. Professor Nkuhlu added that the attitudes of white managers had to be addressed as much as those of black people. Blacks needed to overcome feelings of anger, alienation and inferiority. Whites needed to change their negative expectations of black trainees.⁹ [9 Nkuhlu W, 'Affirmative action for South Africa in Transition' in Adams, *Affirmative Action in a Democratic South Africa*]

The executive director of the Free Market Foundation, Mr Leon Louw, said that he regarded paternalistic affirmative action, where blacks were considered 'mentally retarded', as demeaning. It generated resistance among whites because it was carried out at their expense. This type of programme ran the risk of retarding progress in black economic empowerment, he said. Mr Louw argued that wages and salaries for blacks should not be increased artificially; the principle should rather be 'equal pay for equal work'. Being paid more than their market rate would discourage black employees from gaining competence and skills. He maintained that paying blacks more than their market rate would also promote racism and discrimination, impoverish the economy (as blacks would be net wealth consumers rather than net wealth producers) and lead to an escalation in insolvencies. Mr Louw said that blacks entering primary school now would be the first group to be genuinely equal with their white counterparts. Older blacks would never catch up with whites of their age group in terms of income and potential advancement because training courses could not make up for the lack of on-the-job experience.¹⁰ [10 *Telephonic interview with Mr Leon Louw, executive director of the Free Market Foundation, 15 May 1992*]

A consultant with Renwick Management Services and a member of the Black Management Forum (BMF), Mr Mofasi Lekota, said that he believed that the implementation of affirmative action and employment equity programmes had to become a 'matter of national urgency' if South Africa was to generate and sustain the required minimum economic growth rate of 5% a year. Furthermore, the skills shortage, which had necessitated the importation of skills, had also created resentment among the black population, Mr Lekota said. This 'social cost' was often ignored by companies.¹¹ [11 *Business Day Corporate Survey* 31 August 1992]

According to a study by a lecturer at the Graduate School of Business at the University of Stellenbosch, Dr Linda Human, and the managing consultant for Personnel Decisions South Africa, Mr Donovan Shaw, the policy of job reservation had not only hindered the entry of blacks into managerial positions but had also retarded the development of the necessary skills to facilitate black mobility. For successful advancement to take place, the individual had to be 'able', 'willing' and 'allowed' to perform, they said. Dr Human and Mr Shaw attributed the slow increase in the number of blacks in managerial positions to the problem of social mobility—partly owing to the inferior educational system and the attitudes, expectations and skills of white managers. The authors suggested that in order to avoid problems

relating to tokenism and a backlash from whites, affirmative action should take place at the selection and recruitment stage only.¹² [¹² Human L and Shaw D, 'Selection and the assessment of the potential of blacks in South Africa: a critique of current approaches', in Human L (ed), *Educating and Developing Managers for a Changing South Africa*, Kenwyn, Juta, 1991, pp131–132]

Dr Human said that the emphasis on cultural differences which had created the perception that black culture was inferior to that of the Western business world was an additional problem.¹³ [¹³ Human L, 'Black advancement, affirmative action and managing diversity: what South Africa can learn from the USA', in Human, *Educating and Developing Managers for a Changing South Africa*, p322] She concluded that affirmative action programmes had failed because they did not address prejudice, racism, stereotypes and negative expectations on the part of white managers; top management was not committed to these programmes, and too much emphasis was placed on attaining larger numbers of senior black staff in the short term rather than on long-term development.¹⁴ [¹⁴ Ibid p325]

The different efforts of various groups and organisations to promote affirmative action were brought together in the National Affirmative Action Alliance, which was launched in January 1993. By July 1993, 25 organisations had joined it, including the African National Congress, BMF, the Foundation for African Business and Consumer Services, the Human Sciences Research Council, the Institute of Personnel Management, and the National African Federated Chamber of Commerce and Industry.¹⁵ [¹⁵ Telephonic interview with Mr Loyiso Mbabane, general secretary of the National Affirmative Action Alliance (NAAA), 22 February 1993] The mission of the alliance was to 'spearhead, facilitate and monitor the appropriate and effective implementation of initiatives which are designed to address the elimination of racial and gender imbalances and discriminatory practices within organisations at all levels and to advance and empower members of historically disadvantaged groups'.¹⁶ [¹⁶ Information supplied by Dr Caroline White, deputy chairwoman of the NAAA, February 1993]

The alliance hoped to influence policy makers at government level with regard to appropriate legislation and policy on affirmative action, as well as policy makers in the private sector. The following working groups were set up: economic empowerment, education, employment, legislation, strategy/ advancement and women/gender. The task of each working group would be to hold workshops with various actors or specialists, identify research that might be of relevance to the particular working group and subsequently present a proposal of strategy to a general meeting of the alliance.¹⁷ [¹⁷ Telephonic interview with Mr L Mbabane, 22 February 1993]

Company Directorships

It has been argued by some that the entry of more blacks into the boardrooms of major companies as well as into managerial positions in the formal economy is essential for the emergence of a more equitable distribution of wealth and to ensure that blacks have some control over it. During the period under review many companies hastened to appoint black directors to their boards, which had long been dominated by white men. However, Professor Nkuhlu said in May 1993 that because the known talent

pool was small, the same people tended to be asked to sit on different boards. A placement consultant for the Black Management Forum (BMF), Ms Linda Primos, said that some companies were willing to 'put up' with black directors who were not able to 'put the time into [their] commitment'.¹⁸ [¹⁸ *Financial Mail* 7 May 1993]

A preliminary analysis in 1992 of the top 100 companies on the Johannesburg Stock Exchange by an adviser to the African National Congress and the BMF, Mr Don Mkhwanazi, showed that of approximately 2550 directorships, only about 40 (1,6%) were held by Africans.¹⁹ [¹⁹ *Indicator SA*, vol 9 no 2, autumn 1992, pp76-77] Mr Mkhwanazi's research revealed that there were 'no more than 11 African executive directors' in South Africa in 1992.²⁰ [²⁰ Mkhwanazi D, 'Corporate outsiders', *Indicator SA*, vol 9 no 2, autumn 1992, pp78-79] The executive director of the Free Market Foundation, Mr Leon Louw, pointed out, however, that demands to increase the number of blacks on company boards revealed a misunderstanding of the nature of the skills required to run a company.²¹ [²¹ Telephonic interview with Mr L Louw, 15 May 1992]

Professor Nkuhlu expressed concern in May 1993 that the appointment of nonexecutive directors to boards was not the answer to black empowerment, as most of the important decisions were being made at executive level and not at board level. It was more important to promote blacks to senior management positions, he said.²² [²² *Financial Mail* 7 May 1993]

African Business

Statistics and Structure

No accurate figures on African business exist. However, Africans have diversified their business activities since the 1980s, and formal African business no longer comprises only traditional retailers. Africans now have representation in most sectors of the formal and informal economy.

The chairman of the western Cape branch of the Black Management Forum, Mr Humphrey Khoza, said in September 1992 that he was not a proponent of the creation of a black business giant because this would be a perpetuation of separate development. The focus should be rather on the empowerment of the disadvantaged to participate as equals in a single South African economy, he said.²³ [²³ *Daily Dispatch* 17 September 1992]

The executive director of Job Creation SA, Mr Ian Hetherington, said in April 1993 that less than 10% of the 700 000 African businesses in South Africa were in the manufacturing and related service industries. However, he added, the number in this sector in existence was commendable given the fact that before 1979 it was illegal for African manufacturers to set up businesses outside the homelands.²⁴ [²⁴ *Business Day* 19 April 1993]

According to the editor of *Enterprise*, Mr Thami Mazwai, there were about 2m African entrepreneurs in South Africa in 1993. He estimated that about 6% of African businesses had a monthly income of more than R6000.²⁵ [²⁵ *Sowetan* 6 May 1993]

Successes and Failures

Many black businesses have been set up since 1990. Some of the more notable ones are described below.

Thebe Investment Corporation (Thebe) was formed in mid 1992 by a nonprofit community trust, Batho-Batho, whose trustees include the president of the African National Congress (ANC), Mr Nelson Mandela, and its deputy president, Mr Walter Sisulu. The trust invested an initial amount of R10m in Thebe.²⁶ [²⁶ *Portfolio of Black Business in South Africa*, 1993] According to the managing director of Thebe, Mr Vusi Khanyile, the ultimate aim of the organisation was conversion into a public company which would sell shares to individuals.²⁷ [²⁷ *Sowetan* 18 June 1993]

Mr Khanyile said in December 1992 that the company was seeking to establish a presence in most sectors of the economy. In order to do so Thebe was to set up new companies or acquire existing ones. By then Thebe had acquired a stake in Oriole Travel, Dakawa Properties and Thebe Trading (an import-export company). Movement Marketing Enterprises, which sold ANC memorabilia, became a private company in 1992 and also formed part of Thebe. The possibility was also mooted that stokvels could invest in some of Thebe's projects.²⁸ [²⁸ *Portfolio of Black Business In South Africa*, 1993] Bheki Computer Systems was established in May 1993, with Thebe as its largest shareholder (45%). Bheki is one of two companies appointed to distribute products of the Digital Equipment Corporation, a United States-based company.²⁹ [²⁹ *The Star* 26 May 1993, *Sowetan* 18 June 1993]

In May 1993 disclosures that Thebe and Macmillan Boleswa were planning to form a partnership for the supply of education textbooks drew attention to the corporation's links with the ANC. It was reported that, according to the formal written proposal, Thebe was to have an initial 26% stake in the joint venture. Macmillan Boleswa was to give Thebe 20% of that stake at no cost to Thebe. In return, Thebe would provide a 'regular line of communication with the relevant government structures in the new South Africa' and 'facilitate close working relations with the ANC's mass media trust'.³⁰ [³⁰ *Business Day* 27 May 1993] However, Mr Khanyile said that Thebe had no direct links with the ANC and that no deal had been signed with Macmillan Boleswa. The deputy head of the ANC's education department, Mr Lindelwe Mabandla, said in May 1993 that in the department's view future commercial contracts between government and private-sector companies should be concluded through a tendering process 'without underhand interference'.³¹ [³¹ *Business Day*, *Sowetan* 18 June 1993]

Lesedi Clinic, a private black-owned clinic in Soweto which had been opened in 1986, showed a loss of

more than R3m at the end of its 1991/92 financial year. Fraud of close to R150 000 was subsequently uncovered and the clinic was faced with cash flow problems. However, at the end of the 1992/93 financial year Lesedi Clinic was able to show after-tax profits.³² [³² *Enterprise* May 1993] The chairman of Lesedi Clinic, Dr Jackie Mphafudi, said in May 1993 that the Industrial Development Corporation (IDC) had provided the clinic with a R14m loan in 1992 which had allowed it to improve its financial position. A further loan from the IDC of R1,6m was received for the purchase of surgical and intensive-care equipment. Dr Mphafudi added that a casualty section, a 24-hour medical facility and a 24-hour pharmacy were being planned.³³ [³³ *Ibid*]

Sizwe Medical Aid Services (Sizwe), which had established the first African-controlled medical aid scheme in 1978, was the sixth largest open medical aid scheme in April 1993, with 34 000 members. The chairman of Sizwe, Dr Abner Tlakula, said in May 1993 that he believed there was potential for the scheme to grow because only 13% of all medical aid members were black. Dr Tlakula said in May 1993 that Medscheme (which had a 49% share in Sizwe) assisted Sizwe with human and technical resources.³⁴ [³⁴ *Ibid*]

Kwacha, an investment holding company, owned a 90% share of Lesedi Clinic and a 51% share of Sizwe. The company had an issued capital of 300000 shares of R1 each distributed among 38 shareholders, most of whom were doctors. The objective of Kwacha, according to its general manager, Mr Fred Ndlovu, was to dominate health care in the black townships. Kwacha Property Holdings, a wholly-owned subsidiary of Kwacha, had assets valued at R29m in May 1993. According to Mr Ndlovu, two other companies linked to Kwacha, Lesedi Ambulance Services and Lesedi Pharmaceuticals, were liquidated in 1992. The ambulance service collapsed because of ambulance hijackings by youths while the pharmaceuticals company lacked the expertise needed to run it, Mr Ndlovu said.³⁵ [³⁵ *Ibid*]

In its report on the six months ended 31 December 1992, National Sorghum Breweries (NSB) said that turnover had increased by 20% compared with the same period in 1991. Net income after taxation increased by 8% over the same period. NSB said that despite representations at ministerial level, harassment and arrests of sorghum beer distributors and drinkers had 'continued unabated ever since NSB became a black-owned and black-controlled company'.³⁶ [³⁶ *Sowetan* 10 March 1993]

The National Association of Co-operative Societies of South Africa (Nacssa) launched Nacssa Catering Services in November 1992. Its aim was to provide catering requirements for birthdays, funerals, meetings, office parties and weddings.³⁷ [³⁷ *Ibid* 11 December 1992] In January 1993 Nacssa launched Nacssa Coffin Manufacturing (NCM) in Ekandustria (KwaNdebele). Letsema Investment Corporation, the investment arm of Nacssa, acquired an 80% stake in the company.³⁸ [³⁸ *Ibid* 17 December 1992] The chief executive of Letsema, Mr Sam Muofhe, said in January 1993 that the NCM employed 15 workers and produced about 50 coffins a day. He added that the NCM aimed to employ about 60 workers and produce more than 200 coffins a day by the end of 1993.³⁹ [³⁹ *Ibid* 20 January 1993]

In March 1993 Nacssa acquired control of Kupane Funeral Directors, one of the largest funeral

undertakers in Soweto.⁴⁰ [⁴⁰ *Business Day* 3 March 1993] The deal was estimated to be worth some R1,5m.⁴¹ [⁴¹ *Enterprise* April 1993] Kupane Funeral Directors would be supplied with coffins produced by the NCM. The company was also to arrange the funerals of Nacssa members at greatly reduced prices, according to Mr Muofhe.⁴² [⁴² *Sowetan* 4 March 1993]

A significant move towards black ownership of established life assurance companies during the period under review was the acquisition from Sankorp in May 1993 of a 10% stake in Metropolitan Life (Metpol) by Metlife Investment Holdings (Methold), an African-owned company. The value of Methold's shareholding was estimated to be about R135m and the deal was financed by the IDC.⁴³ [⁴³ *Business Day*, *Sowetan* 13, 14 May 1993] The IDC funding was to be redeemed as Methold shares were sold to the black community.⁴⁴ [⁴⁴ *The Citizen* 14 May 1993] Methold shares would be sold only to blacks in units of R1 with 20 units corresponding to one Metpol share. Black-controlled businesses would also be able to buy shares, but no individual or organisation would be allowed to control more than 10% of Methold's shares.⁴⁵ [⁴⁵ *The Star* 14 May 1993]

According to a voting pool agreement, Methold was to nominate six of the 15 nonexecutive directors on the board of Metpol, while Sankorp would nominate three. The chairman of Methold, Dr Nthato Motlana, would also be the chairman of Metpol.⁴⁶ [⁴⁶ *Business Day* 14 May 1993] Methold also had a five-year call option to purchase an additional 20% of Sankorp's stake at prevailing share prices. This transaction would be worth about R350m.⁴⁷ [⁴⁷ *Business Day*, *Sowetan* 13, 14 May 1993] Dr Motlana said that Methold might in the future be listed on the Johannesburg Stock Exchange and used as a vehicle to acquire other companies.⁴⁸ [⁴⁸ *Business Day* 13 May 1993]

African General Insurance (Afgen), the first short-term insurance company with a majority African shareholding, was formed in February 1992. Aegis Insurance and SA Eagle Insurance each had 24,5% of the shares in Afgen, while the Foundation for African Business and Consumer Services and Future Bank together had 51%.⁴⁹ [⁴⁹ *Enterprise* February 1993] By the end of January 1993 Afgen had already conducted about R33m worth of business. According to the managing director of Afgen, Mr Khehla Mthembu, the company expected to conduct business to the value of R60m a year between 1993 and 1998.⁵⁰ [⁵⁰ *Ibid*] The joint venture with Aegis Insurance and SA Eagle Insurance ensured that Afgen could rely on their technological network while having access to the emerging black market.⁵¹ [⁵¹ *Ibid* March 1993]

African Information Technologies (AIT), which was formed in May 1992, was the first South African computer company to be run by black businessmen. AIT was a joint venture between Datakor and Mr Alan Roper, AIT's marketing manager, who held 51% of the shares.⁵² [⁵² *Ibid* April 1993] At the time of writing AIT had already secured orders worth more than R2,6m from UAL Merchant Bank and the ANC.⁵³ [⁵³ *Portfolio of Black Business in South Africa*, 1993] The managing director of AIT, Mr Patrick Ndlovu, estimated in April 1993 that the company would have a turnover of not less than R10m in its first year of

operation.⁵⁴ [⁵⁴ *Enterprise* April 1993]

Herdbuys, the first advertising agency in South Africa owned and managed by blacks, was formed in March 1991. Although it had started with little capital, at the time of writing it had on its books the advertising accounts of Eskom, Future Bank, Kenya Airways, the national peace committee, NSB, and the *Sowetan*. The managing director of Herdbuys, Mr Peter Vundla, emphasised in December 1992 that ‘none of these accounts were won on a vote of black sympathy’. He said that the importance of Herdbuys lay in its understanding of the black market. However, it did not consider itself an agency catering to black advertising accounts only, Mr Vundla said.⁵⁵ [⁵⁵ *Portfolio of Black Business in South Africa*, 1993]

Black Like Me, a company producing a range of black hair care products, was started in 1985 by Mr Herman Mashaba. By 1992 Black Like Me products had captured about 50% of the black hair-care market. In March 1993 the company employed 117 people and manufactured more than 50 different products,⁵⁶ [⁵⁶ *Enterprise* March 1993] which were sold to hair salons in South Africa, as well as in Botswana, Lesotho, Namibia and Swaziland.⁵⁷ [⁵⁷ *Portfolio of Black Business in South Africa*, 1993] In November 1992 a Black Like Me cosmetics beauty clinic was opened in Johannesburg.⁵⁸ [⁵⁸ *Enterprise* March 1993]

Business Organisations

A large number of black business organisations representing a wide range of business activities emerged in the late 1980s at local, regional and national level. Funding was most often cited as an obstacle to the effective operation of these organisations. The mushrooming of black business organisations meant reduced sponsorships from big companies for such organisations, while the economic recession made it increasingly difficult for members to pay their membership fees. Other problems included weak organisational structures and lack of skills and management expertise in running such organisations.⁵⁹ [⁵⁹ Various interviews conducted with black business associations in the period January–May 1993]

During the period under review the Foundation for African Business and Consumer Services (Fabcos) was the subject of controversy. The resignation of two executive members of Fabcos, Messrs James Chapman and Gaby Magomola, during 1992 sparked speculation that Fabcos and the Southern Africa Black Taxi Association (Sabta) were on the verge of collapse. In November 1992 Project Spear, a taxi driver training scheme, and Ads on Taxis, both projects initiated by Sabta, closed down. Fabcos also retrenched 143 staff members, including senior officials, during 1992.⁶⁰ [⁶⁰ *Sowetan* 13 November 1992] The president of Fabcos, Mr James Ngcoya, said in November 1992 that contrary to reports, Fabcos ‘was stronger now than ever before’ because the rationalisation it had undertaken was beginning to pay off. Mr Ngcoya added that branches which had been closed were being reopened and Fabcos was re-employing workers who had been retrenched.⁶¹ [⁶¹ *Business Day* 27 November 1992] According to a business consultant, there was a great deal of resentment between affiliates of Fabcos and Fabcos itself because Fabcos had received most sponsorship money, its management was autocratic and there was poor

communication between it and its affiliates.⁶² [62 Confidential interview, business consultant, February 1993]

At its 28th annual conference in July 1992, the newly elected president of the National African Federated Chamber of Commerce and Industry (Nafcoc), Mr Archie Nkonyeni, emphasised that the main objective of Nafcoc in the coming year would be to develop its secretariat to the point where it was able to provide the infrastructure to retain the loyalty of existing membership, it was attractive to nonmembers and the affiliates of Nafcoc could be kept attuned to the challenges facing Nafcoc in the 'new' South Africa. Mr Nkonyeni added that improvement in Nafcoc's income-generating capacity was also essential. He believed that Nafcoc should move away from reliance on donors to depending on its members for the bulk of its funding. According to Mr Nkonyeni, Nafcoc would have to focus more than ever before on the question of black economic empowerment. He stressed that political freedom that was not 'underpinned by economic emancipation is the best recipe for permanent social instability, which is one of the most effective means of shackling a nation to a state of poverty'.⁶³ [63 Nafcoc 28th annual convention, *Report*, July 1992]

At a planning meeting in October 1992 Nafcoc resolved that it should play a key role in facilitating the achievement of a political settlement. Nafcoc also resolved that it should continue to demand greater participation for blacks at all levels of the economy. This would include lobbying the government of the day for, among other things, affirmative action legislation, support mechanisms for black business, and a small business administration department which could provide soft loans and technical assistance to black business. Nafcoc also intended to persuade the government to underwrite the issue of shares in the case of the establishment of a new black company or the acquisition of equity from an existing company by blacks. Nafcoc's meeting also endorsed the formation of a nonracial, unified national organisation of employers in South Africa which would be affiliated to the Pan-African Employers' Confederation and the International Organisation of Employers (see also 1992/93 *Survey* pp105–106).⁶⁴ [64 *Mayibuye* February 1993]

In early 1993 Nafcoc opened an office in central Johannesburg to facilitate meetings with foreign trade and government delegations, and to ensure easy access for members.⁶⁵ [65 *Enterprise* July 1993] Mr Nkonyeni said that the development of Nafcoc's Johannesburg office and the restructuring of the secretariat would require much funding assistance from 'all those who believe that the normalisation of economic life in South Africa is inextricably bound up with the existence of a credible and viable body of black business'.⁶⁶ [66 *Business Day* 11 June 1993]

The former president of Nafcoc, Dr Sam Motsuenyane, said in May 1993 that it was 'prudent and preferable' to maintain separate black and white business organisations because integration now would amount to 'colonisation' of black organisations by whites.⁶⁷ [67 Interview with Dr Sam Motsuenyane, the former president of Nafcoc, Johannesburg, 5 May 1993]

In November 1992 the Greater Soweto Chamber of Commerce and Industries held the first elections to its committee in three years. Its new president, Mr Sam Noge, said in February 1993 that the chamber

had stagnated and that both committee members and ordinary members had started losing interest in the organisation. However, the new committee would strive to increase membership and to be 'in touch with the problems experienced by the grassroots'.⁶⁸ [68 Interview with Mr Sam Noge, president of the Greater Soweto Chamber of Commerce and Industries, Johannesburg, 1 February 1993] In 1992 the Johannesburg Chamber of Commerce and Industry (JCCI) and the Johannesburgse Afrikaanse Sakekamer started a three-year programme to assist in the strengthening of the Soweto chamber. According to the 1992 annual report of the JCCI, results had already been encouraging, as the offices of the Soweto chamber were now fully equipped, membership was growing, a business and education seminar programme had been launched, and regular contact and a high level of co-operation existed between the chambers.⁶⁹ [69 Johannesburg Chamber of Commerce and Industry, annual report, 1992]

In February 1993 Mr Noge said that the Soweto chamber was aiming to recruit 1 000 members by the end of 1993. In January 1993 the chamber had a paid-up membership of 112.⁷⁰ [70 Johannesburg Chamber of Commerce and Industry, *Going Concerns*, 29 January 1993; Interview with Mr Noge, president of the Greater Soweto Chamber of Commerce and Industries, Johannesburg, 1 February 1993]

Policy

Deregulation

The public affairs director of the Southern Africa Black Taxi Association, Mr Mike Ntlatleng, said in March 1993 that the government's removal of discriminatory legislation without introducing legislation to make small business competitive was not assisting black business.⁷¹ [71 *Business Day* 8 March 1993]

In submissions to the Department of Finance in the same month the South African Chamber of Business said that small business should be deregulated, tax concessions should be provided, bookkeeping requirements should be simplified and financial support should be provided to such businesses.⁷² [72 *The Citizen* 9 March 1993]

According to the Small Business Development Corporation (SBDC), by 1993 only the Cape province had implemented the Businesses Act of 1991 (see also 1992/93 *Survey* p107), which had repealed laws requiring trading licences in more than 70 categories. During 1992 the SBDC had made representations to the provincial authorities requesting that in the enforcement of the act authorities should not reintroduce a system of licensing based on discretionary powers. The SBDC also recommended that the provincial authorities should not restrict unnecessarily areas where hawkers could conduct business.⁷³ [73 Small Business Development Corporation, annual report, 1992] According to the *Financial Mail*, in the remaining three provinces strong resistance had been encountered from local civil servants and formal-sector pressure groups to implementing the Businesses Act. However, interim measures in these provinces exempted traders from licensing requirements. The act, when implemented, prohibited hawking in a few areas such as near government buildings but did not allow local authorities to place restrictions on

hawking elsewhere.

According to the executive officer of the Law Review Project, Professor Louise Tager, proposed amendments to the act would allow local authorities to restrict hawking in more areas. She emphasised that the amendments would not allow local authorities to prohibit trading 'at will' but would allow them to demarcate a restricted area after this intention had been advertised for comment and approved by the administrator of the province. Furthermore, Professor Tager said that once an area had been set aside as restricted a city council could lease the area to a company or group which would determine specific controls on street trading for that area.⁷⁴ [⁷⁴ *Financial Mail* April 1993]

In April 1993 the government withdrew proposals to bring the sorghum beer industry within the ambit of the Liquor Act of 1989. This would have necessitated the acquisition of licences by the brewers, distributors and sellers of sorghum beer. As National Sorghum Breweries (NSB) had an informal distribution network of more than 500 000 people the amendments would have 'criminalised' these informal activities, according to an NSB statement in April 1993.⁷⁵ [⁷⁵ *Sowetan*, *The Citizen* 28 April 1993] Furthermore, many of the informal sellers would have had to face unfamiliar legal procedures and high capital outlays to obtain licences, the chief executive officer of NSB, Mr Mohale Mahanyele, said. NSB had threatened to defy any legislation that would have placed the industry under the Liquor Act.⁷⁶ [⁷⁶ *Business Day* 27 April 1993]

Finance

According to the 1992 annual report of the Small Business Development Corporation (SBDC), during that year more than 3 000 loans were granted to businesses in the informal and semi-formal sectors, out of a total of 5821 loans granted by the SBDC.⁷⁷ [⁷⁷ Small Business Development Corporation, annual report, 1992]

The manager of the Philippi Small Business Centre (Cape Town), Mr Ken Briggs, said in March 1993 that while in granting loans financial institutions placed a premium on security, the SBDC ranked viability as the most important criterion for granting a loan, followed by the ability of the entrepreneur and, finally, security. Mr Briggs emphasised that provision of financing was not biased in favour of whites as about half the loans granted went to blacks. The SBDC concentrated on financing activities which would create wealth. Mr Briggs said that, for example, in Khayelitsha (western Cape) the SBDC was supporting manufacturing enterprises which could sell their goods outside Khayelitsha, rather than spazas which catered for residents alone.⁷⁸ [⁷⁸ Interview with Mr Ken Briggs, manager, Philippi Small Business Centre, Cape Town, 22 March 1993]

The senior general manager of the small business unit at First National Bank, Mr Ali Mokoka, said in October 1992 that the fact that many applicants for loans had little or no financial track record was not necessarily a disadvantage for them. He said that the factors the bank examined in deciding whether or not to grant loans included the viability of the business in question, the contribution the individual would

make towards the venture and the location of the business. According to Mr Mokoka, it was not strictness in lending criteria which hindered the development of small business but poor management of such businesses.⁷⁹ [⁷⁹ *The Star* 2 October 1992]

NedEnterprise (a division of Nedbank), which was launched in 1992, provided financial assistance to the following types of developing businesses:⁸⁰ [⁸⁰ *Enterprise* December 1992/January 1993]

- medium to large-sized businesses with a turnover of between R1m and R5m and assets of about R2m;
- medium-sized businesses, most of which were franchises; and
- small developing businesses, usually involving people who had skills but no access to capital.

The general manager of NedEnterprise, Mr Neville Edwards, said in November 1992 that NedEnterprise preferred to finance franchises over any other type of new enterprise. He added that because franchising provided the entrepreneur with a proven system, banks were able to assess the risk of a business venture.⁸¹ [⁸¹ *Ibid* November 1992]

The chief executive of the Black Integrated Commercial Support Network (BICSN), Mr Leyland Hazelwood, said in December 1992 that the BICSN was committed to establishing an equity capital fund to assist entrepreneurs as soon as there was political stability in the country. The BICSN was a project funded by the United States Agency for International Development and aimed at assisting South African black businesses to grow and compete in the mainstream economy. It was announced in the same month that the agency was investigating the establishment of a loan guarantee fund in conjunction with major banks in South Africa.⁸² [⁸² *The Citizen* 19 December 1992]

According to the annual report of the KwaZulu Finance and Investment Corporation, 2 216 loans amounting to R18m were advanced to small businesses in 1992, an increase of 128% in the number of loans granted compared with 1991 figures. During 1992, R1m in loan finance enabled 14 small entrepreneurs to establish themselves in the Sundumbili and Ulundi Plaza shopping complexes in KwaZulu.⁸³ [⁸³ KwaZulu Finance and Investment Corporation, annual report, 1992]

During the year under review, the Get Ahead Foundation experienced a 100% rate of repayment on loans of between R100 and R2 000 to stokvels. The average loan granted was about R450. According to the foundation, every loan of R350 created one job.⁸⁴ [⁸⁴ Get Ahead Update, 15 March 1993]

Mr Brian Goodall MP (Democratic Party) said in December 1992 that the government had starved the small business sector of funding, thus costing the economy thousands of potential jobs. He blamed this on a misallocation of state funds—in 1992/93 the state had provided only R3,8m to the SBDC while

budgeting R2bn for an export incentive scheme.⁸⁵ [⁸⁵ *Business Day* 14 December 1992]

The 1993/94 budget, tabled in Parliament in March 1993, allocated R113m to the SBDC and various other approved bodies for the promotion of small businesses.⁸⁶ [⁸⁶ Department of Finance, *Budget Review*, 17 March 1993]

Constraints on Black Business

Official Constraints

According to the Small Business Development Corporation (SBDC), small businessmen and businesswomen were not catered for in wage agreements negotiated between trade unions and employers. Small business was not represented on industrial councils, which saw to the observance of wage agreements and working conditions laid down by legislation. Small business people could apply to industrial councils for exemption from some of the regulations which were difficult for them to implement. However, this was made difficult by the fact that industrial councils were dominated by big employers who could afford to pay higher wages and provide for provident funds. A senior manager of the SBDC, Mr Johan Naudé, said in October 1992 that industrial councils were inherently biased against competition and that the needs of small businesses were being ignored in centralised bargaining.⁸⁷ [⁸⁷ *Argus* 3 October 1992]

In May 1993 the Johannesburg City Council adopted heavier penalties for street trading and hawking with the aim of restoring order to, and eliminating litter from, the streets of the city. The council stated that although it supported informal trading as a necessary survival strategy it also sought 'to protect the interests of the city at large, the formal business sector and the residents of the city'. Strategies to achieve this would include, among others, declaring certain areas of the city 'hawker-free' zones, prohibiting informal traders from doing business on the pavement in front of a shop selling the same goods, and prohibiting wholesalers from employing street traders as multiple outlets for their goods. Furthermore, the council said that it would permit street trading only on pavements wide enough to accommodate street traders, their customers and pedestrians. Property owners would also be allowed to lease abutting pavements from the council to upgrade the environment around their businesses. Lessees would not be allowed to sublet the pavement and would be responsible for keeping their pavement in a clean and hygienic condition. It was the council's intention to publicise and explain these policies and bylaws, as well as to implement educational programmes relating to environmental health issues and traffic regulations. Furthermore, education of street traders by street-trading inspectors would continue, the policy document said.⁸⁸ [⁸⁸ Johannesburg Chamber of Commerce and Industry, *Going Concerns*, 14 May 1993]

Unofficial Constraints

A survey in October 1992 by the Soweto Investment Trust Company of 100 retail outlets in Soweto found that 94% were operating at a loss owing to a spate of robberies, political unrest, taxation and high rent-and-service charges.⁸⁹ [⁸⁹ *Sowetan* 8 October 1992] According to the development manager of the Informal Business Training Trust, Ms Pam Johnston, many successful black business people, especially in the western Cape, were victimised by militant youth who demanded money or threatened to harm them or their businesses.⁹⁰ [⁹⁰ Interview with the development manager of the Informal Business Training Trust, Ms Pam Johnston, Cape Town, 25 March 1993] The general secretary of the Inyanda Chamber of Commerce (Durban), Mr Zweli Gumede, said in March 1993 that setting up a business in the present unstable political climate was very dangerous as businesses were vandalised or robbed by criminal elements. This contributed to the unprofitability of the business and was exacerbated by the economic recession, he said.⁹¹ [⁹¹ Interview with the general secretary of the Inyanda Chamber of Commerce, Mr Zweli Gumede, Durban, 16 March 1993]

During 1992 traders and hawkers in three shopping complexes in Soweto were informed by their respective local authorities that malls would be constructed on the sites. Traders who could afford to pay the required rentals would be given first option in occupying the units. The president of the Greater Soweto Chamber of Commerce and Industries, Mr Sam Noge, said in March 1993 that if big chain stores were allowed to enter the townships, black traders and hawkers would be forced out of business.⁹² [⁹² *African Business* March/April 1993] The competition of the informal sector, especially spaza shops, was cited as another problem facing formal businesses in the townships.⁹³ [⁹³ Interview with the president of the Mamelodi Chamber of Commerce and Industries, Mr Matthews Mampane, Pretoria, 16 February 1993]

According to a business consultant, Mr George Negota, black empowerment would not succeed unless the criteria for credit rating were revised. He said that the information used to assess the creditworthiness of an individual was provided by formal white business establishments. Mr Negota said that 'stokvels, clubs and black organisations are hardly approached for information on their members for rating their creditworthiness' although it had become common practice for organisations to keep such information on their members. The present credit-rating criteria would serve only to ensure that blacks 'remained locked outside the economy and thereby remained consumers', Mr Negota emphasised.⁹⁴ [⁹⁴ *African Business* November/ December 1992]

The managing director of the Tastic Rice Corporation, Mr Stan Kaplan, was quoted in the 1993 *Portfolio of Black Business in South Africa* as saying that retail outlets in the townships were badly laid out, displayed merchandise poorly and did not carry enough of the most popular lines, all of which reduced their turnover. The owners' lack of basic training, elementary bookkeeping and stock control affected the profitability of their stores, he said.⁹⁵ [⁹⁵ *Portfolio of Black Business in South Africa*, 1993]

The director of the Centre for African Studies, Mr Eugene Nyati, wrote in the same publication that although the historical constraints of apartheid could not be discounted as obstacles to black business, institutional prejudice to black business and an unsympathetic government whose support for black business was 'grudging at best' were also factors constraining black business. He said that most businesses were conducted in an unprofessional manner with poor record-keeping and poor service as

the complaints cited most often. The absence of the teaching of entrepreneurship in the education system also exacerbated the problems of success in black business. Mr Nyati added that some business people who made a profit either failed to keep it or to invest it properly, preferring to live beyond their means. Furthermore, he said, black entrepreneurs needed to become more self-confident and assertive.⁹⁶ [⁹⁶ Ibid]

According to a reporter for *Enterprise*, Mr Mzikayise Edom, violence; political activism; lack of proper planning; bad locations; high rentals; the lack of banking, medical and entertainment facilities; and the absence of a 'strong anchor tenant' (ie a major supermarket or chain store) affected the viability of shopping centres in black areas.⁹⁷ [⁹⁷ *Enterprise* April 1993]

A further constraint on black business development was the lack of administrative know-how to apply for tenders. According to a trainee manager at the International Executive Service Corps, Mr Vusi Mkhize, Africans were easily discouraged as they believed that no Africans would get contracts even if they tendered for them. Their unfamiliarity with regulations compounded this.⁹⁸ [⁹⁸ Interview with a trainee manager of the International Executive Service Corps, Mr Vusi Mkhize, Durban, 17 March 1993] According to an executive member of the Western Province African Chamber of Commerce, Mr G M Gogela, Africans would have to be given assistance to compete for tenders effectively.⁹⁹ [⁹⁹ Interview with an executive member of the Western Province African Chamber of Commerce, Mr G M Gogela, Cape Town, 23 March 1993]

Informal Sector

Statistics

A senior general manager of the Small Business Development Corporation (SBDC), Mr Toni Kedzierski, said in October 1992 that the increase in the number of retrenchments was compelling many people to enter the informal sector. However, the extent to which this was taking place was difficult to ascertain, he added.¹⁰⁰ [¹⁰⁰ *The Star* 2 October 1992]

The managing director of the SBDC, Dr Ben Vosloo, estimated in February 1993 that the informal sector contributed 15% to gross domestic product.¹⁰¹ [¹⁰¹ *Sowetan* 25 February 1993]

According to the chief economist of the SBDC, Dr Edwin Basson, informal businesses should 'graduate' to the formal sector because allowing them to remain informal limited the pool of taxpayers. Dr Basson said that informal businesses were obtaining a tax subsidy from formal businesses because they used health facilities, roads, and schools without paying taxes. For Dr Basson the value of the informal sector was that it acted as a training ground for the formal sector.¹⁰² [¹⁰² *Engineering News* 12 March 1993]

According to a study undertaken by students at the Graduate School of Business at the University of Cape Town in early 1993, the informal sector generated about R6bn a year in income. It had created

about 3,5m jobs, of which almost 500 000 had the potential to be transferred to the formal sector. Trade and hawking was the area where the biggest return could be obtained from investment of limited resources, the study said. These two areas were also the largest contributors in the informal sector to gross domestic product and job creation.¹⁰³ [¹⁰³ *The Star* 3 March 1993]

Mr Brian Goodall MP (Democratic Party) said in June 1993 that about R2bn was slipping through the tax net every year because of the difficulties in collecting taxes from the informal sector. In the same month the Department of Finance announced that it would spend R3m during 1993 on educating informal-sector workers to have a more responsible attitude towards income tax and value added tax.¹⁰⁴ [¹⁰⁴ *Business Day* 4 June 1993]

Hawkers

During 1992 allegations of unfair competition were levelled against Chinese hawkers by the African Council of Hawkers and Informal Businesses (Achib). The president of Achib, Mr Lawrence Mavundla, said in August 1992 that the hawkers in the Johannesburg central business district (CBD) would 'take matters into their own hands' if the Johannesburg City Council did not take action against Chinese hawkers. He blamed the council for the hawking problem because, he said, it issued trading licences to foreigners without consulting local business leaders.¹⁰⁵ [¹⁰⁵ *Ibid* 31 August 1992] Mr Mavundla also accused the government of having a role in the 'conspiracy' to foster 'unfair, illegal competition' against the city's established black hawkers.¹⁰⁶ [¹⁰⁶ *Saturday Star* 5 September 1992]

The executive director of the Free Market Foundation, Mr Leon Louw, said in September 1992 that attempts to stop Chinese hawkers from trading in the Johannesburg CBD were racist. He maintained that the real cause of the decline in business was the large number of hawkers who already traded in the CBD. The Chinese hawkers, who did not number more than a few hundred, were providing only 'minuscule' competition, Mr Louw said.¹⁰⁷ [¹⁰⁷ *The Citizen* 8 September 1992] The Chinese Business Association (CBA) said that if Asian hawkers were in South Africa legally and subscribed to all municipal regulations there could be 'no question as to their right to trade'.¹⁰⁸ [¹⁰⁸ *Business Day* 8 September 1992]

In December 1992 Mr Mavundla announced that an agreement reached between Achib and the CBA would allow blacks access to Chinese sources of supply for jewellery, ornaments, scarves and other items.¹⁰⁹ [¹⁰⁹ *Ibid* 3 December 1992] There was fear among Indian wholesalers who supplied hawkers with their goods that this agreement might affect their business. According to Mr Mavundla, Indians earned about R6m a month from hawkers.¹¹⁰ [¹¹⁰ *Sowetan* 24 December 1992]

During December 1992 shopowners in the Johannesburg CBD also raised objections to hawkers, especially Chinese and Koreans, who were selling their wares in front of the shops. Sales by formal businesses had been affected because hawkers were selling at low prices, which shop owners who had

overhead costs could not afford to do, according to business people in the CBD.¹¹¹ [¹¹¹ *Business Day* 15 December 1992]

During 1992 about 22 000 hawkers' licences were issued in Johannesburg.¹¹² [¹¹² *Echo* 29 April 1993]

After conflict in November 1992 between informal and formal traders at St George's Mall in Cape Town as well as between traders and the Cape Town City Council regarding the right of informal traders to hawk in the mall, the utilities and works subcommittee of the council proposed in February 1993 that:

- hawkers should not be allowed to have more than one site, to trade in other flea markets or to have another form of employment;
- preference should be given to traders selling handmade or craft products;
- no factory made articles should be sold; and
- renewable permits should be granted for three months only.¹¹³ [¹¹³ *The Argus* 26 February 1993]

The proposals were accepted by the council. However, by July 1993 they had still not been enforced.¹¹⁴ [¹¹⁴ *Ibid* 13 July 1993]

In January 1993 Achib launched a business workshop, run by Norite Educational Holdings, to train 10 000 hawkers in business skills such as budgeting, marketing and keeping records.¹¹⁵ [¹¹⁵ *Fast Facts* no 4, 1993] The project was funded by the Centre for International Private Enterprise based in Washington DC. The sponsorship also involved offering loans of R2 000 per hawker to buy stock, according to Mr Mavundla.¹¹⁶ [¹¹⁶ *The Star* 1 February 1993]

Research undertaken by Ms Estelle Seymour of the subdirectorate of ethnological services at the Department of Local Government and National Housing in 1992 indicated that many rural women, compelled by unemployment to move to urban areas, had resorted to eking out a 'survival income' in the informal sector. The research, which focused on the role of women in the informal sector in Marabastad (Pretoria), found that most people in the informal sector were women, most of them from rural areas, and that hawking fruit and vegetables was their commonest activity. The income generated was sent to families in rural areas, each woman supporting an average of seven people there. The women slept illegally in wooden shelters which doubled up as stalls during the day because they could not afford township housing.¹¹⁷ [¹¹⁷ *Social Work Practice* November 1992]

Fifty-six percent of the women interviewed had received no schooling whatsoever. Illiteracy made it

impossible for them to keep records of their expenses and profits. Sixty-six percent had never had any work experience in the formal sector. The survey found that most respondents would prefer formal employment because they saw it as providing a steady income allowing them to provide better for their children. However, they realised that their lack of education and their inability to communicate in either of the official languages made formal employment virtually impossible.¹¹⁸ [¹¹⁸ *Spotlight* no 2, September 1993] Although 74% of the women were in possession of a trading licence, the women claimed that they were still harassed by people whom they believed to be police.¹¹⁹ [¹¹⁹ *Social Work Practice* November 1992]

Shebeens and Taverns

In November 1992 the National Taverners' Association (NTA) accused The South African Breweries (SAB) of reneging on an agreement reached between them several months earlier. According to the NTA, this agreement had included dropping a requirement that taverners take up an SAB insurance policy as collateral for credit, that taverners displaying SAB posters on their premises would be paid by SAB and that money would be donated to victims of political violence at shebeens.¹²⁰ [¹²⁰ *Business Day* 26 November 1992] Although SAB denied the NTA's claims, the NTA subsequently demanded that:¹²¹ [¹²¹ *New Nation*, *The Star* 4 December 1992]

- shebeeners receive discounts on bulk purchases from SAB;
- the SAB board include tavern representatives;
- victims of political violence receive financial assistance from SAB; and
- shebeeners be paid for advertising SAB products on their premises.

The NTA and the Southern Africa Taverners' Association (Sata) called for a boycott of SAB products in Soweto from 30 November 1992. The boycott spread to Krugersdorp (west Rand), Bloemfontein and Welkom (both Orange Free State). It was suspended a few days later and a task force was established consisting of representatives of the NTA, Sata and SAB. The task force agreed to meet bimonthly to discuss problems and to identify solutions.¹²² [¹²² Telephonic interview with the general secretary of the Southern Africa Taverners' Association, Mr David Moshapalo, 25 February 1993]

The general secretary of Sata, Mr David Moshapalo, said in January 1993 that the NTA and Sata were discussing the possibility of uniting. He said that an independent forum comprising executive members of both organisations had already been established. The forum discussed common problems and investigated joint business ventures. Furthermore, members of both organisations were invited to attend monthly and regional meetings of each other's organisation, according to Mr Moshapalo.¹²³ [¹²³ Interview with Mr D Moshapalo, Bedfordview, 26 January 1993]

The Sata–Future Bank Foundation Scheme was launched in 1992 to provide loans of between R2 500 and R10 000 to taverners. The loans were intended to help taverners increase their stock and to improve business through a do-it-yourself tavern building scheme by paying for the engagement of bricklayers and for the supervising of building work.¹²⁴ [¹²⁴ Ibid]

The general secretary of the Western Cape Taverners' Association, Mr Dan Fletcher, said in March 1993 that criminal elements in the western Cape (termed the 'balaclava menace') had compelled a number of shebeens to close down during 1992 and early 1993. He added that because there was no adequate police protection many shebeen owners had to have gangs to protect their premises.¹²⁵ [¹²⁵ Interview with the general secretary of the Western Cape Taverners' Association, Mr Dan Fletcher, Cape Town, 22 March 1993]

According to the president of the Natal and KwaZulu Taverners' Association, Mr Sylvester Ntuli, the random killings at night in shebeens in KwaZulu during the period under review had made it very difficult for the association to hold meetings. He said that the KwaZulu administration continued to refuse to grant licences to shebeens within its jurisdiction and that many members of the association had given up hope of operating legally.¹²⁶ [¹²⁶ Interview with the president of the Natal and KwaZulu Taverners' Association, Mr Sylvester Ntuli, Durban, 16 March 1993]

Mr Fletcher estimated that in 1993 one in three shebeens in the western Cape was legal.¹²⁷ [¹²⁷ Interview with Mr D Fletcher, Cape Town, 22 March 1993]

Sata announced in June 1993 that it aimed to take over ownership of two depots on the periphery of Soweto which were owned by SAB. Mr Moshapalo said that other plans included increasing Sata's stake in the shareholding of liquor companies such as SAB and National Sorghum Breweries.¹²⁸ [¹²⁸ *The Star* 30 June 1993]

Spaza Shopowners

According to the president of the Mamelodi Chamber of Commerce and Industries, Mr Matthews Mampane, there were as many as four spaza shops in each block in Mamelodi and other townships. Mr Mampane said that most of the spazas probably did not make any profit. However, since the spaza owners lacked basic business and accounting skills they were not able to understand the difference between cash flow and profits. The spazas that were making a profit were those where at least one member of the family was employed elsewhere, which allowed the family to invest capital in the spaza shop, Mr Mampane said.¹²⁹ [¹²⁹ Interview with Mr M Mampane, Pretoria, 16 February 1993]

The manager of the Philippi Small Business Centre (Cape Town), Mr Ken Briggs, said in March 1993 that the SBDC was reluctant to provide funding to spaza shops because they did not create much wealth. Spaza shops were survival businesses which did not often expand and create additional jobs, he added.¹³⁰ [¹³⁰ Interview with Mr K Briggs, Cape Town, 22 March 1993]

Stokvels

A senior financial adviser of Consortium Consolidated, Mr Mervyn Howard, said in March 1993 that members of stokvels would benefit more from investing in Kruger Rands than in unit trusts, which had shown progressively poorer returns since 1988. He added that Kruger Rands could be used as collateral when borrowing from banks. Mr Howard said that he had been assured by the receiver of revenue that interest payable on money borrowed by stokvels for 'constructive purposes' such as cost-effective housing would be tax deductible.¹³¹ [¹³¹ *Business Day* 11 March 1993]

The president of the National Stokvels' Association of South Africa (Nasasa), Mr Andrew Lukhele, said in April 1993 that the long-term objective of the association was to form a unit trust management company in order to exert some form of control over the funds of members who had invested in unit trusts.¹³² [¹³² *The Star* 30 April 1993]

In 1992 Old Mutual launched the Group Trust, an investment package designed to suit investors such as stokvels. The minimum monthly investment was R200 and the minimum lump sum investment was R1 000. Money could be withdrawn from the trust at any time but it required the approval of every group member.¹³³ [¹³³ *Ibid*]

The South African Reserve Bank said in June 1993 that stokvels and credit unions were exempt from the provisions of the Deposit-taking Institutions Act of 1991 if certain conditions were met. Stokvels had to agree to limit their membership so that the 'common bond' principle which created peer-group pressure and ensured payment was not compromised. The reserve bank said that such exemption would free stokvels from many of the collateral conditions which made it difficult for commercial banks to lend to poor communities.¹³⁴ [¹³⁴ *The Citizen* 3 June 1993]

A loan scheme was launched in July 1993 by Nasasa, the Board of Executors (BOE), the Development Bank of Southern Africa (DBSA) and First National Bank (FNB). FNB provided R10m, the DBSA R8m and the BOE R2m for the launch of the scheme. The venture, the People's Benefit Scheme, provided stokvel members with the opportunity to choose between savings accounts, fixed deposits, unit trusts and loan facilities, all of which could be used as security for loans. After a minimum savings period of six months, the stokvel could invest in a unit trust or a fixed deposit which would then be pledged as security for a loan. The group could borrow up to 150% of its security. The scheme was to be managed by the BOE and to be marketed through FNB.¹³⁵ [¹³⁵ *Business Day* 1 July 1993, *Sowetan* 9 July 1993]

Subsistence Farmers

See chapter on *Land, Agriculture and Rural Areas*.

Taxis

The third interim report on the violence in the taxi and minibus industry of the Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (the Goldstone commission), published in December 1992, found that violence during 1992 in Alexandra (Johannesburg) had occurred owing primarily to the 'sheer number of [taxi] operators plying their trade'. Furthermore, commercial competition was aggravated by the high cost of vehicles, and of their maintenance and insurance. The investigation also revealed that a lack of business skills hampered operators in understanding the 'nature of competition and the economic forces involved'. It recommended that the private sector, especially automobilerelevant industries, should assist in providing taxi operators with training in business, marketing and entrepreneurial skills.¹³⁶ [¹³⁶ Third Interim Report to the Commission by the Committee Inquiring into Public Violence and Intimidation in the Taxi Industry, 4 December 1992]

Taximax, a company aiming to provide assistance programmes to taxi operators, was formed in late 1992 by former executives of the Southern Africa Black Taxi Association (Sabta), Messrs James Chapman and Enos Makena. Taximax sought to address problems in the taxi industry, including lack of safety, lack of discipline and the lack of a profit motive.¹³⁷ [¹³⁷ Interview with the marketing manager of Taximax Pretoria, Mr Shadrack Mthethwa, Pretoria, 27 January 1993] According to the chairman of Taximax Pretoria, Mr Enos Makena, Taximax also aimed to provide scheduled vehicle maintenance, emergency services, and training for both owners and drivers. In order to gain these benefits (which were to be made available to members either at no cost or at a lower rate than the market cost) Taximax members would have to adhere to a strict code of conduct, failing which the rates at which services would be provided would be increased.¹³⁸ [¹³⁸ Makena E, letter to *Business Day* 5 July 1993]

The Foundation for African Business and Consumer Services said in January 1993 that the average number of vehicles repossessed from members of Sabta in the last six months of 1992 was 450, compared with 350 in the same period in 1991. The increase in the number of repossessions was ascribed to taxi feuds, the unprofitability of certain taxi routes, bad financial management by taxi owners, the economic recession, high instalments to pay for vehicles and taxi boycotts. In order to assist its members Sabta had employed personnel to oversee members' business accounts and advise clients, provided courtesy vehicles in some areas when vehicles were involved in accidents and owners could not pay their instalments, and negotiated with banks on the management of arrears.¹³⁹ [¹³⁹ Foundation for African Business and Consumer Services, press release, 13 January 1993]

The minister of transport, Dr Piet Welgemoed, said in January 1993 that it was unfair to exclude taxis from wider public transport subsidies (see also chapter on *Housing and Infrastructure*). The public affairs director of Sabta, Mr Mike Ntlatleng, said that subsidies were not the final solution to the taxi industry's problems but that they could be used to make the industry viable.¹⁴⁰ [¹⁴⁰ *Finance Week* 4 February 1993]

In late January and early February 1993 taxi drivers organised by the South African Taxi Drivers' Union took to the streets of Pretoria and Johannesburg to protest against high traffic fines and the lack of sufficient rank facilities (see also chapter on *Housing and Infrastructure*).¹⁴¹ [¹⁴¹ *Sowetan* 28 January 1993]

The protests drew attention to the underlying problem of a saturated market which had been compounded by the issuing of false taxi permits by officials of the Local Road Transportation Board.¹⁴² [¹⁴² *The Star*, *The Citizen* 8 February 1993] The economic recession and the saturated market had caused costs to increase without a concomitant rise in taxi fares. According to a transport consultant at Stanway Edwards Associates, Ms Colleen McCaul, taking into account all the costs of providing a taxi service, taxi fares were only 40% of what they should be.¹⁴³ [¹⁴³ *Finance Week* 11 February 1993] Owners were compelling drivers to make more trips, which meant driving faster. Furthermore, to cut costs, maintenance was reduced to a minimum. According to a report in the *Financial Mail* in February 1993, only one in four taxis was insured comprehensively and most did not carry third-party, fire or theft insurance.¹⁴⁴ [¹⁴⁴ *Financial Mail* 5 February 1993]

In March 1993 the National African Federated Transport Organisation, Sabta and the Southern African Long Distance Taxi Association announced the formation of a working group to represent the taxi industry officially. The group was mandated to provide all information regarding progress in, and problems faced by, the industry.¹⁴⁵ [¹⁴⁵ *The Citizen* 4 March 1993] Furthermore, the working group would be the only body to engage in talks with the government on the taxi industry.¹⁴⁶ [¹⁴⁶ *Business Day* 15 March 1993]

Mr Ntlatleng called for a taxi control board in June 1993 to curb the indiscriminate issuing of permits. He said that if a board were to be established, every taxi would have to register with it, all members would have to follow a code of conduct and information on passenger volumes and ranking facilities would be available to local government.¹⁴⁷ [¹⁴⁷ *Ibid* 7 June 1993]

Black Consumers

The Bureau for Economic Research at the University of Stellenbosch conducted a survey among African consumers in metropolitan areas during April and May 1993. The African consumer confidence index for the second quarter of 1993 was 75, compared with 98 in the same period in 1992. The index was also the lowest since the fourth quarter of 1986 (when it was 68).¹⁴⁸ [¹⁴⁸ University of Stellenbosch, Bureau for Economic Research, *Trade and Commerce*, June 1993] (A figure of 0 indicates pessimism, 100 indicates no change or neutrality compared with the previous measure of confidence and 200 indicates optimism.)

About 33% of respondents expected an improvement in the general economic situation during the next 12 months. However, only 23% of African women expected an improvement in the economy in the same period. The confidence index for African males in the 16 to 24-year agegroup declined from 140 in the first quarter of 1992 to 67 in the second quarter of 1993. Furthermore, the lower-income group was

the most pessimistic (63), while the higher-income group was the most optimistic (81). A regional breakdown of indices of African perceptions of the economy in April and May 1993 is given below:¹⁴⁹ [149 Ibid]

Indices^a of Bloemfontein/Welkom

101

Cape Town

119

Durban/Pietermaritzburg

25

Johannesburg

67

Port Elizabeth/Uitenhage

80

Pretoria

41

a

A figure of 0 indicates pessimism, 100 indicates no change or neutrality compared with the previous measure of confidence and 200 indicates optimism.

The index measuring the intentions of African consumers to buy durable household appliances dropped from 105 in the fourth quarter of 1992 to 76 in the second quarter of 1993, the lowest since the first quarter of 1987 (when it was 72). Forty percent of all respondents regarded it as an inappropriate time to buy domestic appliances. Fifty-three percent of women regarded it as the wrong time to buy appliances. However, the higher income group was more willing to buy appliances (confidence index of 97) while the lower-income group was the most hesitant (confidence index of 73).¹⁵⁰ [150 Ibid]

The general manager, group social dynamics at the Human Sciences Research Council (HSRC),

Professor Lawrence Schlemmer, said in January 1993 that for every R1 being spent by white families on the purchase of durable goods, at least another R1 was being spent by African families. He added that in the early 1980s the proportion had been about R6 spent by whites for every R1 spent by Africans. A report by Frankel Max Pollak Vinderine, Sanlam, Ernst and Young, and the HSRC, which was published in January 1993, predicted that when electricity was provided in a township, an African household would over a period of five years invest in a broad range of electrical appliances costing between R4 000 and R10000.¹⁵¹ [¹⁵¹ *Sunday Tribune* 24 January 1993]

According to a director of Kessel Feinstein Consulting, Ms Gillian Saunders, African consumers accounted for about 10% of local expenditure on tourism in 1992.¹⁵² [¹⁵² Supplement to *Business Day* 30 March 1993] She said that 700 000 African consumers who earned more than R1 200 a month were a potential market for tourism. Ms Saunders suggested that this group of people had about 11% of its income left for discretionary spending. One way of making travel more attractive to them would be to simplify the process of organising a holiday by selling fully inclusive holiday packages. Ms Saunders also suggested that there was an untapped market in the conference industry as Africans required the same facilities as whites.¹⁵³ [¹⁵³ *Fast Facts* no 6, 1993]

According to a report in *Finance Week* in April 1993, Africans accounted for about 80% of clear beer sales, 50% of brandy sales, and 75% of gin and vodka sales. However, only 1% of African consumers drank wine regularly.¹⁵⁴ [¹⁵⁴ *Finance Week* 22 April 1993]

In May 1993 South African Airways (SAA) said that it regarded the airtravel market for Africans as 'extremely important'. Its importance was underlined by the establishment in February 1993 of a new travel agency, Fabtravel, aimed at African consumers. Fabtravel was a joint venture between the Foundation for African Business and Consumer Services and SAA. SAA provided R500 000 in loan capital and was to help with the installation of a computer system, training and the gaining of expertise.¹⁵⁵ [¹⁵⁵ *New Nation* 26 February 1993, *The Star* 28 May 1993]

Advertising

In November 1992 a director of Herdbuoys, Mr Dimape Serenyane, said that companies with popular products used by African consumers did not invest in advertising media that served African consumers. The executive editor of *Drum*, Mr Barney Cohen, said that only 14% of all advertising was in media aimed at African people.¹⁵⁶ [¹⁵⁶ *Sowetan* 23 November 1992]

According to the managing director of Herdbuoys, Mr Peter Vundla, about 95% of advertising aimed at the African market and developed by 'white' agencies was off target. He added that because media planners were predominantly white, they had preconceived notions of what Africans found interesting or desirable. Furthermore, the African market was not a mass market but a 'patchwork of sometimes

complex submarkets, each with different tastes and aspirations'.¹⁵⁷ [¹⁵⁷ *Portfolio of Black Business in South Africa*, 1993] Mr Vundla added that in the past agencies had emphasised features of the advertising market such as age, language and sex. Although these factors were important, Mr Vundla said, taking them into account did not help in communicating effectively with the target market.¹⁵⁸ [¹⁵⁸ Supplement to *Financial Mail* 7 May 1993]

The managing director of Integrated Marketing Research, Mr Teddy Langschmidt, said in May 1993 that although there was an African market in advertising it would be more useful to describe it in nonracial terms. Mr Langschmidt added that 'circumstances ... drive the market and not the colour of your skin'. According to Mr Langschmidt, education and age were the critical factors in identifying target groups. 'On the whole, the more education you have the more modern, affluent and upmarket you are.' Mr Langschmidt stressed that the white market in advertising had become 'grey'. The 'mass market ... is predominantly African and very poor and [the] middleor upper-income market ... is increasingly grey', said Mr Langschmidt.¹⁵⁹ [¹⁵⁹ *Ibid*]

The strategic planning director of Grey Advertising, Mr Russel Yeo, said in May 1993 that he believed that African consumers would become increasingly important in the future. However, Mr Yeo pointed out that most of the advertising in South Africa did not 'deliver relevant messages to the [African] market'. The managing director of Grey Advertising, Mr Ian Shepherd, said that although whites had started buying lower-priced products as a result of the recession, African consumers were 'exceptionally brand loyal' because they demanded value for money.¹⁶⁰ [¹⁶⁰ *Ibid*]

According to the managing director of Times Media, Mr David Kovarsky, there was fear that designing a product in the print media specifically for the African market might not attract advertising support owing to the fact that advertising money 'at the moment ... is not directed towards the [African] market per se'.¹⁶¹ [¹⁶¹ *Ibid*]

Foreign Private Investment

The gradual removal of sanctions against South Africa after February 1990 brought about increasing interest in the South African economy by foreign companies. Some of the companies that invested in South Africa during the period under review are described below.

According to a survey by *The Citizen* in February 1993, the Dalla Corporation, based in Saudi Arabia, and acting through the Al Baraka Bank of South Africa, had already invested about R50m in businesses and property development in Durban. Arabs had also invested in the R1bn Point development project in Durban, according to the survey. It was predicted that Johannesburg would be the next area for the erection of shopping centres and other businesses by the corporation. It was, however, difficult to estimate the scale of investment by Arabs in South Africa because of the low profile maintained in most deals, the survey said.¹⁶² [¹⁶² *The Citizen* 17 February 1993]

In February 1993 Sunds Defibrator, a Finnish-based engineering company, bought control of ND Engineering, one of South Africa's largest privately owned engineering firms. The details of the financial transaction were not divulged.¹⁶³ [¹⁶³ *Financial Mail* 12 February 1993]

A British multinational group, Linpac Plastics International, announced in March 1993 that it would invest R12m in Atlantic Forming, a newly formed polystyrene manufacturing company in Cape Town. The managing director of Linpac, Mr Michael Anderson, said that he viewed his company's involvement in South Africa as a long-term strategic investment as the market had great potential for growth.¹⁶⁴ [¹⁶⁴ *Die Burger* 13 March 1993]

According to the Investor Responsibility Research Center, some of the 16 United States (US) companies which had invested in South Africa since the US lifted sanctions in June 1991 (see 1991/92 *Survey* p417) included Cummins Engine, Lotus Development Corporation, Measurex Corporation, Tambrands and Visa International.¹⁶⁵ [¹⁶⁵ *Cape Times* 5 March 1993, *Finance Week* 11 March 1993]

Also in March 1993, the managing director of Iscor, Mr Willem van Wyk, announced that Iscor had resumed a multimillion rand technology agreement with Nippon Steel, the world's biggest steel manufacturer. The value of the agreement was impossible to determine yet as it would depend on Nippon Steel's recommendations and their implementation, Mr van Wyk added. Employees from Nippon Steel were to work in South Africa on a permanent basis while Iscor employees were to visit Japan regularly.¹⁶⁶ [¹⁶⁶ *Business Day* 26 March 1993]

Jotun Polymer, a Norwegian company, announced in April 1993 that it would invest between R1m and R2m in South Africa to set up a southern African distribution network for its polyester resins and gel coats.¹⁶⁷ [¹⁶⁷ *Ibid* 19 April 1993]

In the same month the Italian retail chain, Benetton, announced that it would open 20 new stores in South Africa during 1993 and 80 more by the end of 1994. Benetton was to spend at least R4m in 1993 on refurbishing and expanding its retail outlets in South Africa. The chairman of Benetton in southern Africa, Mr Bruno Iacone, said that Benetton had 'large growth potential' in South Africa and sub-Saharan Africa, especially among African buyers.¹⁶⁸ [¹⁶⁸ *Ibid* 30 April 1993]

The Nordberg Group based in Finland acquired a 55% stake in the Nordberg organisation in South Africa in June 1993 for an undisclosed amount. The South African stonecrushing company was expected to benefit from greater export business and from access to Finnish technology, according to the financial director of Nordberg, Mr Leon Chonin.¹⁶⁹ [¹⁶⁹ *Ibid* 2 June 1993]

In June 1993 Samancor reached agreement with a French company, Société du Ferromanganese de Paris-Outreau (SFPO), to co-operate in the production of 40 000 to 80 000 tonnes of medium-carbon ferromanganese a year. Samancor would acquire a 5% stake in SFPO and supply it with 80000 to 160

000 tonnes a year of its high-grade manganese ore. This deal would enable Samancor, the world's largest producer of manganese ore, to gain access to the market for refined manganese alloys.¹⁷⁰ [¹⁷⁰ *Business Day, The Star* 24 June 1993]

According to figures supplied by the Board for Regional Industrial Development in June 1993, total foreign investment in South Africa through the regional industrial development programme for 1991 and 1992 amounted to R558m. Taiwanese investors accounted for R328m worth of investment while the next biggest source of investment was the United Kingdom (R70m).¹⁷¹ [¹⁷¹ *Business Day* 21 June 1993]

In July 1993 the US embassy attempted to persuade the South African postmaster general to delay the tender date for cellular telephones by several months in order to allow at least seven US companies to tender. US companies were prohibited from tendering by the continued existence of local and state sanctions against South Africa which they hoped would be removed within a few months. However, the embassy's request was not met.¹⁷² [¹⁷² *Ibid* 8 July 1993]

Private Sector and Social Responsibility

During the period under review the private sector came increasingly to believe that unless it undertook programmes focusing on social responsibility it could be compelled to set aside amounts for such programmes once a new government was in place following elections in April 1994.

The managing director of National Beverage Services, Mr Sandy Allen, said in August 1992 that corporate social responsibility programmes would play a large role in ensuring that disempowered communities were empowered and became independent of charity.¹⁷³ [¹⁷³ *The Natal Mercury* 31 August 1992]

According to the vice president of the Agricultural Development Corporation in the United States, Mr Joshua Walton, the returns available from social investments were not necessarily lower than those available in other financial markets. However, he said, responsible investment should be accompanied by incentives such as tax concessions.¹⁷⁴ [¹⁷⁴ *Business Day* 26 February 1993]

Corporate Social Responsibility

A survey conducted by Business and Marketing Intelligence in 1992 found that 30% of Africans surveyed could not name a single 'caring company' in South Africa. According to the report, the lack of awareness was owing to the very low profile given by companies to their social responsibility programmes. The survey also found that 12% of the respondents regarded the Anglo American Corporation of South Africa (Anglo) as the most caring company, followed by The South African Breweries (10%), Pick 'n Pay (8%) and Eskom (7%).¹⁷⁵ [¹⁷⁵ *Ibid* 15 July 1992, *Enterprise* September 1992]

According to the Human Sciences Research Council (HSRC), some companies in the private sector had expressed a need for more co-operation and co-ordination to eliminate duplication of social responsibility programmes and address corporate social responsibility issues more effectively. Some companies were not in favour of 'sharing the same stage'. Lack of co-ordination ran the risk of overlap by various companies, the HSRC said.¹⁷⁶ [¹⁷⁶ HSRC, *In Focus*, September 1992]

The HSRC said in September 1992 that some of the areas that could be assisted by corporate social responsibility included: education, employment, entrepreneurial and small business development, grassroots community work projects, health, housing, literacy, urban environmental issues, welfare and youth development.¹⁷⁷ [¹⁷⁷ Ibid]

In July 1992 the Life Offices Association (LOA) announced that it had formed an investment development unit to tackle the issue of socially desirable investments which would also provide life assurers with security and an adequate long-term return.¹⁷⁸ [¹⁷⁸ *Business Day* 1 July 1992] Initial investments would be in the areas of greatest need, such as education, health, housing and related infrastructure. The chairman of the LOA, Mr Louis Shill, said that no fixed proportion of life offices' funds had been earmarked for development projects.¹⁷⁹ [¹⁷⁹ *Financial Mail* 3 July 1992] He added that the government and extra-parliamentary organisations had been kept informed of the development of the unit.¹⁸⁰ [¹⁸⁰ *The Star* 1 July 1992]

During 1992 Pick 'n Pay contributed about R6m to community upliftment programmes, according to its marketing director, Mr Martin Rosen. A further R70m was invested in educational, housing and share-ownership assistance for staff.¹⁸¹ [¹⁸¹ *Finance Week* 29 October 1992]

The Anglo American and De Beers Chairman's Fund and Educational Trust was the largest corporate contributor to educational and social development in South Africa, according to Anglo's 1992 annual report. Grants approved amounted to R59m, of which 34,8% went to tertiary education, 20,4% to secondary education, 13,8% to research, 11,5% to community development, 11,1% to cultural, social and other activities, 5,4% to primary education and 3% to charity.¹⁸² [¹⁸² Anglo American Corporation of South Africa, annual report, 1992]

In its annual report for 1992 Barlow Rand said that the major emphasis of its social investment programme was on funding education, training and development establishments at the primary, secondary and tertiary levels. In 1992, 72% of its R39m budget was allocated to this area.¹⁸³ [¹⁸³ Barlow Rand, annual report, 1992]

The Standard Bank Foundation was the main instrument in the Standard Bank Investment Corporation's disbursement of corporate social investment. The foundation comprised the Standard Bank Educational Trust and the Standard Bank Charitable Trust. In 1992, out of total disbursements of R5,9m from the foundation, R3,7m was devoted to educational projects. The Charitable Trust focused on health and welfare development projects.¹⁸⁴ [¹⁸⁴ Standard Bank Investment Corporation, annual report, 1992]

During 1992 Edgars channelled R3,5m to the provision of scholarships for tertiary institutions and direct aid to schools for facilities and training programmes, according to its 1993 annual report. The group also invested in welfare and self-help projects.¹⁸⁵ [¹⁸⁵ Edgars, annual report, 1993]

The 1993 chairman's statement of the Liberty Life Group stated that the group supported about 900 projects during 1992. These included all aspects of education and training, health, job creation, literacy, preschool educare programmes, rural and agricultural projects, skills training schemes and university public administration initiatives. The statement said that approximately R50m was committed to social investment.¹⁸⁶ [¹⁸⁶ The Liberty Life Group, Chairman's statement, 1993]

The Toyota Foundation spent R2,3m on social investment in 1992 and had allocated a further R2,6m for 1993. Its social spending amounted to a little over 2% of operating income in 1992.¹⁸⁷ [¹⁸⁷ *The Weekly Mail* 28 May 1993]

American Guidelines

In March 1993 the United States (US) State Department announced that the Schenectady Chemicals Group had been blacklisted because its South African subsidiary had failed to make a 'good faith' effort to advance black employees and to invest in social programmes outside the workplace. This meant that the company would also be denied official export aid. In the same month another 15 US firms were placed on probation by the State Department for the same reason.¹⁸⁸ [¹⁸⁸ *Business Day* 17 March 1993]

A statement by the Investor Responsibility Research Center (IRRC), published in March 1993, said that the directors of the voluntary Statement of Principles (Sullivan code) expected to phase it out when a multiracial government was elected freely in South Africa (see also 1992/93 *Survey* p118). The IRRC said further that for the first time since 1986 there were more US companies with direct investment or employees in South Africa which had not signed the Statement of Principles (65) than those which had signed it (54).¹⁸⁹ [¹⁸⁹ Investor Responsibility Research Center, news release, 4 March 1993]

European Code

The United Kingdom's Department of Trade and Industry announced in April 1993 that nearly 99% of all black people employed by British companies in South Africa were being paid above the recommended minimum level of the European Community (EC) code of conduct. Only two of the British subsidiaries in South Africa in 1992 had failed to provide a full report of their activities as required by the EC.¹⁹⁰ [¹⁹⁰ *The Star* 2 April 1993]

South African Initiatives

Employee Share Ownership Plans

While employee share ownership plans (Esops) are controversial, workers have not abstained from participating in them. However, determining the number of black shareholders in Esops is very difficult as no racial records are kept. The following examples serve to give an indication of employee participation in Esops.

Before Iscor was privatised in 1989, it offered 92,5m shares either free of charge or at a 20% discount to employees and another 92,5m shares to employees on a preferential basis.¹⁹¹ [¹⁹¹ Ibid 20 December 1990] Fifty-eight percent of Iscor's 60 000 strong workforce applied for about 70% of the shares allocated to them at a 20% discount. However, Iscor said that only 30% of unskilled and semiskilled workers took up the offer. Eighty percent of the workforce applied for the 200 free shares offered to each employee.¹⁹² [¹⁹² *Business Day* 25 October 1989] During 1992, more than 3,3m shares were issued to employees while just over 314 000 shares were returned by employees. The balance of the shares that remained in the scheme totalled nearly 23m in June 1992, compared with nearly 26m in June 1991, a decrease of 12%. There were 30,8m shares available in the Iscor Management Share Trust Scheme in June 1992 compared with 32,2m in 1991, a decrease of 4%. The dividend per share in 1992 was 6c, a drop of 45% over the previous year's dividend.¹⁹³ [¹⁹³ Iscor, annual report, 1992]

Anglo had some 159 000 participants in The Anglo American Group Employee Shareholder Scheme in 1993, compared with 165 000 in 1992. During 1992/93, 25 468 shares were issued in terms of the employee shareholder scheme. This was 77% fewer than the number of shares issued in 1991/92 (109 066).¹⁹⁴ [¹⁹⁴ Anglo American Corporation of South Africa, annual reports, 1992 and 1993]

The chairman of Argus Newspapers, Mr Doug Band, announced in December 1992 that Argus would sell half of its shares in the *Sowetan*, which it wholly owned. A new company with a community trust shareholding, Sowetan Publications, would acquire the newspaper. A 5% holding in Sowetan Publications would be offered to the staff of the *Sowetan* through an employee trust.¹⁹⁵ [¹⁹⁵ *Business Day*, *Sowetan*, *The Star* 4 November 1992]

Affirmative Action

The chief operating officer of Drake Personnel, Mr Mike Coppin, said in August 1992 that all South African companies needed to address the issue of affirmative action. He believed that affirmative action should be integrated into companies' general business practice and seen as part of a holistic approach to personnel management.¹⁹⁶ [¹⁹⁶ *The Star* 19 August 1992]

A survey carried out by a group of human resources consultants, FSA-Contact, in late 1992 found that 58% of the sample of 71 companies surveyed had had an affirmative action programme 'of some sort' in

place for about two years. However, some 28% of the companies surveyed had a highly structured and formalised approach to affirmative action.¹⁹⁷ [¹⁹⁷ Ibid 31 March 1993] In a national survey by the Quest Personnel Group in 1993, 43% of the 700 companies surveyed said that they had an affirmative action programme in place. However, this was an increase of two percentage points on the results of a study conducted in 1992. Some 29% of the companies surveyed regarded affirmative action as a 'programme instituted by management to recruit, train and nurture certain sectors of the community in preference to others'. According to the survey, many employers regarded an equal opportunity programme as affirmative action. Some 10% of companies with an affirmative action programme had a policy with regard to gender.¹⁹⁸ [¹⁹⁸ *Business Day* 1 July 1993]

A report compiled by a labour consultant, Dr Duncan Innes, on industrial relations trends among members of the Steel and Engineering Industries Federation of South Africa (Seifsa) and published in April 1993 found that 39% of 500 companies surveyed claimed to have affirmative action policies. These policies were, however, based on equal opportunity, or removing barriers to entry. Only 5% of the total number sampled had adopted a more active approach based on preferential treatment for disadvantaged groups (blacks and sometimes women). The report noted 'a serious discrepancy between the affirmative action policy adopted by Seifsa members and that of black political organisations which advocate preferential treatment of disadvantaged groups. Unless more is done, the industry faces the prospect of legislation being imposed to enforce affirmative action'.¹⁹⁹ [¹⁹⁹ *Financial Mail* 16 April 1993]

A placement consultant with Renwick Management Services, Mr Mofasi Lekota, said in April 1993 that in the rush to employ competent African managers companies were recruiting from one another. This was considered detrimental because it did not contribute to increasing the pool of African managers, he said.²⁰⁰ [²⁰⁰ *Enterprise* April 1993] The executive director of the Black Management Forum, Mr Lot Ndlovu, said in May 1993 that companies should identify Africans with managerial potential from within their organisations instead of poaching experienced managers from other companies.²⁰¹ [²⁰¹ *Business Day* 21 May 1993] An executive search specialist at Redelinghuys and Partners, Mr Johann Redelinghuys, said that companies were making bids for senior African executives at such a rate that these African executives were not building careers or acquiring a sound knowledge before changing jobs.²⁰² [²⁰² *Enterprise* April 1993]

In March 1993, 16% of all managers at The South African Breweries (SAB) were African, compared with 13% in 1992, according to the human resources director, Mr Richard Davies. SAB was aiming to increase this figure to 20% by the end of 1993. Eskom increased its African manager complement from 27 in 1992 to 70 in 1993, ie by 159%. In December 1990 there was one African executive level manager at Eskom out of a total of 200 such managers. By November 1992 there were five Africans at that level.²⁰³ [²⁰³ Ibid]

Prefcor Holdings, a retail company which had initiated an affirmative action programme in 1989, had 230 furniture stores in 1993, of which 66 were managed by blacks. However, only six of these were managed by Africans. Of its 80 clothing stores, 15 were managed by Africans.²⁰⁴ [²⁰⁴ *The Executive* March

1993]

In early 1993 Telkom embarked on the development of an affirmative action programme. The acting general manager of manpower, Mr Delano de Witt, said in April 1993 that although almost half of Telkom's staff was African their proportional representation at higher levels of the organisation was 'unacceptably' low.²⁰⁵ [²⁰⁵ *Enterprise* April 1993]

In July 1993 the South African Chamber of Business (Sacob) published a policy document on affirmative action guidelines for business. The document said that Sacob preferred an 'input' rather than an 'output strategy' in applying affirmative action in businesses. An input strategy involved measures such as educational enrichment, special training, coaching, mentoring people once they were in positions of responsibility, and training in social and organisational skills. Such measures would boost the competitive abilities of the target population. An output strategy included the adoption of rigid timetables for the appointment of a predetermined number of people from disadvantaged groups. Sacob emphasised its rejection of quota-based affirmative action and the setting of rigid timetables for the appointment of certain groups, as it saw these as harmful and counterproductive.²⁰⁶ [²⁰⁶ *Business Day, The Citizen* 16 July 1993]

Regulation of Business

Statutory Regulations

Anti-Trust Legislation

In a document entitled *Ready to Govern* and published in mid 1992, the African National Congress (ANC) stated that it would introduce antimonopoly, anti-trust and anti-merger policies 'in accordance with international norms and practices, to curb monopolies, the continued domination of the economy by a minority within the white minority and to promote greater efficiency in the private sector'.²⁰⁷ [²⁰⁷ *Ready to Govern, ANC Policy Guidelines for a Democratic South Africa*, adopted at the National Conference, 28–31 May 1992]

The Inkatha Freedom Party (IFP) recommended in its economic policy document, which was revised in July 1992, that an impartial and autonomous anti-trust board should be established and empowered to discourage the 'further skewing of corporate ownership and control—possibly by introducing market share limitations'. The document stated further that the IFP would not compel present conglomerates to break up but that it would favour businesses outside these major conglomerates through taxation and incentives.²⁰⁸ [²⁰⁸ Inkatha Freedom Party (IFP), economic policy discussion document, March 1992 (updated July 1992)]

According to the deputy head of the economic planning department of the ANC, Mr Tito Mboweni, its anti-trust policy aimed to promote and protect competition. Mr Mboweni said in January 1993 that the ANC believed that a policy dealing with anti-trust issues should also make suggestions on how to

approach the issue of conglomerates.²⁰⁹ [209 *Sowetan* 11 January 1993] The removal of pyramid business structures would reduce the concentration of control which was inherent in pyramid structures, he said. Mr Mboweni also referred to the necessity for the unbundling of large and unfocused conglomerates (these being collections of unrelated business interests).²¹⁰ [210 *Finance Week* 1 April 1993]

However, a senior lecturer in the Department of Business Economics at the University of the Witwatersrand, Dr Daniel Leach, said in the same month that anti-trust policies frequently protected small business against competition from large firms to the detriment of consumers. Furthermore, the policy protected the competitors instead of ensuring competition.²¹¹ [211 *Sowetan* 22 January 1993]

The minister of finance, Mr Derek Keys, announced in his budget speech in March 1993 that the government was to introduce draft legislation to support the unbundling of companies. The proposed measures included the qualified exemption of quoted share transfers by listed companies from stamp duties.²¹² [212 Mr Derek Keys, budget speech, 17 March 1993] Also, dividends in specie (ie the distribution of assets rather than profits) would be exempt from the secondary tax on companies, which was set at 15%.²¹³ [213 *Business Day* 19 March 1993]

According to a report by a stockbroking firm, Kaplan and Stewart, entitled *Anti-Trust in the New South Africa*, the ANC was likely to enforce powerful legislation to achieve its aim of unbundling. The firm identified the Anglo American Corporation of South Africa (Anglo), the Rembrandt group, Sanlam, and The South African Breweries (SAB) as possible targets of anti-trust legislation.²¹⁴ [214 *Finance Week* 1 April 1993]

Some of the major corporations, however, have raised the question of to whom their assets would be sold. According to Anglo, the absence of buyers with sufficient capital was a major obstacle to the implementation of unbundling. Furthermore, once companies such as SAB began unbundling it was unlikely that many shareholders would be willing to take up shares in subsidiaries which had low returns on investment. *Finance Week* pointed out in April 1993 that pyramid removal, anti-trust activity and unbundling did not address directly the need to create a wider spread of shareholders in the economy.²¹⁵ [215 *Ibid* 1 April 1993]

The president of the ANC, Mr Nelson Mandela, said in London in May 1993 that control of the Johannesburg Stock Exchange by four conglomerates was 'unacceptable'. In Mr Mandela's view a commission of nonaligned experts should be appointed to review the whole question of an economic model and monopolies in South Africa.²¹⁶ [216 *The Natal Mercury* 5 May 1993]

Gencor announced in May 1993 that it would unbundle its non-mining assets. The chairman of Gencor, Mr Brian Gilbertson, said that the hostility with which conglomerates were viewed overseas had exercised some influence on the board's decision. Mr Gilbertson added that unbundling brought Gencor into line with investor and public aversion to concentrations of power and control structures in

business.²¹⁷ [²¹⁷ *Business Day* 12 May 1993, *Financial Mail* 14 May 1993] The ANC welcomed the decision by Gencor to unbundle. The head of the ANC's department of economic planning, Mr Trevor Manuel, said that the ANC would not like to clash with business on the issue of anti-trust legislation but would prefer to see business initiate the process of increasing competitiveness through interaction with political parties and labour.²¹⁸ [²¹⁸ *The Star* 18 May 1993] In June 1993 Barlow Rand announced that it too would move towards unbundling.²¹⁹ [²¹⁹ *Business Day* 26 June 1993]

However, a senior economist at Davis Borkum Hare, Mr Jos Gerson, said in May 1993 that implementing anti-trust legislation in South Africa's small economy (with its limited domestic market) entailed great risks. Mr Gerson said that the way to foster competition was to remove the protectionist barriers South African companies had enjoyed and to liberalise foreign exchange controls.²²⁰ [²²⁰ *Ibid* 27 May 1993]

The chairman of SAB, Mr Meyer Kahn, argued in June 1993 that effective competition arose most readily where the legislative environment was noninterventionist and predictable, ensuring neutrality among economic players. He emphasised that it was to no one's long-term benefit that 'current major producers, whose efficiencies and economies of scale ensure the availability of quality goods at well-contained prices, are penalised for their hard-earned market position'. Mr Kahn also said that anti-trust legislation favoured rival business interests which for various reasons were unable to compete without some form of protection.²²¹ [²²¹ *The Star* 24 June 1993]

In his chairman's statement in July 1993, the chairman of Anglo, Mr Julian Ogilvie Thompson, said that Anglo had no intention of unbundling. He added that 'unbundling is often perceived to be a "catch-all" solution to the problems of corporate governance and restructuring, economic concentration, black empowerment and even broader political issues'. However, Anglo's overall structure was sound and continued to serve the interests of shareholders, he said. According to Mr Ogilvie Thompson, none of the companies which Anglo and De Beers controlled constituted monopolies.²²² [²²² *Ibid* 12 July 1993]

Competition Board

It was announced in April 1993 that the Competition Board would investigate the practice of business people sitting on the boards of competing companies. The chairman of the Competition Board, Mr Pierre Brooks, said that the board was unlikely to recommend a ban on such practices given the close links between South African companies. However, he said, an option was a form of 'qualified prohibition', where cases would be judged on company size and whether or not the director was an executive in any of the companies concerned. The board's findings were to be presented to the government in early 1994. Mr Brooks said that if business chose to ignore the recommendations the board would persuade the government to legislate on the issue.²²³ [²²³ *Business Day* 20 April 1993]

Mr Mboweni suggested in May 1993 that interlinking directorships should be one of the issues

investigated by a properly constituted monopolies and mergers commission.²²⁴ [224 *Finance Week* 6 May 1993]

The normative economic model published by the Department of Finance in March 1993 proposed that direct government involvement in decisions by the Competition Board should be terminated and replaced by an independent judicial system. The main institutions in competition matters would then be a tribunal and a special court of appeal.²²⁵ [225 Department of Finance, *The Key Issues in the Normative Economic Model*, March 1993]

In June 1993 the government announced that legislation would be tabled in Parliament in 1994 which would give the board powers to prohibit certain deals and mergers which were judged not to be in the interests of competitive business and to impose fines of millions of rands. Mr Brooks said that he wanted undesirable business practices outlawed by legislation and not by government notice. Proposed business acquisitions of a predetermined size should be compulsorily notifiable.²²⁶ [226 *Business Day* 7 June 1993] The ANC welcomed plans to give the board new powers but believed that any changes should not be carried out unilaterally.²²⁷ [227 *Ibid* 8 July 1993]

Affirmative Action

During the period under review there was speculation that once a new government was in place legislation would be introduced to compel all sectors of the economy to implement affirmative-action policies. Perceived lack of progress by companies in implementing affirmative-action policies voluntarily was seen as likely to increase calls for affirmative-action legislation.

The head of the government's Constitutional Development Service, Dr Sandy Shaw, said in June 1992 that to write a policy of affirmative-action rights into the constitution might prove 'politically divisive and financially compromising'. Dr Shaw recommended the inclusion of policy directives or broad parameters which would leave the details to the 'dynamic of parliamentary debate'.²²⁸ [228 *RSA Policy Review* June 1992]

The state president, Mr F W de Klerk, said in a speech at the Pretoria Press Club in September 1992 that the advocacy of a 'massive new campaign of racial discrimination under the guise of "affirmative action"' would once again ensure that appointments were made on the basis of race rather than on merit.²²⁹ [229 *Ibid* November/December 1992]

According to an IFP report in August 1992, the IFP believed that 'equalisation should as far as possible be achieved through formal social and economic policy'. However, certain 'manipulative strategies labelled as "affirmative-action programmes" should only be considered under certain circumstances, and then as complementary rather than as primary actions'. The IFP did not regard affirmative action as likely to create new wealth and increased opportunities. Legislation compelling private business to adopt affirmative-action programmes would 'not help', the party said. However, the IFP recommended that

incentives in the form of tax concessions should be set in place to encourage business to adopt affirmative-action programmes regarding hiring, training, management and share ownership schemes.²³⁰ [230 *South African Update* August 1992]

In its working document entitled *A Bill of Rights For a New South Africa*, and published in February 1993, the ANC stated that ‘nothing in the constitution shall prevent the enactment of legislation, or the adoption by any public or private body of special measures of a positive kind designed to procure the advancement and the opening up of opportunities, including access to education, skills, employment and land, and the general advancement in social, economic and cultural spheres, of men and women who in the past have been disadvantaged by discrimination’. Furthermore, the draft document said that the public sector would pursue policies aimed at redressing past inequalities. These policies would include the implementation of programmes ‘aimed at achieving speedily the balanced structuring in nonracial form of the public service, defence and police forces and the prison service’, the ANC said. Provision would be made for the enactment of legislation requiring nongovernmental organisations and private bodies ‘to conduct themselves in accordance’ with these principles.²³¹ [231 African National Congress, revised working document, *A Bill Of Rights For a New South Africa*, February 1993]

A survey by Quest Personnel in early 1993 found that most businesses were not in favour of government-imposed, racially-based employment quotas.²³² [232 *The Weekly Mail* 14 May 1993] Mr Tony Leon MP (Democratic Party) said in May that the setting of quotas, together with token appointments, would not solve the problem. Mr Leon believed that legislation had to include ‘sunset clauses’ to end affirmative action when its work was done.²³³ [233 *Ibid*]

According to the publicity and information secretary of the PanAfricanist Congress (PAC), Mr Barney Desai, affirmative action as proposed by the PAC was designed to increase skills and to reject the ‘blatant racial discrimination of the past’. He added that affirmative action needed to be carried out with ‘circumspection and care’.²³⁴ [234 *Barometer* May 1993]

The South African Chamber of Business (Sacob) document on affirmative action, published in July 1993, stated that any prescriptive intervention by any new state institution would do more harm than good. Sacob believed that prescriptive intervention would lower investor confidence and encourage devious strategies to create the impression of progress without addressing the fundamental factor of employee development. Furthermore, Sacob feared that it would raise expectations beyond realistic limits which could result in problems in the future for both business and the government.²³⁵ [235 *Business Day* 16 July 1993]

Criteria for Investment

Prescribed Asset Requirements

The head of the department of economic planning of the African National Congress (ANC), Mr Trevor Manuel, said in May 1993 that South Africa's financial institutions should use part of their investments to help develop the economy and to eliminate imbalances.²³⁶ [²³⁶ *The Star* 19 May 1993] Mr Manuel said that he hoped that the ANC could reach consensus with financial institutions to avoid the necessity for legislative prescription of investments. He said that the establishment of the investment development unit by the Life Offices Association (LOA) (see *Corporate Social Responsibility* above) was in line with ANC thinking.²³⁷ [²³⁷ *Ibid* 17 May 1993] In May Eskom and the LOA launched a scheme to fund the electrification of black townships (see also chapter on *Housing and Infrastructure*).²³⁸ [²³⁸ *Ibid* 19 May 1993]

Trade Policy

According to the policy guidelines adopted by the ANC in May 1992, trade policy should aim at raising the level of productivity and improving the competitiveness of domestic and southern African producers. The ANC believed that trade tariffs could, in conjunction with export performance requirements, enable domestic and regional producers to develop new branches of production. Furthermore, trade barriers would be 'adjusted ... to prevent the destruction of domestic and regional producers, the loss of jobs, and the exploitation of the South African consumer'.²³⁹ [²³⁹ *Ready to Govern, ANC Policy Guidelines for a Democratic South Africa*, adopted at the National Conference of the ANC, 28–31 May 1993]

The Inkatha Freedom Party (IFP) said in July 1992 that it was not in favour of protecting domestic industry through the imposition of tariffs because they fostered inefficiency and reduced competitiveness. According to its economic policy document, the IFP favoured the phased removal of import tariffs and export subsidies. Anti-dumping policies should also be formulated. The IFP said that it was not advisable to keep the exchange rate down in order to make exports more competitive. Increased competitiveness of exports could only be achieved through a reduction in taxation and an improvement in productivity levels, it said. Exchange controls would be phased out once capital inflows improved.²⁴⁰ [²⁴⁰ IFP, economic policy discussion document, March 1992 (updated July 1992)]

In its economic policy document, adopted in November 1992, the PanAfricanist Congress (PAC) stated that trade tariffs should be reduced so as to enable the manufacturing sector to acquire foreign-sourced plants, equipment and other competitive technologies. The PAC supported the gradual removal of protective tariffs to promote research and development activities within the manufacturing sector and to attract direct foreign investment.²⁴¹ [²⁴¹ Pan-Africanist Congress (PAC), *Economic Policy Positions for a Democratic Economic Order in Azania*, November 1992]

The government's normative economic model, published in March 1993, recommended a downward adjustment of the general level of protection of domestic industry, but said that the government feared that it would 'fall heavily' on the relatively highly protected, labour-intensive industries. The document stated that temporary adjustment assistance would be necessary on a selective basis.²⁴² [²⁴² Department of

Finance, *The Key Issues in the Normative Economic Model*, March 1993]

Exporters suffering from an anti-export bias should be able to obtain access to intermediate inputs at the best available world prices, the document said. (Anti-export bias was the result of protectionism which raised the cost of imported inputs, placing local exporters at a disadvantage in international markets. Access to intermediate inputs at world market prices would be achieved by granting exporters rebates of the duties they paid on imported inputs.) This would support the competitiveness of labour-intensive and small to medium-sized export firms. Export processing zones (geographical areas where export manufacturers received substantial tax and import tariff benefits) were options in this regard, the report said. Selective incentives, including lower company tax rates, the provision of finance by development agencies and fiscal support for applied technological improvements, were recommended in order to facilitate the establishment of new industries. Import surcharges would also be repealed as soon as the 'fiscal situation allowed it'. Formula duties which safeguarded producers against dumping by foreign firms, 'disruptive' competition and competition from low-cost producing countries should be replaced by anti-dumping measures aimed specifically at disruptive competition, the document said.²⁴³ [²⁴³ Ibid]

The deputy director general of the South African Chamber of Business, Mr Ron Haywood, said in February 1993 that tariff protection could not be dropped quickly in South Africa because of the need for job creation, social responsibility and the 'precarious political scenario'.²⁴⁴ [²⁴⁴ *Financial Mail* 5 February 1993]

The executive director of the Textile Federation, Mr Brian Brink, believed that the present anti-export bias would be better addressed by continuing the existing duty-free provisions for imports used to manufacture goods for export. Incentives aimed at encouraging new investment in production and technology should also be introduced, he said.²⁴⁵ [²⁴⁵ *The Star* 17 June 1993]

A study of South Africa's trade policy by the World Bank, which was completed in February 1993, found that high tariffs and other protectionist policies raised the prices of products in the local economy by an average of 30%. Although South Africa's trade barriers were not overly protective for a developing country, the World Bank said they were considered highly protective for a developed country—South Africa's classification in terms of the General Agreement on Tariffs and Trade (GATT). Furthermore, the study found that protection made it more profitable to manufacture for the local market than to export. The bank said that it wished to see an immediate increase in the rebate system, which granted exporters rebates of the duties they paid on imported inputs and exemptions from duties. South Africa's General Export Incentive Scheme compensated for the negative impact of tariffs on manufacturing inputs but the bank found that it had overcompensated in 55 out of 77 cases studied.²⁴⁶ [²⁴⁶ *Financial Mail* 19 March 1993]

Commenting on South Africa's textile and clothing industry (one of the most protected of industries), a representative of the World Bank, Mr Brian Levy, said in March 1993 that the industry could compete at the upper end of the international clothing market where competition was based on quality, reliability

and the ability to change output quickly, rather than on price.²⁴⁷ [247 *Business Day* 11 March 1993] It was reported in May 1993 that some of the problems facing the textile and clothing industry (which had been the worst affected by cheap imports and dumping) were the rise in input costs, the continuing high proportion of fabrics imported and the expense of making affordable garments from heavily taxed imported fabric.²⁴⁸ [248 *Finance Week* 6 May 1993]

The vice chairman of the Board on Tariffs and Trade, Dr Helgaard Muller, said in October 1992 that the textile and clothing industry in South Africa could not compete effectively in the international market because its input costs were far too high. Dr Muller said that there was a large overproduction of textiles and clothing worldwide. Some countries were willing to export accumulated stock at below production cost, which had a disruptive effect on the local manufacturers. Effective anti-dumping measures were, therefore, necessary to deal with dumping, Dr Muller said.²⁴⁹ [249 *RSA Policy Review* October 1992]

General Agreement on Tariffs and Trade (Gatt)

During 1993 the government was studying the possibility of having South Africa declared a developing rather than a developed country within the Gatt system in order to take advantage of benefits for developing countries. South Africa's classification as a developed country at the time of writing meant that its exports obtained only 'most favoured nation' treatment from other developed countries while South Africa was expected to give preferential treatment to imports from developing countries. (Mostfavoured-nation status denotes nondiscrimination in trade among states. The principle stipulates that 'any advantage, favour, privilege or immunity granted by any contracting party to any product originating in or destined for any other shall be accorded immediately and unconditionally to the like product originating in or destined for the territories of all other contracting parties'.)²⁵⁰ [250 Dam K D, *The GATT: Law and International Economic Organization*, University of Chicago Press, Chicago, 1970, p392]

However, the director general of trade and industry, Dr Stef Naudé, said in January 1993 that even if South Africa was reclassified it would have to enter into negotiations with each of its trading partners to secure preferential trade agreements.²⁵¹ [251 *Finance Week* 21 January 1993] The deputy minister of trade and industry, Mr David Graaff, said in February 1993 that the issue would be debated at the National Economic Forum (NEF) (see chapter on *The Economy*).²⁵² [252 *Business Day* 1 March 1993]

In April 1993 the goods and policy affairs director of Gatt, Mr David Hartridge, said that South Africa would have to introduce tougher antidumping laws, limit tariff increases and end local content requirements if the Uruguay round of multilateral trade negotiations in terms of Gatt succeeded. Mr Hartridge added that formula duties which acted as antidumping duties (but which in fact also protected local producers from competition from normal low-cost producing countries) would have to be converted into normal anti-dumping duties or countervailing duties.²⁵³ [253 *Ibid* 29 April 1993]

The minister of trade and industry, Mr Derek Keys, said in Parliament in May 1993 that South Africa had a more complicated set of tariffs than most countries, which was an impediment to the free flow of international trade. Mr Keys said that the rationalisation of the tariff system was receiving attention.²⁵⁴ [254 *Hansard* (A) 16 col 8160, 14 May 1993] Mr Brian Goodall MP (Democratic Party) commented that heavily protected industries needed to be assessed in terms of their competitiveness and productivity. A period of five to ten years should be given to these industries to either become competitive or to disappear, he said.²⁵⁵ [255 *Ibid* col 8180, 14 May 1993]

South Africa's trade policies were reviewed by the Gatt secretariat in June 1993. The Gatt report advised South Africa to move away from the sectoral protection of industries, reduce tariffs and phase out import surcharges. South Africa's tariff structure and review mechanisms were also 'far from stable or transparent', the report said.²⁵⁶ [256 *Business Day* 3 June 1993] The South African delegation to Gatt made a provisional offer to bind 55% of its tariff lines to Gatt agreements. This would reduce the simple average tariff on the value of imported industrial goods from 21% to 14%. The proportion of dutyfree tariff lines imported would increase from 20% to more than 25%.²⁵⁷ [257 *Business Day*, *The Star* 3 June 1993] Furthermore, the government informed the Gatt secretariat that it aimed to remove import quotas on nonfood products within a year and that licensing requirements on agricultural imports would be scrapped 'as soon as possible'. However, Dr Naudé told the Gatt secretariat that changes to tariff policy would have to be discussed by the NEF.²⁵⁸ [258 *Ibid* 4 June 1993] He announced in July 1993 that the government would submit a revised tariff offer to Gatt after 'consultation with interested parties'.²⁵⁹ [259 *Business Day* 8 July 1993]

The Afrikaanse Handelsinstituut said in July 1993 that the reduction in direct protection stemming from lower import levies would be compensated for by the weaker exchange rate which would afford local industries higher protection.²⁶⁰ [260 *Business Day*, *The Citizen* 8 July 1993]

Other Measures

In November 1992 a draft document of guiding principles for foreign investors was published by the African National Congress (ANC) and the Congress of South African Trade Unions (Cosatu). The proposal stated that foreign investment in South Africa should be guided by the following principles: the upholding of workers' rights by companies, equality of opportunity (including affirmative action programmes), environmental protection, favourable conditions of work and life, security of employment and black business empowerment. The proposal recommended the creation of mechanisms to evaluate the implementation of the above principles, including the requirement that companies disclose relevant information. Furthermore, the document said, these principles should be incorporated into the 'future policies and laws of a democratic government'. The principles would then apply to both local and foreign investors.²⁶¹ [261 Draft proposals for a common ANC/Cosatu position at the New York solidarity meeting, 'Platform of Guiding Principles for Foreign Investors', drawn up after the workshop on 7 November 1992] It should be noted, however, that once South Africa is readmitted to all United Nations bodies, various International Labour

Organisation conventions will apply to South Africa as well, bringing the country into line with other countries regarding conditions of employment.

In June 1993 the ANC said that foreign investors should be blocked from investing in certain strategic areas, such as land and natural resources. Furthermore, companies owned or controlled by nonresidents, or in which nonresidents had a large holding, could have limits placed on their borrowing. The ANC said that restrictions would ensure the proper capitalisation of foreign investment and would also retain funds for South African borrowers. The ANC added that privileges and investment incentives could be granted to previously disadvantaged groups.²⁶² [²⁶² *Sunday Times* 27 June 1993]

In the same month the Pan-Africanist Congress (PAC) published its economic policy in which it outlined certain areas in which the PAC would encourage new foreign investors to be involved. These included:

- the provision of financial and technical support to a new government, community development programmes and enterprises;
- the provision of loans to the state to meet the socio-economic needs of marginalised communities; and
- loans to business enterprises to enable them to increase their productivity.²⁶³ [²⁶³ PAC, *Economic Policy Positions for a Democratic Economic Order in Azania*, November 1992]

The head of the ANC's economic unit, Mr Trevor Manuel, said in April 1993 that the ANC favoured a codification of investment policy in order to 'maximise transparency and certainty'.²⁶⁴ [²⁶⁴ *The Star* 26 April 1993]

In July 1993 the South African Council of Churches (SACC) published a draft code of conduct for businesses operating in South Africa, which covered areas similar to those in the ANC/Cosatu draft. The purpose of the code was to ensure that reinvestment benefited 'poor and marginalised' members of society. The draft code included clauses on workers' rights, equal opportunities, training and education, and working and living conditions for workers. Initiatives to promote job creation, consumer protection, empowerment of black business and protection of the environment were also encouraged in the code. The SACC emphasised, however, that the code would be circulated among a wide range of relevant bodies, including business organisations, political parties, religious organisations and trade unions, before it was finalised.²⁶⁵ [²⁶⁵ *Business Day* 9 July 1993]

LAND, AGRICULTURE AND RURAL AREAS

Key Points

- In 1993 approximately 12% of land in South Africa (excluding the ‘independent’ homelands) was owned by the government.
- In June 1993 an amendment to the Abolition of Racially Based Land Measures Act of 1991 was tabled in Parliament seeking, among other things, to extend the terms of reference of the Advisory Commission on Land Allocation to include all government-owned land and to prevent the sale of state land which fell within the commission’s terms of reference without the commission’s approval.
- The state president, Mr F W de Klerk, accepted the recommendation of the commission that the land from which the Charlestown and Roosboom communities (both in Natal) were removed be restored to them.
- In September 1992 the South African Defence Force removed more than 125 families from Khosis near Kuruman (northern Cape) to land 35km away. The National Land Committee said that this was the first removal of rural people since 1984.
- On 1 April 1993 the departments of agriculture in the houses of Assembly, Delegates and Representatives were amalgamated to form one Department of Agriculture.
- In 1992 agriculture contributed R11,8bn (or 3,9%) to the gross domestic product of South Africa—a drop of 1,2 percentage points on its contribution in 1991.
- According to the 1991 census, there were 1,2m people employed in agriculture in 1991 in South Africa (excluding the ‘independent’ homelands).
- The *Report of the Committee of Inquiry into the Marketing Act*, published in December 1992, recommended that statutory singlechannel agricultural marketing schemes be abolished and that existing boards be allowed to operate as private, voluntary organisations only.
- The minister of agriculture, Dr Kraai van Niekerk, said in February 1993 that about 100 000 jobs had been lost in agriculture as a result of the 1991/92 drought.
- The National Consultative Forum on the Drought said in May 1993 that in the long term the most effective strategy for minimising the effects of drought was the development of rural areas.

Land

Current Allocation of Land

The total area of South Africa (including all ten homelands) is 119,6m hectares. Although the reincorporation of the homelands into South Africa was being negotiated during the period under review, at the time of writing this had not yet taken place and the distribution of land was the same as in 1992. In 1993, therefore, the non-homeland area constituted 86% of the total area (102,3m hectares) and the homeland area 14% (17,3m hectares). Some 44% of the total population (17,8m people) lived in the homelands which constituted 14% of the land (see also chapter on *Population*).¹ [¹ 1992/93 *Survey* p382]

According to Professor Stan Sangweni of the School of Rural Community Development at the University of Natal (Pietermaritzburg), 55% of households in the homelands were small-scale landowners with an average of one hectare of land and below subsistence production, while 10% of all families derived an income from farming. There were approximately 1,8m families on small farms in the homelands. Some 30% of families in the homelands were landless. In the rural non-homeland area of South Africa there were some 60 000 family units, each with an average of 2 500ha.² [² *AFRA News* February 1993]

The deputy minister of land affairs, Mr Johan Scheepers, said in April 1993 that approximately 12% of land in South Africa (excluding the 'independent' homelands) or about 12,5m hectares was state-owned. Of this, areas used for conservation constituted 53%; forestry, 13%; defence, 5%; water affairs, 4%; and correctional services, 0,3%. The remaining quarter consisted of state coastal reserves, fishing harbours, properties in urban and rural areas, land accommodating infrastructure, experimental farms and land used for education, health services, parastatal and policing purposes.³ [³ *Hansard* (extended public committee) 13 col 6549, 30 April 1993] According to the Development Bank of Southern Africa, the racial division of South African farmland in 1990 was as follows:⁴ [⁴ *Indicator SA* spring 1992]

Racial division of South African farmland: 1990

Non-homeland area

Homeland area

Total

Total area (ha)

102,3m

17,3m

119,6m

Farmland (ha)

83,1m

16,1m

99,2m

Rural population

5,3m

13,1m

18,4m

Farmland per person (ha)

15,7

0,2

5

Population Densities

See chapter on *Population*.

Policy

In 1992/93 debate concerning land policy focused on three issues: the extent and nature of the government's involvement in land redistribution, the forms of land tenure which were most appropriate (see *Land tenure* below) and the necessity for a land claims court.

According to a rural sociologist at the Institute for Development Policy and Management at the University of Manchester (England), Mr Henry Bernstein, 'the single most strategic objective of democratic transition is to break the de facto and de jure white domination of land ownership and farming'. At the same time, he said, the immediate and comprehensive expropriation of white farms was neither feasible nor necessary. He maintained, therefore, that the weakest and least efficient sectors of

white farming should be targeted for land redistribution.⁵ [⁵ *AFRA Newsletter* October 1992]

A senior lecturer in the school of economics at the University of Cape Town, Mr Michael de Klerk, said in December 1992 that there were essentially three major approaches to increasing the access of black small farmers to land in the former white rural areas. These were the reshaping of market institutions and mechanisms, a judicial land claims procedure and a state land acquisition programme. Mr de Klerk said that the usefulness of these options should be determined in terms of measures of economic efficiency such as agricultural output and efficiency, employment created and income generated; and measures of equity such as security of tenure, access to traditional community life and the distribution of the costs and benefits of land reform (ie who benefits from land reform and how great this benefit is against who is disadvantaged as a result of land reform and how great the disadvantage is).⁶ [⁶ *Prospects: South Africa in the Nineties*, December 1992]

According to Mr de Klerk, the first approach (ie the reshaping of market institutions) involved only the repeal of racially restrictive legislation. The shortage of capital, which prevented many people from purchasing land, could be addressed by allowing for communal purchase of land, by promoting labour tenancy and by encouraging settlement on existing stateowned land. In addition, financial assistance could be given to small farmers, he said. Mr de Klerk added that while this approach might work in terms of economic efficiency, the impact in terms of criteria measuring equity would be too small to make this option acceptable on its own.⁷ [⁷ *Ibid*]

Mr de Klerk said further that a land claims court could reduce the potential for land from which people had been removed under apartheid legislation to be reallocated arbitrarily and could also be used to establish broader concepts of tenure in law. However, it would not be able to address the needs of a large number of people whose claims did not fall within the terms of reference of such a court.⁸ [⁸ *Ibid*]

Mr de Klerk said that state acquisition of land could fill the gaps left by the two previous approaches in the restructuring process. He suggested a number of guidelines for this process:⁹ [⁹ *Ibid*]

- the rate of purchase and sale of land by the government should accelerate, although the area of land held by the government should not increase;
- land should be acquired on the open market to maximise the likelihood of obtaining offshore grants or soft loans, which would probably be required to expand such a programme to a credible size;
- the suitability of land for the settlement of small farmers or farming communities rather than the degree of indebtedness of the existing owner or punitive considerations should determine the acquisition of land; and
- any target for the redistribution of land should be set in budgetary terms and not in terms of the total

area to be redistributed.

Mr de Klerk argued further that a programme of this nature could increase equity substantially without impairing productive capacity in the short term.¹⁰ [¹⁰ Ibid]

Professor Sangweni said in February 1993 that statistics showing inequality in land distribution (see *Current allocation of land* above) served to underscore the need for a comprehensive land reform programme. He said that the government should play a key role in the acquisition and allocation of land, with the power to expropriate land where necessary. 'Government should have the right to acquire land to be made accessible to those most in need,' he said.¹¹ [¹¹ *AFRA Newsletter* February 1993]

The associate director of the Centre for Policy Analysis (CPA) of the Development Bank of Southern Africa, Mr Mike Muller, and a senior policy analyst at the CPA, Mr Masiphula Mbongwa, said in 1992 that if the goal of land reform was to provide sufficient land to ensure a primary source of income for households, land reform would have to involve 'massive' redistribution. They said, however, that a study by the World Bank had shown that even if half the developed rural areas (ie the nonhomeland area) were to be transferred on an equitable basis to the rural poor, only a minority would benefit if sufficient land had to be allotted to enable households to earn an income above the poverty datum line. The World Bank estimated that if 1ha was allocated to each farming household and half of the non-homeland rural area was redistributed, 894 000 households would benefit, compared with approximately 1,8m rural households in the homeland area which were in need of land. If 75% of the nonhomeland rural area was to be made available for redistribution on the same basis, 1,3m households would benefit.¹² [¹² *Indicator SA* spring 1992]

Messrs Mbongwa and Muller said that if a market-based approach was used to acquire land for such a programme the costs could be prohibitive. They added that there would also be significant opposition from vested landowning interests in the non-homeland area to such a programme.¹³ [¹³ Ibid]

During the period under review organisations such as the Association for Rural Advancement and the National Land Committee, and communities which had been removed from their land under apartheid legislation continued to call for the establishment of a land claims court. In addition, the African National Congress stated that in terms of its policy of affirmative action regarding the redistribution of land (see *African National Congress* below) it would establish a land claims court to adjudicate land disputes.

At a conference organised by the Five Freedoms Forum at the University of Natal (Pietermaritzburg) in 1992, the senior research officer on the land project of the Centre for Applied Legal Studies at the University of the Witwatersrand, Ms Aninka Claassens, proposed a two-tier structure for a land-claims mechanism. At the first level should be a land claims commission to which anyone who believed they had a claim to land could make representation. The commission should evaluate these claims according to certain predetermined criteria, Ms Claassens said. In the case of forced removals it should look at how

long the community had occupied the land before removal, whether it had been removed as a result of apartheid land policies and whether the claimants had been compensated for their land. In the case of people who had not been removed but who were threatened with eviction the commission should look at how long they had occupied the land and if the owner of the land opposed their obtaining secure tenure. Ms Claassens said that in most cases the commission should try to settle claims through mediation.¹⁴ [¹⁴ *AFRA Newsletter* November/ December 1992]

Ms Claassens proposed that where claims could not be settled through mediation they should be brought before a land claims court. The court should be empowered to award contested land in whole or in part, to award government compensation, to provide funding to buy adjoining land if such a possibility existed and to compensate people who were dispossessed as a result of an award made by the court.¹⁵ [¹⁵ *Ibid*]

Government Policy

The deputy minister of land affairs, Mr Johan Scheepers, said in February 1993 that the National Party (NP) recognised the need to deal with extensive landlessness and land hunger and that its approach was based on the creation of new settlement opportunities through a market-driven land reform process accompanied by appropriate support measures for the landless. He said that the creation of new settlement opportunities would be constrained by the ability of the economy to sustain support measures, the rights of existing landowners and the need for support measures to contribute to economic growth and development.¹⁶ [¹⁶ *Barometer* February 1993]

The government did not support state intervention in the land market. Mr Scheepers said that broadening the right of access to land should not entail giving people state land but rather assisting people to become landowners within the free-market system.¹⁷ [¹⁷ *AFRA Newsletter* November/ December 1992] In terms of government policy land would be expropriated only if it was in the public interest and subject to the payment of market-related compensation. Mr Scheepers said that the restoration of land tenure rights removed under apartheid would be considered only in cases where it would not entail the dispossession of existing landowners.¹⁸ [¹⁸ *Barometer* February 1993]

Mr Scheepers said that while the right of traditional leaders to control tribal land was acknowledged, the government believed that tribes should seriously consider converting traditional communal land ownership to individual ownership. He said, however, that the traditional system of land tenure underpinned a delicately balanced subsistence system which, if replaced injudiciously, could lead to the collapse of the communities to which it afforded a livelihood. The upgrading of traditional communal systems of land tenure should, therefore, be considered only as part of an integrated and comprehensive strategy for the development of these areas, he added.¹⁹ [¹⁹ *Ibid*]

The NP said in February 1993 that it accepted that the majority of black people did not have sufficient

finance to enter the land market and that market forces alone were not sufficient to rectify historical backlogs. To this end the NP proposed that the cost and complexity of the land registration and surveying system be reduced without compromising the integrity of the system. In addition, the NP said, there were 'significant amounts' of internal and external development funding available to nongovernmental organisations and community-based organisations which could be used to create new opportunities for owning land.²⁰ [²⁰ Ibid]

African National Congress

The African National Congress (ANC) outlined its policy on land in a document entitled *ANC Policy Guidelines for a Democratic South Africa*, which was published in May 1992 (see 1992/93 Survey p383). The coordinator of land and agricultural policy of the ANC, Mr Derek Hanekom, said in April 1993 that there were two main components to the ANC's land policy. The first was the need to address the history of forced removals and the second was the need to meet the requirements of those who had not been removed forcibly but who had been denied access to land as a result of apartheid legislation.²¹ [²¹ *AFRA News* April 1993]

Mr Hanekom said that a land claims court should be established to facilitate restitution of land to those who had been removed forcibly.²² [²² Ibid] In the view of the ANC no person who had a legitimate claim to land should have to repurchase such land. However, a land claims court would also take into account whether compensation had been paid in the past and whether the land had been improved subsequently. Mr Hanekom said that a claimant could be required to pay for improvements made to the land.²³ [²³ *Barometer* February 1993]

In terms of ANC policy labour tenants would also be able to use the land-claims court to secure tenure of land with which they had had a long association.²⁴ [²⁴ *AFRA News* April 1993]

Mr Hanekom said that not everyone would be entitled to farm but that it was the state's responsibility to ensure that people had land on which to build a house. He foresaw that the government would have to acquire land for redistribution to the urban landless and homeless. Interventions to facilitate redistribution would include expropriation with fair compensation, the use of state land for redistribution and the introduction of a ceiling on land holdings by any individual. The ANC was also considering the feasibility of charging a land tax, which Mr Hanekom believed could result in redistribution to a limited extent.²⁵ [²⁵ *Barometer* February 1993,]

The ANC said that the Subdivision of Agricultural Land Act of 1970 should be amended since it limited the extent to which the current pattern of land ownership could be altered, by preventing division of farms beyond specified limits.²⁶ [²⁶ *Barometer* February 1993]

Mr Hanekom said further that the issue of including property rights in a bill of rights was contentious in

that it raised the possibility of entrenching the status quo, which was the result of apartheid legislation, and making it impossible to address people's legitimate claims to land. Land which the ANC would target for redistribution included state land, land which was held purely for speculative purposes, land which was unused or underutilised, land belonging to absent landlords, environmentally degraded land and land which was heavily mortgaged. Mr Hanekom said that one of the greatest sources of land for redistribution could be land sequestered from insolvent white farmers.²⁷ [²⁷ Ibid]

The ANC hoped to have formulated a more comprehensive land policy by the end of 1993.²⁸ [²⁸ *AFRA News* April 1993]

Conservative Party

The spokesman on regional and land affairs for the Conservative Party (CP), Mr Jan Hoon, said in February 1993 that in a white homeland free-market principles would govern the land market.²⁹ [²⁹ *Barometer* February 1993] The CP rejected any form of 'government interference' which would lead to the artificial redistribution of land, to collective possession of land or to other 'socialist agro-economic systems'.³⁰ [³⁰ Information supplied by an official of the Conservative Party, Ms Alta de Jager, 1 September 1993]

Democratic Party

According to the executive director of the Democratic Party (DP) and a member of the President's Council, Mr James Selfe, the DP believed that as far as possible, land should be restored to those people who had been removed from their land in terms of the Black Land Act of 1913, the Development Trust and Land Act of 1936 and the Group Areas Act of 1966. He said that state land should be used for this purpose and added that to the extent that the amount of state land available for redistribution was insufficient the government should acquire land on a 'willing seller, willing buyer' basis. Remuneration for acquired land should be in cash, not in the form of deferred payments such as government stocks and the criterion used for remuneration should be the production capacity of the land and not its size. The DP believed that the procedure for redistribution should form part of a negotiated agreement between the major political parties and that a commission should be appointed to examine the issue.³¹ [³¹ *Barometer* February 1993]

Inkatha Freedom Party

According to an executive member of the central committee of the Inkatha Freedom Party (IFP), Mr Simon Gumede, the IFP supported fully the principle of land redistribution. An important factor to be considered was the productive use of agricultural land, and underutilised land owned by absent landlords would, therefore, be considered for this purpose, he said.³² [³² Ibid]

Mr Gumede said that the IFP's approach to ensuring greater African ownership of land embraced two principles. The first principle involved direct intervention via negotiations with interested parties to make land available to those needing it. He said that this principle included establishing informal settlements on a formal basis, identifying and making available underutilised land, and establishing farming packages to 'maximise land availability within the end-users' affordability'.³³ [³³ Ibid]

Mr Gumede said that the second principle was reflected in the IFP's policy of economic development which would entail a 'proactive and long sighted rural development programme'. He added that while it was necessary to recognise traditional forms of land tenure and utilisation, it was desirable to move from subsistence agriculture to peasant production of cash crops, which would entail expanding freehold ownership of land. He said that if the population was to accept the changes the principles of 'gradualism, consultation and respect for choice' would have to be adhered to.³⁴ [³⁴ Ibid]

Pan-Africanist Congress

The Pan-Africanist Congress (PAC) published its policy document on land and agriculture in February 1993. The PAC held the view that land was a national resource which should not be owned individually, but that people using the land, such as individual farmers or industrialists, should be given access to land under a national leasehold system.³⁵ [³⁵ Ibid]

The fundamental premise of the PAC's land policy was that the imbalance in resource allocation could be redressed only through the active intervention of the state in close liaison with 'the people'. The director of the Department of Land and Environment Affairs of the PAC, Dr Peter Mayende, said that the PAC had targeted a 'substantial' area of land owned by white farmers for redistribution and that the first step should be to expropriate such land. This should occur without compensation since it was the belief of the PAC that white farmers had been compensated handsomely by the 'apartheid state', that the land had 'always' belonged to the African people and that it had been obtained by white farmers through illegitimate means.³⁶ [³⁶ Ibid]

Dr Mayende said that in addition to white farmland a further 20% of South African land was underutilised and should be made available for agricultural, industrial and residential use. Unused state land, as well as land from which people had been removed under apartheid legislation, had been targeted for redistribution.³⁷ [³⁷ Ibid]

According to the PAC, one of the mechanisms it would use to ensure redistribution was the imposition of a limit on the size of agricultural plots which individuals could lease. In imposing such a maximum limit, the minimum size for viable agricultural production, the need to continue food production and the need for a healthy agricultural market would be considered. It was the belief of the PAC that 300ha of land per lessee was a reasonable amount.³⁸ [³⁸ Ibid]

Dr Mayende said that the people who should benefit most from redistribution were the ‘landless, poor, underprivileged and subsistence producers’, most of whom were in the homelands. He said that the PAC would want to entrench the right to the redistribution of land in the constitution.³⁹ [³⁹ Ibid]

Other Views

The leader of the **Afrikaner Freedom Foundation**, Professor Carel Boshoff, said in February 1993 that the first principle to be adhered to in addressing the land question in South Africa was that a nation was entitled to have its own territory. He said that the ‘crisis of the Afrikaner nation’ was that it had lost its land ‘as a result of the influx of non-Afrikaners’. Professor Boshoff said that no political settlement of any kind could be reached until this crisis had been attended to. While the needs of the Afrikaners for their own state should be taken into account, acquisition of land should also take ‘the traditional settlement of people’ (ie African tribal settlement) into account. Professor Boshoff said he believed that in a federation of states the individual rights of all people to land should be enshrined in the constitution.⁴⁰ [⁴⁰ Ibid]

The leader of the **Afrikaner Volksunie** (AVU), Mr Andries Beyers, said that in the Afrikaner fatherland which the AVU proposed should be established, there would be no statutory racial discrimination and no restrictions on land ownership by different races. He said that while the needs of black communities which had been dispossessed would have to be addressed this should be done in the form of development policies and not in the form of the redistribution of land.⁴¹ [⁴¹ Ibid]

A member of the council of the **Natal Agricultural Union** (NAU), Mr Peter Stockil, said in February 1993 that his organisation supported private ownership of land and measures which would enable land to be available to all people. He said that to this end, land owned by the defunct South African Development Trust should be made available and the Subdivision of Agricultural Land Act of 1970 should be amended so that land could be subdivided to sell to aspirant farmers.⁴² [⁴² *AFRA News* February 1993]

The president of the NAU, Mr William Mullins, said earlier, in December 1992, that there should be a land-claims court which would consider such factors as whether compensation had been paid when the land in question had been expropriated, who was qualified to claim such land (looking in particular at how many generations of a family had lived on land that was being claimed), whether there was proof that the claim was legitimate and what would happen to the land once it had been reallocated. The NAU said that farmworkers and labour tenants should not qualify to claim land in a land-claims court.⁴³ [⁴³ *AFRA Newsletter* November/ December 1992]

The **South African Agricultural Union** (SAAU) said that it was important that land issues, including settlement and agricultural development, were dealt with in such a way that the production potential of agriculture was not adversely affected. To this end, it said, claims for agricultural land for purposes other than commercial agriculture should be handled with circumspection, giving priority to the retention of

highpotential agricultural land. The SAAU said that there should be no state intervention in the market for land and that all land transactions should take place on the basis of a ‘voluntary buyer and voluntary seller’. It was opposed to the extension of the system of communal land ownership to areas outside of these to which it already applied.⁴⁴ [44 Information supplied by Mr Kobus Kleynhans of the South African Agricultural Union, 15 September 1993]

The SAAU said that land claims resulting from the removal of people under racially based legislation should be settled by means of a legal procedure and not a political procedure. The organisation was opposed to the handling of land claims by the Advisory Commission on Land Allocation as in the SAAU’s view it was a politically appointed body.⁴⁵ [45 Ibid]

The **National Land Commission** (NLC), which was affiliated to the ANC, said in March 1993 that land reform had to ‘democratise’ the process of land distribution, end the control of ‘unrepresentative’ tribal authorities, and help develop alternative local government structures. The NLC said that even if state land were to be redistributed democratically the demand for land would not be satisfied. It added that a free-market ideology regarding land played down the need to identify and redress, through state action, inequalities which had arisen from the ‘discriminatory policies of apartheid and colonialism’. The NLC maintained that alternative forms of compensation would have to be found for land which had been expropriated and suggested that payment could take the form of government bonds which could be redeemed after 15 to 20 years. It added that unless such alternative forms of compensation were found it would be almost impossible to finance a substantial land reform programme.⁴⁶ [46 *Mayibuye* March 1993]

Land Tenure

While the government and the IFP favoured freehold tenure and private ownership to promote optimal land use and agriculture, and to stimulate awareness of the importance of sustainable land use, a researcher at the Centre for Social and Development Studies at the University of Natal (Durban), Ms Catherine Cross, said that there was little evidence that private individual tenure was necessary for productive agriculture. She said that in South Africa this form of tenure had not promoted transfer of land to efficient farmers. It had not significantly improved security of tenure, encouraged the buying and selling of land, or helped increase the production of commercial agricultural produce.⁴⁷ [47 *AFRA Newsletter* September 1992] Ms Cross argued that there were two needs regarding rural tenure. The first need was for tenure reform in areas currently occupied by African people. The poor were in the majority in these areas and they needed tenure that preserved their existing land rights. The second need was for tenure reform to serve new areas made available for African occupation. Ms Cross said that where farm land of good quality was available tenure systems should support optimal production. Private ownership was not necessarily the best form of tenure for this purpose, she maintained.⁴⁸ [48 *Ibid*]

It was reported in September 1992 that the World Bank had recommended that communal tenure should be supported or transformed into new forms of ‘social tenure’ able to support modern economic activity.

The World Bank said that in developing countries resource degradation was often attributed to communal tenure systems, although the real cause of the problem was the dissolution of local institutions responsible for sustainable resource management.⁴⁹ [⁴⁹ *Ibid*]

Groups which favoured private freehold tenure, such as the government and the IFP, said that this form of tenure was preferable in that:⁵⁰ [⁵⁰ *Groundwork: Border Rural Committee Newsletter* March 1993]

- the individual farmer would have more incentive to invest time and money in developing the land;
- loans for equipment, fertilisers and seed could more easily be raised against the land; and
- grazing land would be managed more effectively and would be less prone to overgrazing and soil erosion.

Legislation

The advisory committee on nonracial area measures was established by the government in March 1992 in accordance with the government's commitment to repeal all legislation which governed the acquisition and utilisation of land on a racial basis. The committee was instructed to investigate such legislation and to make recommendations to the state president about which legislation should be repealed or amended.⁵¹ [⁵¹ Advisory committee on nonracial area measures, first annual report, 1992]

The committee identified 86 laws administered by 21 departments which needed to be investigated further. These laws ranged from a single provision in an act to acts in their entirety.⁵² [⁵² *Ibid*]

The committee said that while the Upgrading of Land Tenure Rights Act of 1991 had provided for the conversion of limited land ownership rights to full ownership, the legislation did not extend to the homelands (where all land rights were limited). The committee met officials of the nonindependent homelands in 1992 and concluded that although the objective of uniform legislation regarding land tenure should be pursued, due regard should be paid to 'contentious problems involving established indigenous law, the registration of deeds and the adoption of independent legislation'.⁵³ [⁵³ *Ibid*, p12]

In June 1993 an amendment to the Abolition of Racially Based Land Measures Act of 1991 was tabled in Parliament which aimed to give wider powers to the Advisory Commission on Land Allocation. In terms of the proposed amendment, although the terms of reference of the commission would be restricted still to government-owned land, all such land could be considered by the commission for reallocation. The commission would also be given the power to make decisions on reallocation independently of the state president. (Under the principal act the commission could only advise the state president on the allocation of land and could take into consideration only state-owned land which was undeveloped or not allocated for a specific purpose.) The amendment also sought to allow claims to land

which had been expropriated under the Group Areas Act of 1966, provided that the land was still owned by the state. Other amendments to the law sought to:⁵⁴ [⁵⁴ *Business Day* 8 April 1993, *Farmers Weekly* 23 April 1993]

- prevent the sale of state land falling within the mandate of the commission without the permission of the commission;
- allow investigations of land no longer owned by the state, but where the previous owners had been prejudiced by the application of racially based laws; and
- allow the commission to advise the state president on allocating vacant state-owned land to communities.

The co-ordinator of land and agricultural policy of the African National Congress, Mr Derek Hanekom, welcomed the move as ‘some progress’.⁵⁵ [⁵⁵ *Business Day* 8 April 1993] The National Land Committee (NLC) said that it regarded the proposed amendments as a ‘victory for dispossessed communities’ but said that the changes did not go far enough to address the narrow scope of the commission, its secrecy and its inability to make decisions on land which was no longer state-owned. The NLC said that African communities had deep ancestral links to particular pieces of land and would not accept alternative land. The NLC believed that excluding privately owned land from the commission’s investigations would be at ‘the expense of the legitimate claims of many communities’.⁵⁶ [⁵⁶ *The Star* 13 May 1993; *Land Update* May 1993]

Finance

See *Finance* under *Agriculture* below.

Land Disputes

At a meeting in November 1992 representatives of 38 communities which claimed that they had been removed forcibly from their land said that they had little confidence in the Advisory Commission on Land Allocation as a mechanism for the speedy restoration of land. In a statement sent to the state president, Mr F W de Klerk, the representatives said that 25 of the communities had informed the commission of their intention to make claims to land. Ten of these had made detailed submissions, three had had hearings with the commission and none had had their land returned to them. The representatives said that if Mr de Klerk did not reach a final decision about submissions he had received from the commission by 30 January 1993, the communities would embark on other strategies, such as the reoccupation of land, from the beginning of March 1993. At the time of writing this had not yet taken

place.⁵⁷ [⁵⁷ *AFRA Newsletter* November/ December 1992]

The national director of the Legal Resources Centre, Mr Geoff Budlender, said that there were a number of lessons to be learned about how a land-claims court or commission should operate. These were that:⁵⁸ [⁵⁸ *The Weekly Mail* 11 December 1992]

- instead of being purely advisory, as was the case with the Advisory Commission on Land Allocation, a commission should have the power to make decisions which would be binding on all parties, including the government;
- a commission should have jurisdiction over all land and not only over state-owned land which had not been developed or allocated for another purpose;
- a commission should have the power to make a variety of awards, for example to address situations where two parties had a legitimate claim to the same land and to address the needs of labour tenants;
- the land-claims process should be primarily about justice and the allocation of land to communities. Mr Budlender said that communities should not be asked to submit a development plan for land claimed as this implied that the communities would not receive just treatment unless they were planning to use the land in a way of which the commission approved;
- a land-claims commission was only a small part of the land reform process, being able to deal only with claims of those who had been removed forcibly from their land. Mr Budlender said that a different and broader process was necessary to deal with 'land hunger'; and
- the process should be rapid as much of the frustration with the commission was caused by the fact that after a year of its operation there had been no visible results.

In June 1993 legislation was tabled in Parliament which sought to enable the commission to make decisions about land reallocation and to allow it to consider for reallocation all land owned by the state (see *Legislation* above). It was hoped that by giving the commission decision-making powers the settling of land disputes would be expedited.⁵⁹ [⁵⁹ *Business Day* 11 June 1993]

In August 1992 the government announced that it was considering transferring administrative control of more than 1m hectares of land which had previously been owned by the South African Development Trust to homeland administrations (see 1992/93 *Survey* p56). In November the transfer of 380 000ha of land to Lebowa and 52 000ha to QwaQwa was gazetted.⁶⁰ [⁶⁰ *Ibid* 4 November 1992] The government also proposed transferring a further 500 000ha of land to KwaZulu.⁶¹ [⁶¹ *Land Update* November/December 1992]

There was widespread criticism of the government's transfer of land to the homelands. The Third

Interim Report of the Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (the Goldstone commission), published in December 1992, said that handing over land and a number of police stations in Natal to KwaZulu would seriously aggravate the political violence in the area. The Goldstone commission called for a suspension of the proposed transfers.⁶² [⁶² Ibid January/February 1993]

The African National Congress (ANC) called the transfers 'disingenuous in the light of ongoing negotiations on the reincorporation of the ten [homelands]' and said that a future government would reverse the transfers.⁶³ [⁶³ *Business Day* 4 November 1992; *Land Update* November/December 1992] The National Land Committee said that the transfer of land could only be regarded as an attempt to win voter support for the National Party and the homeland administrations and to entrench a network of control that would make a federal system unavoidable, no matter what a democratic government wanted.⁶⁴ [⁶⁴ Ibid]

The Democratic Party said that the government should first consider recommendations by the Advisory Commission on Land Allocation, as well as submissions by rural communities, and then negotiate an acceptable solution to the issue of transferring land to the homelands. The South African Agricultural Union added that no state land should be given away until restitution of land to people dispossessed under apartheid laws had been accomplished satisfactorily.⁶⁵ [⁶⁵ *AFRA Newsletter* October 1992]

However, the minister of the interior of KwaZulu, Mr Stephen Sithebe, said that the land designated to be transferred to KwaZulu had been promised to the homeland as compensation to communities in the Inanda area which had been moved to make way for a dam. Mr Sithebe said that the land belonged to KwaZulu and should, therefore, be transferred to the homeland administration.⁶⁶ [⁶⁶ Ibid]

The land in question was placed under the joint administration of the government and the KwaZulu administration in August 1993.

In October 1992 the Northern Cape Division of the Supreme Court in Kimberley upheld the sale of an estimated 6 000ha of farmland to six white farmers. In June 1992 the transfer documents for the sale had been signed shortly before the Majeng community had been able to submit its claim for the land to the Advisory Commission on Land Allocation. The community and its lawyers claimed that officials of the Department of Agricultural Development had expedited the sale on hearing of the community's claim to the land (see 1992/93 *Survey* p388). The Majeng community subsequently appealed against the sale. The Supreme Court ruled that as the land had been allocated for specific purposes before the Abolition of Racially Based Land Measures Act of 1991 had been passed, the commission could not make recommendations regarding the claim to the state president and it, therefore, upheld the sale to the six white farmers.⁶⁷ [⁶⁷ *Land Update* November/December 1992]

A lawyer acting on behalf of the Majeng community, Ms Kate Owen, said that the community would continue to campaign for the restoration of its land. In February 1993 the deputy minister of land affairs, Mr Johan Scheepers, said that a mutually acceptable solution would have to be negotiated.⁶⁸ [⁶⁸ Ibid]

In April 1993 Mr Scheepers said that requests for a moratorium on the sale of state land could not be supported by the government for the following reasons:⁶⁹ [⁶⁹ *Hansard* (extended public committee) 13 col 6549, 30 April 1993]

- it would hamper the activities of the commission;
- a significant proportion of land was unsuitable for development owing to its position, size and the quality of the soil. Use of such land for lowcost housing or smallholdings would be impossible if a moratorium existed; and
- a demand for land existed within the ranks of landless individuals and communities and needed to be met.

It was reported in February 1993 that land claimed by the Camden Farm and Compensation communities in the Impendle district (southern Natal) was being investigated by the commission. A commission official, Mr Nico van Rensburg, said that most of Compensation was already owned by African farmers and could, therefore, not be considered by the commission. He said, however, that some 20 000ha adjoining Compensation were still owned by the state and recommendations would be made about this land.⁷⁰ [⁷⁰ *AFRA News* February 1993]

The Camden Farm community, which was living in Pietermaritzburg (Natal) at the time of writing, had claimed the return of land from which it had fled in 1991 after an attack by a neighbouring group of people. The community at Compensation had instituted a claim to a neighbouring farm, which it maintained had been promised to the community when it had been removed from 'black spots' by the Department of Development Aid in 1978 and 1981.⁷¹ [⁷¹ *AFRA Newsletter* November/ December 1992]

The AmaHlubi community, which had laid claim to some 90 000ha in the Estcourt district (Natal Midlands), met members of the Estcourt Farmers' Association in February 1993 in an attempt to reach consensus on what should happen to the land before a hearing scheduled by the commission for April 1993. The claim was the largest made by one community. The hearing with the commission subsequently took place in April 1993. By September the community had still not been advised whether their claim was successful or not.⁷² [⁷² *AFRA News* February, April 1993; Information supplied by a spokesman for AFRA, September 1993]

In February 1993 the Alcockspruit community instituted a claim for land in Newcastle (northern Natal). The land being claimed was still owned by the government, and no opposition to the claim had been expressed by the Natal Provincial Administration or the local farmers' association. In addition to its claim for the return of the three farms which comprised Alcockspruit, the community also said the government should buy two farms adjacent to Alcockspruit so that evicted labour tenants from

neighbouring farms could have access to land. The Association for Rural Advancement reported that this was the first time that a former freehold community had called, as part of its claim, for land to be made available to labour tenants.⁷³ [⁷³ *AFRA News* April 1993]

In May 1993 the Riemvasmaak community, which had been removed in the 1970s from land in the northern Cape which it had occupied, met to discuss whether or not to submit a claim to the commission for restoration of its land. The land had been taken over by the South African Defence Force (SADF), which had decided in 1992 to divide the land into two sections: 60 000ha was to be allocated to the National Parks Board to help re-establish the Cape rhinoceros and 15 000ha was to be allocated for training mechanised battalions of the SADF. The Surplus People's Project said that the Riemvasmaak community was not opposed to nature conservation but that it was concerned that the government had allowed the SADF to continue with plans to relocate the rhinos without consulting the community or waiting for the outcome of the commission's hearing.⁷⁴ [⁷⁴ *Land Update* May 1993; *Business Day* 9 May 1993]

After deciding that the commission could not be trusted to deal adequately with its claim, the community resolved to seek an audience with Mr de Klerk or one of his ministers. In August Mr de Klerk replied, saying that the matter had been referred to the minister of land affairs, who would then possibly refer it to the Advisory Commission on Land Allocation. A spokesman for the community, Mr Freddy Bosman, said in September 1993 that the community was not satisfied with the response and that it would embark on a campaign of mass action which would culminate in reoccupation of the land should the government not give them the land back.⁷⁵ [⁷⁵ Interview with a spokesman for the Riemvasmaak community, Mr Freddy Bosman, 23 September 1993]

It was reported in May 1993 that the AmaSwazi tribe, which had been removed from land which it had occupied in the Drakensberg (western Natal) in 1962, had made numerous unsuccessful requests to land commissions and to regional and national government to have this land returned to the tribe. In 1993 the land in question was owned by the Natal Parks Board, private farmers and the timber industry. In the second half of 1992 the tribe called on the Institute for a Democratic Alternative for South Africa (Idasa) and the community conflict resolution service of the Independent Mediation Service of South Africa to help resolve the conflict over the land. The tribe had occupied the land as labour tenants for more than 90 years prior to its removal, and prior to that on a traditional tribal basis.⁷⁶ [⁷⁶ *Democracy in Action* 31 May 1993]

The regional director of the community conflict resolution service, Mr Jerome Ngwenya, and a regional co-ordinator of Idasa, Mr Charles Talbot, said that the issue was complicated by the absence of a clear policy on land disputes and by the fact that the terms of reference of the commission were severely limited. The two organisations had facilitated the creation of a multi-disciplinary team which would investigate the claim and attempt to address these problems.⁷⁷ [⁷⁷ *Ibid*]

Labour Tenants

In August 1992 about 200 labour tenants from farms in the Colenso district (Natal Midlands) marched to the Colenso police station to protest against increased evictions in the area. It was the first time that rural tenants in Natal had marched to highlight their plight.⁷⁸ [⁷⁸ *AFRA Newsletter* October 1992]

In the same month about 2 000 labour tenants living in St Albans and Greenbushes on the outskirts of Port Elizabeth (eastern Cape) were faced with eviction for illegal squatting. The group said that it was prepared to move to another site if given permanent tenure. The chairman of the St Albans action committee, Mr Harry Kettledas, said that the community had been facing eviction since August of the previous year. Negotiations were conducted with the Cape Provincial Administration (CPA), the Eastern Cape Agricultural Union (ECAU) and other affected parties in the area. A technical committee was appointed to investigate alternative land and a report was compiled recommending that approximately 54ha of land at Kuyga should be bought and allocated to the tenants. After discussions with the CPA, the ECAU and the ratepayers' association in the area, a submission was made to the executive committee of the CPA recommending that this land be allocated to the tenants. At the time of writing a decision was being awaited.⁷⁹ [⁷⁹ *Land Update* August 1992; Interview with a spokesman of the East Cape Land Committee, 21 September 1993]

During 1992 the tenants of the Gannahoek farm near Colenso decided to take court action against the Shonalanga Safari Lodge in a dispute over the tenants' right to remain on the farm after it had been sold by the previous owner. The company intended to develop the farm as a game reserve. In February 1993 the company asked for a postponement of the date of the court hearing and gave the tenants the option of buying part of the farm. The tenants welcomed the offer and at the time of writing were raising funds and establishing a farm trust which would be responsible for the running of the farm.⁸⁰ [⁸⁰ *AFRA News* April 1993]

A fieldworker for the Transvaal Rural Action Committee, Mr Star Motswege, said in January 1993 that labour tenants who had been evicted from white farms 30 years previously were beginning to voice their grievances and to demand land. He said that labour tenants were particularly vulnerable in that they had no security of tenure over the land which they occupied and there was also no labour legislation to protect them.⁸¹ [⁸¹ *Land Update* January 1993]

The co-ordinator of land and agricultural policy of the ANC, Mr Derek Hanekom, said that labour tenants needed to be granted security of tenure with clearly defined land rights. He added that labour tenants should also be able to submit their claims to a land court for adjudication.⁸² [⁸² *Ibid* March 1993]

At a meeting in March 1993, 60 communities said that they would broaden their land claims campaign to include labour tenants. The meeting was the first to be attended by labour tenants. The communities also agreed to embark on a national, regional and local programme of organisation, mass action and lobbying around the issue of claims.⁸³ [⁸³ *AFRA News* April 1993]

Also in March, 33 labour tenants from the districts of Colenso, Greytown, Impendle, Ladysmith, Muden, Vryheid and Weenen (all in Natal) agreed to work towards forming a regional structure to co-ordinate activities regarding labour tenancy rights. They said that their call for a moratorium on the eviction of farmworkers and labour tenants, which had been made in March 1992, had been ignored and that their activities would be aimed at reviving this campaign and at gaining more secure land rights for labour tenants.⁸⁴ [⁸⁴ Ibid]

Reoccupation of Land

In July 1992 the Mfengu community decided to resettle 50 families on land near Humansdorp (eastern Cape) which had been held in trust for them by the Moravian church (see 1992/93 *Survey* p387). In January 1993 the first 12 families moved on to the land. The community had been removed from land in 1977 which had subsequently been sold to white farmers. However, the general secretary of the Tsitsikamma Exiles' Association, Mr Mashwabada Msizi, said that by moving to the church land, which adjoined the land the community was claiming, they hoped to show that they were 'serious about their land' and to gain a foothold in the area.⁸⁵ [⁸⁵ *Land Update* January 1993]

In February 1993 about 500 members of the Mandlazini community, which had been removed from land in central Richards Bay (northern Natal) in 1976, marched to the area in an attempt to reoccupy the land. They were prevented by an interim interdict obtained by the Richards Bay municipality from occupying the land, which was owned by the municipality and had been allocated for residential and industrial use. The Mandlazini interim committee had previously approached the Advisory Commission on Land Allocation for restoration of the community's land, but had been told that the commission could not deal with the case as the land was not state-owned.⁸⁶ [⁸⁶ *AFRA News* February 1993]

In April 1993, 15 of 35 families which had been removed from the Nazareth mission in the Dundee district (northern Natal) in 1968 attempted to reoccupy their land. They were stopped from doing so by police, but negotiations were set up between the three current landowners and representatives of the community.⁸⁷ [⁸⁷ *Business Day* 13 April 1993]

In the same month Mr Hanekom said that land reoccupation would increase following the tabling in Parliament of the amendments to the Abolition of Racially Based Land Measures Act of 1991 (see *Legislation* above). He said that this would occur in anticipation of new land rights to be granted under the new legislation to the communities which had been removed.⁸⁸ [⁸⁸ Ibid]

Removals

In September 1992 the SADF removed more than 125 families from Khosis near Kuruman (northern Cape) to land 35 kilometres away. The National Land Committee reported that this was the first removal

in a rural area since the removal of the community at Mogopa (western Transvaal) in 1984 (see 1984 *Survey* p462). According to a member of the Khosis community, Mr Joseph Free, only 15 of the families were to receive farming land (of 800ha each). He added that the families had been told that they would get free housing on the land to which they had been removed, but that they would be expected to start paying rent after six months' occupation.⁸⁹ [⁸⁹ *Land Update* September/October 1992]

The Khosis community condemned the removal at a meeting in November 1992 and demanded that the SADF be evacuated from the area without delay, that the SADF adhere to a Supreme Court order not to harass the community and that the state president intervene and allow the community back on to its land. The SADF subsequently applied for an eviction order, which was being contested on behalf of the community by the Legal Resources Centre in Johannesburg at the time of writing.⁹⁰ [⁹⁰ *Ibid* November/December 1992; Information supplied by a spokesman of the National Land Committee, Mr Brendan Pierce, 21 September 1993]

Reallocation of Land

In December 1992 Mr Justice Sydney McCreath was appointed by the state president, Mr F W de Klerk, as chairman of the Advisory Commission on Land Allocation. Judge McCreath replaced Mr Justice T van Reenen, whose term of office had expired on 31 October 1992.⁹¹ [⁹¹ *Farmers Weekly* 8 January 1993] Judge McCreath said that despite the criticisms made of it the commission could make a contribution to land reform.⁹² [⁹² *AFRA News* February 1993]

By June 1993 the commission had investigated 58 claims to land involving between two and 150 claimants each. Thirty-five of these claims were found to fall outside the scope of the commission and the commission had submitted recommendations on the remaining 23 to Mr de Klerk. Decisions on 19 of the cases submitted to Mr de Klerk were still awaited.⁹³ [⁹³ Fax communication from the Advisory Commission on Land Allocation, 8 June 1993]

Mr de Klerk accepted the commission's recommendations that land be restored to the Charlestown community (in the Newcastle district of Natal) and the Roosboom community (in the Kliprivier district of Natal). Land at Grootte Springfontein (near Cape Town) and the Asiatic Bazaar in Pretoria was also restored to its claimants.⁹⁴ [⁹⁴ *Ibid*]

The Association for Rural Advancement reported that the Charlestown and Roosboom communities now faced the problem of developing their land. The Charlestown community was reported in February 1993 to have been preparing for a meeting with the Development Services Board and the Natal Provincial Administration to discuss the return of its title deeds and the development of its land.⁹⁵ [⁹⁵ *AFRA News* February 1993]

It was reported in April 1993 that landowners in the Roosboom community had been asked to repay the compensation which the government had made to them when they were removed before being given

back title deeds to the land. The chairman of the Roosboom Board of Overseers, Mr Moses Mazibuko, said that he felt that the government should simply return the title deeds. He added that very small amounts had been paid as compensation, that the government had leased out the land to white farmers for many years before it was restored to the community and that he regarded it as unfair for the government to demand this money back when people had 'suffered years of hardship in resettlement areas to which they were forcibly removed'.⁹⁶ [⁹⁶ Ibid April 1993]

The claim by the Mampuru tribe to the farm Brakfontein in the Groblersdal district (northern Transvaal) was turned down by Mr de Klerk in December 1992 on the basis that the land that was being claimed was not state-owned.⁹⁷ [⁹⁷ *Business Day* 14 December 1992, *The Citizen* 12 December 1992]

The Mampuru tribe rejected an offer by Mr de Klerk of alternative land, saying that it was important for them to regain the farm Brakfontein as it was the site of their ancestors' graves. According to the Transvaal Rural Action Committee (Trac), the land from which they had been removed was being used by white farmers as additional grazing land and not for crops.⁹⁸ [⁹⁸ *Land Update* March 1993] Trac questioned the government's refusal to reverse its sale of the Mampuru tribe's land, saying that the issue of restoration was not concerned only with obtaining farming land but also with people's historic connection to particular pieces of land. The organisation added that as the government had compensated African farmers when removing them, it should negotiate fair compensation for the white farmers 'who were the beneficiaries of apartheid forced removal'.⁹⁹ [⁹⁹ *AFRA News* February 1993]

Availability of Land

By February 1993 the Advisory Commission on Land Allocation had identified a total of 900 000ha of land which fell within its mandate (ie state-owned, undeveloped and not allocated for a specific purpose) and which it could consider for reallocation. Of this land, 500 000ha was in Natal and a further 300 000ha in the vicinity of Lebowa or QwaQwa.¹⁰⁰ [¹⁰⁰ Ibid; *Business Day* 26 February 1993]

Agriculture

Policy

Government Policy

On 1 April 1993 the departments of agriculture in the houses of Assembly, Delegates and Representatives were amalgamated to form one Department of Agriculture. The minister of agriculture, Dr Kraai van Niekerk, said that all staff members affected by the amalgamation would continue with their duties at their current posts. He added that he expected the departments of agriculture of the non-independent homelands to be incorporated into the new department in the near future, with the

incorporation of the departments of agriculture of the 'independent' homelands as a final stage.¹⁰¹ [¹⁰¹ *Farmers Weekly* 9 April 1993]

Dr van Niekerk said that the new Department of Agriculture would be responsible for planning, the co-ordination of regional planning, policy formation and co-ordination, evaluation, foreign liaison, statistics, budgetary planning and financial management, regulatory control of diseases and pests, natural resources and product standards. He envisaged all regional offices, experimental farms, laboratories and other divisions of the own affairs agricultural departments being accommodated within the current seven agro-ecological regional structures and being controlled by the regional directors of the previous Department of Agricultural Development.¹⁰² [¹⁰² *Ibid*]

The director general of agriculture, Dr Frans van der Merwe, said in April 1993 that the focus of the new department would be different from that of the previous departments of agriculture. He said that the commercial farming sector should be sustained but at the same time the department should shift its priorities to rural development. Dr van der Merwe said that in a new political dispensation provision of agricultural services would be highly decentralised, with provision of financial aid devolved to regional level.¹⁰³ [¹⁰³ *Finance Week* 18 February 1993, *Farmers Weekly* 9 April 1993]

Dr van Niekerk said further that the basis of agricultural development should be increasing production on high potential land. He said that areas of subsistence farming comprised 25% of the agricultural potential of the country yet produced only 5% of total marketable output. He said that the main goal of agriculture was to provide sufficient food for the population and that the best method of achieving this was within a free-market system.¹⁰⁴ [¹⁰⁴ *Farmers Weekly* 30 April 1993]

The government's view was that individual ownership of land should be promoted in areas (such as the homelands) where communal tenure had been predominant (see *Land tenure* above) thus establishing new farmers. Dr van Niekerk added that such newly established farmers would need training and financial assistance.¹⁰⁵ [¹⁰⁵ *Ibid*]

Alternative Views

During the period under review much of the debate on the future of agriculture was about the desirability and effectiveness of communal agriculture. According to the Foundation for Research Development (FRD), large-scale agriculture had been very successful in providing food for a swiftly growing population and enabling the export of certain high-quality food products. The FRD said, however, that this form of agriculture was also very sensitive to the collapse of markets whereas small-scale subsistence farming was more sustainable and could also exploit temporarily favourable markets in a 'small but opportunistic way'. The FRD predicted that in a future agricultural system small-scale agriculture would play an increasingly important role because of the rapidly increasing population and rising unemployment in both rural and urban areas. It argued, however, that because many rural areas

were subject to low and erratic rainfall, they were far better suited to extensive livestock farming than to intensive small-scale agriculture, and would, therefore, not be able to provide sufficient food and fuel for rural families.¹⁰⁶ [¹⁰⁶ *Rural Poverty Alert: FRD Report Series March 1992*]

The National Maize Producers' Organisation said in April 1993 that two separate but equally important and mutually supportive development programmes were needed for agriculture—one for commercial farmers and one to help subsistence farmers become commercial producers. The *Farmer's Weekly* reported that this view was supported by the rest of organised agriculture, with the exception of the 'traditionalists in the Orange Free State and Transvaal agricultural unions'.¹⁰⁷ [¹⁰⁷ *Farmers Weekly* 9 April 1993]

The Highveld Region Agricultural Development Institute said in April 1993 that it was necessary to devise innovative forms of land tenure to stimulate agricultural growth (see *Policy* above) and that the present system could no longer be favoured. The institute said that one solution would be to foster collective farming to ensure that in view of the tenuous financial situation of many farmers a minimum number of farmers would be compelled to leave their land. It argued that labourers on farms could be motivated by being given a stake in the running of farms and that corporate farm management would result in better management. The institute called for the establishment of co-ordinating agricultural development committees in each agricultural region, which would comprise all the important agricultural players and which would plan agricultural development.¹⁰⁸ [¹⁰⁸ *Ibid* 30 April 1993]

A lecturer at the Rural Facility of the University of the Witwatersrand, Mr Charles Shackleton, said in February 1993 that although few studies had been conducted on the effects of communal grazing on grasslands there was little empirical evidence that communal grasslands were severely degraded and beyond recovery. He said that it was noteworthy that despite excessive stocking rates (which were usually twice to four times as much as the recommended stocking rate) most of the communal agricultural areas continued to support large numbers of cattle, without having had a 'catastrophic decline' in numbers since the last century except where drought had been identified as an intervening cause. Mr Shackleton said, therefore, that communal areas were either extremely resilient or that recommended stocking rates were too conservative. He recommended that a policy of non-interference regarding stock numbers in the communal agricultural areas should be followed in the short term until appropriate indices of grassland instability could be ascertained. He added that stock densities should be allowed to reach their own equilibrium.¹⁰⁹ [¹⁰⁹ *Development Southern Africa* February 1993]

Mr Shackleton said that population pressure in communal farming areas often caused overstocking to occur on land which should not be used for grazing. He added that in such cases any grazing system would have caused environmental degradation and that overstocking was merely an exacerbating factor.¹¹⁰ [¹¹⁰ *Ibid*]

In 1993 the president of the Pan-Africanist Congress (PAC), Mr Clarence Makwetu, said that the promotion of entrepreneurship among black people should not be confined to industry and commerce

alone, but should be extended to the agricultural sector. Mr Makwetu said that the ‘settler-colonial system’ had propagated falsely the belief that Africans were incapable of successful agriculture and could not be trusted to maintain output levels. He argued that very few white farmers were responsible for pastoral or agricultural production on their lands, and that this was left to African foremen and managers. He believed that the reason agriculture was suffering was because Africans were prevented from owning or having access to land. It was this situation which the PAC aimed to change (see *Policy* above).

Policy above contains the land and agricultural policies of other organisations and political parties. The agricultural policy of the African National Congress (ANC) was expressed in its policy document entitled *ANC Policy Guidelines for a Democratic South Africa*, which was published in May 1992 (see 1992/93 *Survey* p392).

Agricultural Economy

The associate director of the Centre for Policy Analysis (CPA) of the Development Bank of Southern Africa, Mr Mike Muller, and a senior policy analyst at the CPA, Mr Masiphula Mbongwa, said in 1992 that the economic division of rural South Africa coincided closely with the racial division. They said that average farm size, productivity and income in the nonhomeland area was relatively large and that the non-homeland area had benefited disproportionately from government budgetary assistance and transfer payments. According to the two researchers, the principal economic features of the two areas in 1990/91 were as follows:¹¹¹ [¹¹¹ *Indicator SA* spring 1992]

Principal economic features of rural areas: 1990/91

Feature

Non-homeland area

HomAverage farm size^a

1 300ha

1ha

Share of gross marketed output

96%

4%

Average productivity per person per year

R11/ha

R2/ha

Share of agricultural GDP^b

90%

10%

Share of budgetary assistance

65%

35%

Share of transfer payments^c

97%

3%

a

The^b

Gross domestic product

c

For example, old-age and disability pensions

Messrs Mbongwa and Muller said that within the non-homeland area 22% of farming units were smaller than 100ha. Such farms occupied less than 1% of rural land in the non-homeland area, earned 9% of net farm income and gave rise to 8% of total agricultural debt. Forty-five percent of farming units in the non-homeland area were between 100ha and 1 000ha in size, occupied 15% of the land, earned 27% of farm income and gave rise to 46% of agricultural debt. Seven percent of farming units in this area were between 1 000ha and 4 999ha in size, occupied 42% of rural land, earned 48% of farm income and gave rise to 35% of agricultural debt. A further 6% of farming units in the non-homeland area were more than

5 000ha in size, occupied 42% of rural land, yet generated only 16% of farm income and 10% of agricultural debt. (These statistics apply to 1988, but were the most recent available.)¹¹² [¹¹² Ibid]

In the homeland area 31% of rural households had access to neither arable nor grazing land and a further 56% were living below subsistence level. Thirteen percent of rural households in the homelands farmed on a small scale and only 0,2% were commercial farmers. Messrs Mbongwa and Muller said that the homeland areas performed essentially a welfare function for rural households. They said that this function had been performed initially by farming but that it had come increasingly to rely on public and private budgetary transfers (eg old-age and disability pensions).¹¹³ [¹¹³ Ibid]

Production Levels

According to Mr Mbongwa, South Africa produced more than 50% of the agricultural products of southern Africa.¹¹⁴ [¹¹⁴ *Interview with a senior policy analyst of the Centre for Policy Analysis of the Development Bank of Southern Africa (DBSA), Mr Masiphula Mbongwa, 16 September 1993*] It was reported in *Rapport* in April 1993 that 45% of Africa's maize and wool production, together with 27% of the wheat crop, 20% of the potato crop and 17% of red meat production originated in South Africa.¹¹⁵ [¹¹⁵ *Hansard* (joint meeting) 1 col 360, 29 January 1993; *Rapport* 25 April 1993]

Production of most summer crops declined substantially between 1991 and 1992. However, the national crop estimates committee said that the yields of summer crops in the 1992/93 season would be higher than those of the 1991/92 harvest. The following table shows summer crop production in 1990/91 and 1991/92 and estimated crop production in 1992/93:¹¹⁶ [¹¹⁶ 1992/93 *Survey* p395; Information supplied by the national crop estimates committee, August 1993]

Summer crop production: 1990/91–1992/93

1991991992/93^a

(0Dry beans

100

27

61

Grain sorghum

240

98

380

Groundnuts

78

80

119

Soya beans

126

68

60

Sunflower seeds

589

174

364

White maize

3 180

1 232

4 351

Yellow maize

4 016

1 690

4 542

a

Final estimates

The national crop estimates committee said that the total maize crop for 1992/93 would be almost 8m tonnes compared with 3m tonnes in 1991/92. The committee chairman, Mr Rod Gravelet-Blondin, said that domestic consumption of maize in 1993/94 was expected to be 7,1m tonnes.¹¹⁷ [¹¹⁷ *Farmers Weekly* 5 March 1993] An economist at Transnet, Mr Ulrich Joubert, said that unless the Maize Board decided to store the surplus maize crop, the amount earned from exporting the surplus would be sufficient to offset the cost of importing 1m tonnes of wheat at a landed cost of R617 per tonne to meet unmet local demand for wheat in 1993.¹¹⁸ [¹¹⁸ *Financial Mail* 2 April 1993]

The Oilseeds Board said in May 1993 that the gross value of the sunflower seed crop in 1992/93 would be R300m, compared with R127m in 1991/92. The board said, however, that local consumption of sunflower seeds in 1992/93 was expected to be 600 000 tonnes, with domestic production leaving a shortfall in 1992/93 of 227 000 tonnes. The groundnut crop in 1992/93 was expected to have a gross value of R170m, compared with R110m in 1991/92.¹¹⁹ [¹¹⁹ *Business Day* 20 May 1993]

The sugar crop was expected to decline from 1,5m tonnes in 1991/92 to 1,3m tonnes in 1992/93. The South African Sugar Association said that this was the second successive crop failure as a 'normal' sugar crop amounted to 2,1m tonnes. The 1992/93 estimated crop would represent a decrease of 43% on the 1991/92 harvest (2,3m tonnes). The chairman of the South African Cane Growers' Association, Mr Rodger Stewart, said that the drought in 1992 and the continued lack of summer rainfall in 1993 were the main reasons for the low forecast. He said that revenue losses over the previous two seasons had amounted to about R790m.¹²⁰ [¹²⁰ 1992/93 *Survey* p395; *Farmers Weekly* 7 May 1993; *The Citizen* 18 June 1993]

Unifruco announced in March 1993 that production of deciduous fruit was expected to increase from 752 145 tonnes in 1992 to 797 267 tonnes in 1993 (ie by 6%). Payments to producers had increased from R1,19bn in 1991 to R1,34bn in 1992—an increase of 13%, compared with an increase of 6% in deciduous-fruit production over this period.¹²¹ [¹²¹ *Farmers Weekly* 5 March 1993]

Banana production increased from 9,6m containers in 1991 to 10,5m containers in 1992 (each container weighing 20kg). The yield per hectare increased from 14,7 tonnes in 1991 to 15,5 tonnes in 1992. The Banana Board estimated that the 1993 crop would be 23% less than the 1992 crop as a result of the drought.¹²² [¹²² *Ibid* 12 March 1993]

Wool production declined from 102m kilograms in 1991 to 77,8m kilograms in 1992, ie by 24%.¹²³ [¹²³ Ibid]

According to the Meat Board, the national cattle herd of South Africa (excluding all ten homelands) declined from 8,63m in 1991 to 8,39m in 1992, ie by 2,7%. The number of cattle slaughtered increased from 2,34m in 1991 to 2,43m in 1992, ie by 3,8%. The number of sheep in the country dropped from 28,6m in November 1991 to 27,4m in November 1992, ie by 4,1%. The number of sheep slaughtered dropped from 8,78m in 1991 to 8,02m in 1992 (ie by 8,7%). The size of the herds dropped because of the drought.¹²⁴ [¹²⁴ Ibid; Information supplied by the head of information services of the Meat Board, Mr Ernst Janouski, 25 October 1993]

Share of Gross Domestic Product

Agriculture contributed R11,8bn or 3,9% to total gross domestic product (GDP) in 1992. This was a drop of 1,2 percentage points on the contribution in the previous year. The Department of Agriculture ascribed the decline mainly to the effects of the drought.¹²⁵ [¹²⁵ *Business Day* 13 May 1993]

Standard Bank said that economic recovery depended to a large extent on a recovery in agriculture.¹²⁶ [¹²⁶ Ibid 19 February 1993] In the fourth quarter of 1992 GDP dropped by 4,3%. However, owing to an increase of 54% in agricultural output in the first quarter of 1993, GDP rose by 0,8% in this quarter.¹²⁷ [¹²⁷ Ibid 17 May 1993] In the third quarter of 1992 agriculture contributed 3% of GDP and in the first quarter of 1993 it contributed 4% of GDP. The table below shows the contribution of agriculture to GDP between 1988 and 1992.¹²⁸ [¹²⁸ Information supplied by Mr Neels Meyer of the Directorate of Agricultural Economic Trends, July 1993; South African Reserve Bank, *Quarterly Bulletin*, March 1993]

Contribution of agriculture to GDP: 1988–1992

Year

Total GDP (Rm)

Contribution of agriculture to GDP (Rm)

Pro1988

178 230

11 465

6,4%
1989
208 010
12 758
6,1%
1990
237 008
12 551
5,3%
1991
267 950
13 710
5,1%
1992
295 841
11 814
4,0%

According to a spokesman for the directorate of agricultural economic trends in the Department of Agriculture, Mr Neels Meyer, it was not possible to give a breakdown of the contribution of different agricultural products to GDP as the prevalence of mixed farming made it difficult to ascertain the expenses incurred in producing each product. However, he did supply figures showing the gross income generated by each agricultural product. These figures are shown in the table below:¹²⁹ [¹²⁹ Information supplied by Mr N Meyer, July 1993]

Gross income derived from agricultural products: 1991 and 1992

1991

1992

Income (Rbn)

Proportion of total income

Income (Rbn)

Proportion of total income

Field crops

Maize

3,0

13%

1,3

6%

Sugar cane

1,3

6%

1,3

6%

Wheat

1,2

5%

0,9

4%

Other

1,7

8%

1,3

7%

Sub-total^a

7,2

32%

4,9

23%

Horticultural products

Deciduous fruit

1,4

6%

1,2

6%

Vegetables

1,6

7%

2,0

9%

Viticulture

0,7

3%

0,7

3%

Other

1,3

6%

1,4

6%

Sub-total^a

4,9

22%

5,3

25%

Animal products

Cattle and calves

Slaughtered

2,7

12%

2,9

14%

Fresh milk

1,0

4%

1,1

5%

Poultry products

3,8

17%

4,2

20%

Other

2,9

13%

2,9

14%

Sub-total^a

10,3

4,6%

11,1

52%

Total^a

22,5

100%

21,3

100%

a

Figures may not add up owing to rounding.

Gross agricultural income dropped from R22,51bn in 1991 to R21,28bn in 1992, ie by 5%. Animal products contributed the most to agricultural income in both years (46% and 52% of the total respectively). Poultry products made the largest single contribution in both years (17

Share of Jobs

The latest year for which statistics on employment in agriculture were available was 1991. According to the 1991 census, there were 1,2m people employed in farming and related occupations in South Africa (excluding the 'independent' homelands). The Development Bank of Southern Africa (DBSA) estimated that there were 2m people employed on farms, in both part-time and full-time employment in South Africa (including all the homelands). The DBSA said, however, that employment on farms was provided mainly in the non-homeland area. The following table gives a breakdown of the number of people employed in the various types of farming activity, according to the DBSA.¹³⁰ [¹³⁰ Information supplied by the DBSA, 23 July 1993]

Regional breakdown of agricultural employment: 1991^a

Region

Field crops (000)

Horti- cultural crops (000)

Animal products (000)

Forestry (000)

Mixed farming (000)

Total^b (000)

A

(Western Cape)

394

300

341

42

38

1 116

B

(Northern Cape)

33

20

33

0

3

88

C

(OFS)^c

75

5

71

0

7

159

D

(Eastern Cape)

1

20

60

0,3

2

84

E

(Natal)

94

16

50

20

6

185

F

(Eastern Tvl)^d

67

39

28

12

12

158

G

(Northern Tvl)^d

21

48

21

5

1

96

H

(PWV)^e

34

21

13

0

2

70

J

(Western Tv)^d

57

3

16

0

2

78

Total^b

776

471

632

80

73

2 033

a

Includes the homelands and parts of homelands in each of the regions

b

Figures may not add up owing to rounding.

c

Orange Free State

d

Transvaal

e

Pretoria/Witwatersran

Share of Imports and Exports

The deputy minister of trade and industry, Mr David Graaff, said in February 1993 that the subsidising of farm production in western countries meant that agricultural goods produced there were in unfair competition with South African agricultural goods. He added that until international markets were opened up, such competition would have to be counteracted through the General Agreement on Tariffs and Trade (Gatt), of which South Africa was a founder member (see also chapter on *Business*).¹³¹ [¹³¹ *RSA Policy Review* April 1993]

In the same month the Department of Trade and Industry submitted proposals for agricultural tariffs to the Gatt negotiations. These proposals recommended setting maximum levels of import protection for

agricultural products which would be gradually reduced. The *Financial Mail* reported that acceptance of these proposals would have the following implications for agriculture:¹³² [¹³² *Financial Mail* 5 February 1993]

- quantitative import controls would be replaced by tariff protection, which would remove the sole right of control boards to import their specific commodity or to issue permits to do so;
- tariff protection would be reduced by 36% over a period of six years, allowing greater market access to Gatt trading partners;
- government support measures for agriculture would be reduced by 20% over six years; and
- direct and indirect subsidies would be reduced by 21% over the same period.

Standard Bank predicted that should South Africa sign the agreement, farmers would be less well protected and would have to produce more competitively. The bank said that in the long term farmers who were internationally competitive would make good profits. However, in the short term prices for many commodities would drop as stockpiles in the European Community and elsewhere would be sold in South Africa at low prices, causing less efficient South African producers to halt production and South African farmers to reduce the area dedicated to crop production.¹³³ [¹³³ *Farmers Weekly* 14 May 1993] The following table gives a breakdown between 1988 and 1992 of agricultural products as a proportion of total exports and imports:¹³⁴ [¹³⁴ Information supplied by the Department of Agriculture, 1 July 1993]

Agricultural products as a proportion of exports and imports

198198199199199Exports

Total

49 360

58 728

60 770

61 146

N/A

Total agriculture

3 760

5 707

5 290

5 448

5 410

Proportion agriculture

7,6%

9,7%

8,7%

8,9%

N/A

Imports

Total

39 484

44 742

44 141

44 195

N/A

Total agriculture

2 081

2 079

2 203

2 439

4 489

Proportion agriculture

5,3%

4,6%

5,0%

5,5%

N/A

N/A – Not available

The following table shows the value of the most important agricultural exports from 1988 to 1992:¹³⁵ [Ibid]

Value of the most important agricultural exports

1981 1981 1991 1991 1991 1991 Citrus

343

401

336

460

540

Hides and skins

237

274

247

180

210

Maize and maize products

119

938

623

178

290

Preserved fruit and jam

388

435

466

631

702

Soft fruit and table grapes

260

413

596

794

965

Sugar

499

722

729

617

279

Wheat and wheat products

116

370

120

85

131

Wool

890

923

833

832

666

In 1992 earnings from red-meat exports amounted to R195m and earnings from wine exports amounted to R121m. According to a spokeswoman for the Department of Agriculture, Mrs Rona Beukes, while in the past meat and wine did not account for much of agricultural exports, the amount earned from such exports had increased in recent years. There were no figures available indicating earnings from these exports in recent years, however.¹³⁶ [¹³⁶ Information supplied by a spokeswoman of the Department of Agriculture, Mrs Rona Beukes, 19 September 1993]

The export manager of the South African Sugar Association, Mr Andrew Barr-Sim, said in June 1993 that the sugar industry had lost about R1bn in foreign exchange earnings as a result of lower exports over the previous two seasons, as drought had reduced the size of cane crops substantially. He said that sugar exports usually generated about R500m a year in income but that export income from the 1992/93 crop had dropped to R95m. No sugar exports were expected in the 1993/94 season.¹³⁷ [¹³⁷ *Business Day* 25 June 1993]

Unifruco exported 40m cartons of fruit in 1992 (compared with 35m cartons in 1991) and earned R1,7bn in foreign exchange. The public affairs manager of Unifruco, Mr Fred Meintjies, said that exports of deciduous fruits were expected to drop to 38m cartons in 1993 because 'less than ideal weather conditions' had affected the volume of fruit produced. He said that of the cartons to be exported, some 13m would be apples; 14m, grapes; 6,5m, pears; and 2,5m, plums. Mr Meintjies said that there was sufficient capacity to increase the number of cartons of fruit exported to 50m by 1995.¹³⁸ [¹³⁸ *Ibid* 17 February 1993]

The following table shows the value of the most important agricultural imports from 1988 to 1992:¹³⁹ [¹³⁹ *Information supplied by the Department of Agriculture, 1 July 1993*]

Value of the most important agricultural imports

1981 1981 1991 1991 1991 Coffee

59

55

45

47

46

Cotton

59

31

61

85

141

Dry beans

23

7

6

4

121

Maize and maize products

17

7

9

60

1 181

Oil seeds

19

9

24

69

146

Rice

177

242

225

323

302

Tea

29

34

38

33

49

Unprocessed rubber

108

86

102

104

129

Vegetable oils

204

270

231

61

354

Wheat

35

25

244

240

216

In 1992 imports in the vegetable-products category accounted for R2,6bn of total imports, mainly because of the large amount of maize which had to be imported. Approximately 9,7m tonnes of maize were shipped in through South African ports in 1992, about 4,2m tonnes of which were for South African consumption, and the remainder for other countries in southern Africa. The deputy general manager (strategic services) of the Maize Board, Mr Dawie Cronje, said that the amount of maize imported in 1992 had been the highest since 1983, when 2,4m tonnes had been imported. A spokesman for Portnet, Mr Pieter Smit, said that maize imports accounted for 4,4% of all cargo handled by South African ports in 1992.¹⁴⁰ [¹⁴⁰ *Daily Dispatch* 19 March 1993, *Farmers Weekly* 14 May 1993]

The general manager of the Maize Board, Mr Hans Swart, said in May 1993 that maize imports had cost South Africa R1,6bn in 1992.¹⁴¹ [¹⁴¹ *Farmers Weekly* 23 April 1993] Mr Cronje said that owing to increased demand and decreased maize production, as well as its unpredictable climate, South Africa might in future have to import maize more regularly.¹⁴² [¹⁴² *Ibid* 14 May 1993]

The general manager of the Wheat Board, Mr Louis van Staden, said in January 1993 that approximately 1m tonnes of wheat would be imported in 1993 to make up the shortfall between the production of 1,2m tonnes of wheat and expected local demand.¹⁴³ [¹⁴³ *Ibid* 5 February 1993]

In 11 of the 12 months between March 1992 and March 1993 the agricultural trade balance showed a deficit owing to the effects of the drought. It was reported that the drought had affected both sides of the agricultural export/import account by eliminating domestic surpluses which were usually exported and increasing the need to import agricultural products. This was reported to have affected South Africa's overall trade balance by bringing the trade surplus below R1bn in five of the nine months prior to March 1993.¹⁴⁴ [¹⁴⁴ *Business Day* 17 May 1993]

Share of Land

The Central Statistical Service estimated that in 1991 there were 61 899 farming units in the non-homeland area of South Africa, which covered approximately 82,5m hectares.¹⁴⁵ [¹⁴⁵ Information supplied by the DBSA, 23 July 1993]

The following estimates were made of the area under various crops in the 1992/93 season:

- **winter grain crops:** wheat, 1 018 000ha; oats, 718 000ha; barley, 112 000ha; and rye, 33 000ha;
- **summer grain crops:** white maize, 1 976 000ha; yellow maize, 1 647 000ha; sunflower seeds, 400 000ha; dry beans, 45 000ha; and sorghum, 170 000ha ; and
- **fruit crops:** deciduous fruit, 48 872ha; citrus fruit, 92 393ha; and grapes, 151 565ha.

Marketing (Control) Boards

The *Report of the Committee of Inquiry into the Marketing Act* was published in December 1992. The committee of inquiry, which was headed by Professor W Kassier, had been established in June 1992 in response to recommendations by the Board on Tariffs and Trade that the agricultural control boards no longer be allowed to set the prices of agricultural produce (see 1992/93 *Survey* p410). The committee had been instructed to conduct an investigation into the marketing of agricultural products in South Africa under the Marketing Act of 1968. In October 1992 the minister of agriculture, Dr Kraai van Niekerk, had extended the terms of reference of the committee to include the marketing of ostriches and ostrich products under the Co-operatives Act of 1981.¹⁴⁶ [¹⁴⁶ *Report of the Committee of Inquiry into the Marketing Act*, December 1992]

The committee found that the Marketing Act had not achieved satisfactorily its intended goals and objectives for the following reasons:¹⁴⁷ [¹⁴⁷ *Ibid* pxii]

- productivity indices had shown only slight increases over the past three decades in spite of control boards aiming to increase agricultural productivity substantially;
- while producer prices had been stabilised in certain industries, this had not been accompanied by income stabilisation;
- fair and equal access to boards by as many producers as possible had been thwarted by legislation with a bias in favour of large-scale farming; and
- the promotion of demand for, and consumption of, agricultural products had not been successful.

The committee made the following recommendations:¹⁴⁸ [¹⁴⁸ *Ibid*]

- statutory single-channel and price-support marketing schemes should be abolished and the present boards should operate as private and voluntary organisations outside of the Marketing Act, provided that the provisions of the Maintenance and Promotion of Competition Act of 1979 were not contravened;
- an agricultural marketing council should be established to advise the minister of agriculture on issues relating to agricultural marketing. It should consist of representatives of the farming community, consumers, commerce and industry, and the government. Representation of each of these groups on the council should be arrived at through negotiation;
- the standards for the grading of maize, wheat and other grains should be adapted to reflect better the nutritional and economical value of these commodities;
- a moratorium should be placed on organisations such as Unifruco, Outspan International and Wolex exercising control over the export of agricultural products to allow farmers to decide whether they wanted these organisations to continue by way of voluntary association;
- the red-meat grading system should be simplified and should reflect the preferences of the consumer rather than those of the producer; and
- the classification of abattoirs should be abolished and meat should be allowed to move freely from one part of the country to another. (A classified abattoir was one which had been approved by the director of meat hygiene in the Department of Agriculture. In terms of the regulations governing meat transportation, no meat could be transported between local authorities and sold unless the meat came from a classified abattoir.)

The committee was of the opinion that a case could be made for the statutory imposition of a levy on all agricultural products to finance agricultural research and to generate information about such products. It said, however, that there should be no statutory levy to finance institutions such as the South African Agricultural Union (SAAU) and its affiliates.¹⁴⁹ [¹⁴⁹ *Ibid*]

The committee expressed ‘serious concern’ that the submissions by the various control boards might not have accurately represented the views of producers but that these might have been the views held by a ‘select group’ of board members and their staff. The committee said that this had been a serious impediment to an effective inquiry.¹⁵⁰ [¹⁵⁰ *Ibid pxiii*]

There was mixed reaction to the committee’s recommendations. The vice chairman of the Maize Board, Mr Pieter Meyer, criticised the report, saying that given the instability of maize production the price fluctuations which would occur within a free-market system would be totally unacceptable. He said that this had been the reason for the establishment of the marketing boards in the 1940s.¹⁵¹ [¹⁵¹ *Farmers Weekly* 29 January 1993]

The Transvaal Agricultural Union (TAU) called the report an ‘academic flight of fancy’, saying that implementation of the recommendations would be to the detriment of the consumer, the processor and the producer.¹⁵² [¹⁵² *Ibid*] However, in March 1993 the TAU came out in support of the committee’s recommendation that statutory funding of the SAAU should be abolished.¹⁵³ [¹⁵³ *Ibid* 5 March 1993]

The SAAU said that the viability and practical implications of the recommendations of the committee would have to be evaluated carefully before being implemented. The SAAU said that while it had for some time held the view that there were more benefits for farmers in a less regulated system, this did not imply that it questioned the merit of all statutory marketing systems.¹⁵⁴ [¹⁵⁴ *Ibid* 22 January 1993]

The report was supported by the chairman of the Animal Feed Manufacturers’ Association, Mr Munro Griessel, who said that the singlechannel marketing system had caused numerous distortions in the market. He cited as an example the maize scheme which by ‘overpricing’ maize had, in his view, encouraged farmers to produce a crop which was less drought resistant and less suited to South African climatic conditions than other feeds such as sorghum. The area planted with sorghum had, he said, dropped from 314 000ha in 1987 to 118 000ha in 1991. He added that protein crops such as soya had also been discouraged and that this had increased the amount spent on importing protein feeds.¹⁵⁵ [¹⁵⁵ *Financial Mail* 22 January 1993]

The African National Congress (ANC) welcomed the recommendations, saying that the Marketing Act had in most cases worked against the interests of the majority of South Africans as it had excluded new entrants into marketing and processing. The ANC said that the marketing boards had been inequitable, had encouraged monopolies and inefficiency, and had reinforced discriminatory land legislation.¹⁵⁶ [¹⁵⁶

Farmers Weekly 29 January 1993]

The Democratic Party (DP) also supported the committee's recommendations. Mr Errol Moorcroft MP (DP) said that the government's role in agriculture should be minimal and limited to ensuring that there was a 'level playing field' with due consideration for the legacies of past policies. He said that the control board system was one of the major underlying causes of the 'largely unsustainable commercial [sector], and poorly developed subsistence [sector of] agriculture'.¹⁵⁷ [¹⁵⁷ *Hansard* (A) 12 cols 5925-5926, 23 April 1993]

The government greeted the report with caution. In January 1993 Dr van Niekerk established a committee consisting of 30 members to examine the viability of implementing the report's recommendations.¹⁵⁸ [¹⁵⁸ *Farmers Weekly* 22 January 1993] Dr van Niekerk said that the committee had acknowledged that in-depth research had not been conducted and the inquiry had been largely deductive. He said that it was, therefore, important for a policy-evaluating committee representing a large number of agricultural roleplayers to assess the feasibility of the recommendations. This committee's assessment was expected to be finalised by July 1993.¹⁵⁹ [¹⁵⁹ *Hansard* (A) 8 q cols 735-739, 24 March 1993] The committee's findings had not been published at the time of writing.

Dr van Niekerk added that 'orderly marketing structures' were incorrectly blamed for the fact that the price of food was high. He maintained that the prices of products which were not controlled by marketing boards had increased far more than those set by control boards. He cited a 61% increase in the price of vegetables and a 50% increase in the price of fruit (which were not controlled by boards) over the previous year compared with an increase of 21% in the price of meat which was determined by the Meat Board. Dr van Niekerk said that the Marketing Act had in fact benefited the consumer.¹⁶⁰ [¹⁶⁰ *Ibid* col 739, 24 March 1993; *Hansard* (A) 12 col 5910, 23 April 1993]

The Conservative Party (CP) held a similar view to that of the government. Both Mr Andries Bruwer MP (CP) and Mr Gert Kotzé MP (National Party) said that the Marketing Act was one of the three pillars of legislation which supported agriculture (the other two being the Conservation of Agricultural Resources Act of 1983 and the Co-operatives Act of 1981). Mr Jacobus Beyers MP (CP) said that the marketing boards played a very important role in agriculture and could not be blamed for price increases.¹⁶¹ [¹⁶¹ *Hansard* (A) 12 cols 5917, 5935 and 5946, 23 April 1993]

Partial deregulation was introduced to the meat industry in January 1993. Controlled areas were abolished, which allowed for freer movement of meat between different areas of the country, and the Meat Board was no longer to be involved in slaughter management. The general manager of the Meat Board, Dr Pieter Kempen, said that the board would concentrate on advertising and promotion, information gathering and dissemination, and the administering of the surplus removal scheme. Under the surplus removal scheme, excess meat was bought from meat auctions at a guaranteed floor price, deboned, frozen, stored and sold at a later stage when demand had risen.¹⁶² [¹⁶² *Farmers Weekly* 29 January 1993]

The Abattoir Corporation (Abacor) was also to be privatised. The government said in April 1993 that the partial deregulation of the meat industry had given Abacor's competitors an advantage because the corporation was restricted to slaughtering and could not provide other services until it had been privatised. The chairman of the Organisation of Livestock Producers, Mr Nils Dittmer, said, however, that without complete deregulation and with stringent requirements for the hygienic handling of meat remaining in place, Abacor's dominant position would be protected even after privatisation. He said that privatisation should not take place until the meat industry had been deregulated fully. In 1990/91 Abacor abattoirs handled 44% of all cattle slaughtered and 53% of all sheep slaughtered. These figures had dropped to 41% of cattle and 50% of sheep in 1992/93.¹⁶³ [¹⁶³ *Financial Mail* 9, 15 April 1993]

The government said initially that Abacor would be privatised by May 1993. However, it announced in May that Abacor would delay its listing on the stock exchange until 'market conditions have improved and the newly commercialised company has diversified successfully'. Dr van Niekerk said that the main reason for the delay was the 'uncertainty in the meat industry' following deregulation earlier in the year.¹⁶⁴ [¹⁶⁴ *Business Day* 14 May 1993]

On 1 April 1993 the Subtropical Marketing Exchange (Subtropico) replaced the Banana Board, which had been dissolved on 31 March 1993. Subtropico was to be exclusively owned and controlled by the 800 banana farmers in South Africa, each of whom had been allocated shares on the basis of their contribution to industry turnover. The chief executive of Subtropico, Mr Francois Smit, said that the new company would operate 'strictly in line with free-market principles' and that the shareholders would not be compelled to market their produce through the company.¹⁶⁵ [¹⁶⁵ *Farmers Weekly* 9 April 1993]

In May 1993 the Egg Board recommended to Dr van Niekerk that the purchase of surplus eggs by the board should cease at the end of June. The general manager of the board, Mr Dawie Gouws, said that the egg industry agreed that a body was needed to organise generic advertising and to provide an information service only. He said that these functions would probably be carried out by the board's factory division, Ovipro, which manufactured frozen and dried egg products from surplus eggs. Mr Gouws said that the privatisation of Ovipro was being planned and that the industry would deal with its own surplus without the interference of a statutory system.¹⁶⁶ [¹⁶⁶ *Ibid* 7 May 1993]

The Wool Board had recommended in March 1993 that the single channel marketing system for wool be abolished by the end of June 1993. The congresses of the National Wool Growers' Association held at a number of venues countrywide adopted a resolution calling for restrictions on the free marketing of wool to be removed. *Farmer's Weekly* reported that the implications of the resolution were that the Wool Board's department of wool marketing would be dissolved and wool growers would be able to decide individually the price at which they wanted to sell their product. A special working group appointed to investigate alternative marketing options suggested in May 1993 that existing marketing structures be retained with participation in these structures being voluntary. The working group and the South African Wool and Mohair Buyers' Association agreed to encourage producers to avoid direct sales of wool from farms as this would disrupt orderly marketing. The working group also proposed a voluntary

equalisation system based on insurance principles to protect wool growers against sharp declines in market prices.¹⁶⁷ [¹⁶⁷ Ibid 16 March, 9 April, 14 May 1993]

In June 1993 it was announced that the dairy services organisation (DSO), which formed part of the Dairy Board, would be dissolved. This decision followed a ruling by the Cape of Good Hope Provincial Division of the Supreme Court in Cape Town that the dairy levy system, which had allowed for the removal of surplus dairy products from the market by the DSO, was illegal.¹⁶⁸ [¹⁶⁸ Ibid 5 March 1993, *Business Day* 17 June 1993]

The Oilseeds Board announced in the same month that the selling price of locally produced sunflower seed and soya beans would increase by 11% with immediate effect.¹⁶⁹ [¹⁶⁹ *Business Day* 18 June 1993] Manufacturers criticised the increase, called for the dismantling of the board and withdrew from participation in board meetings. The chairman of the South African Oil Expressers' Association, Mr Rick Griffiths, said that the association's participation in the board 'does nothing but lend respectability to a state-sponsored monopoly where producers, through an entrenched majority, impose their inefficiencies on industry and the consumer behind an impenetrable shield of tariff protection'.¹⁷⁰ [¹⁷⁰ Ibid] The executive director of Tiger Oats, Mr Hamish McBain, said that the board had destroyed competition and had increased costs by insisting on a 50% protective import duty for both sunflower seeds and soya beans.¹⁷¹ [¹⁷¹ Ibid]

The Oilseeds Board said, however, that farmers had faced 'tremendous' cost increases and that increases in the producer prices of both sunflower seeds and soya beans had been consistently below the inflation rate in recent years. The board said that the average annual price increase since 1988 had been 8,8% for sunflower seeds and 9,5% for soya beans. It added that ensuring higher prices was the only way to increase local production.¹⁷² [¹⁷² *The Citizen* 18 June 1993]

Finance

In 1992/93 and 1993/94 the following amounts were allocated to agriculture in the budgets of the central government and the ten homelands:¹⁷³ [¹⁷³ Various estimates of revenue and expenditure for 1992/93 and 1993/94; 1992/93 *Survey*, p401]

Agriculture budgets: 1992/93 and 1993/94^a

199199Department of Agriculture^a

452 579 000

1 319 005 000

House of Assembly^a

629 780 000

—

House of Delegates^a

4 309 000

—

House of Representatives^a

64 257 000

58 993 000^b

Sub-total

1 150 925 000

1 377 998 000

Homelands

Bophuthatswana

271 399 200

261 891 000

Ciskei^c

99 188 000

105 698 000

Gazankulu

64 752 900

85 808 100

KaNgwane^c

36 134 600

25 009 500

KwaNdebele^d

20 854 000

N/A

KwaZulu

156 823 400

154 360 000

Lebowa^d

221 721 800

N/A

QwaQwa

21 475 000

22 345 000

Transkei

N/A

N/A

Venda

N/A

N/A

Sub-total

892 348 900

655 111 600

Total

2 043 273 900

2 033 109 600

a

On 1 April 1992 the own affairs departments of agriculture were abolished and incorporated into the general affairs department.

b

This amount was allocated for rural development and provision of infrastructure. These functions had not been included under the new

c

Includes forestry

d

Includes expenditure on the environment

N/A – Not available

The 1993/94 budget of the general affairs Department of Agriculture increased by R866m, or by 191% over the budget of the previous year, largely as a result of the incorporation of the own affairs departments of agriculture into the general affairs department on 1 April 1993. The total amount

allocated to agriculture by the central government increased by 20% between 1992/93 and 1993/94.¹⁷⁴ [174 Republic of South Africa, *Estimate of Expenditure to be Defrayed from the State Revenue Account During the Financial Year Ending 31 March 1994*, RP2-93]

A special economic adviser to the minister of finance, Dr Japie Jacobs, said in March 1993 that the government would no longer issue loan guarantees to back liabilities of the Land and Agricultural Bank of South Africa (Land Bank). He added that the lien system (ie the right to retain possession of another's property until the owner pays his debts), which had protected co-operatives against loan losses, would be eroded with the phasing out of the single-channel marketing system and co-operatives would, therefore, have to manage their credit risks in the same way as ordinary companies.¹⁷⁵ [175 *Farmers Weekly* 12 March 1993]

Dr Jacobs said that the selective lending policy of the Land Bank (which had focused primarily on lending to commercial farmers) no longer served any useful purpose. In May 1993 the Land Bank announced that it had decided to grant loans to part-time farmers in an attempt to assist black farmers. The deputy minister of finance, Dr Theo Alant, said that the abolition of restrictive legislation on land ownership had meant greater participation in agriculture by black people. The extension of loans to parttime farmers also meant that companies and close corporations did not need to be involved in farming on a full-time basis in order to apply for finance.¹⁷⁶ [176 *Ibid* 7 May 1993; *Business Day* 28 May 1993]

In 1992/93 there were nine subsidy schemes operated by the Department of Agricultural Development and six loan schemes operated by the Agricultural Credit Board. In 1991/92 the value of subsidies granted amounted to R1,3bn and loans granted to R321m. Figures for 1992/93 were unavailable at the time of wr

Farmers and Farmworkers

Estimates of the number of commercial farmers in South Africa varied. The Central Statistical Service estimated that there were 61 899 farmers in South Africa (excluding the ten homelands). The Pan-Africanist Congress (PAC) estimated in February 1993 that there were 65 170 farmers in the nonhomeland area. The PAC said that 3 574 of these farmers were black.¹⁷⁸ [178 Information supplied by the DBSA, 23 July 1993; *Sowetan* 16 February 1993]

Estimates of the number of farmworkers also varied. According to the 1991 census, there were 1,2m people employed on farms in South Africa (excluding the 'independent' homelands) (see *Share of Jobs* above). However, the Development Bank of Southern Africa estimated that there were 2m people employed on farms in the non-homeland area.¹⁷⁹ [179 Information supplied by the DBSA, 23 July 1993; Central Statistical Service, *Population Census 1991: Economic Characteristics of the Population*]

There were a number of allegations of unfair treatment of workers by farmers during the period under

review. A researcher at the University of the Western Cape, Ms Trudy Wagenstroom, said in June 1993 that a survey of farms in the Philippi district (near Cape Town) had shown that on nine out of 15 farms surveyed, workers were flogged as a form of discipline, on 14 out of 15 farms the 'tot system' (part-payment in the form of liquor) formed part of the wage package, and that the average wage on the 15 farms surveyed was R35 per week for women and R45 per week for men.¹⁸⁰ [¹⁸⁰ *South* 5 June 1993]

These conditions did not extend to all farms, however. It was reported in May 1993 that on a deciduous-fruit farm in the Grabouw district (western Cape), workers were provided with a crèche, three-bedroomed houses, a school and a library. The average wage on this farm was R125 a week.¹⁸¹ [¹⁸¹ *Sunday Times* 16 May 1993]

The Natal Agricultural Union (NAU) proposed the establishment of agri-villages (ie residential areas where farmworkers could occupy housing independent of the farmowner and could continue employment on a farm) at its annual conference in Pietermaritzburg in 1992. According to the NAU, these villages should be established because they would provide workers with increased security of tenure, enable them to own their own homes and reduce the cost of providing services such as water and electricity. Delegates to the conference decided that the topic needed further investigation and no resolution on the issue was passed.¹⁸² [¹⁸² *AFRA News* April 1993]

The acting co-ordinator of the Farmworker's Research and Resource Project, Mr David Husy, said that in the past farmworkers had been given housing as part of their wage, but that this was unsatisfactory for a number of reasons:¹⁸³ [¹⁸³ *Ibid*]

- farmers could then justify paying substantially lower wages to workers;
- houses provided were often mud huts with no additional services; and
- occupation of housing was linked to employment on the farm on which housing was situated and farmworkers were, therefore, assured of accommodation only if they continued to work on the farm. If a male farmworker died, his widow and family usually had to seek shelter elsewhere.

Mr Husy argued further that farmers had to accept the responsibility to provide housing or to pay wages that would enable farmworkers to afford to have their own homes.¹⁸⁴ [¹⁸⁴ *Ibid*]

The NAU proposed four options for the establishment of agri-villages. The first option involved buying or expropriating farmers' land in order to give or sell land to farmworkers. The second option involved the government buying land and leasing houses it built on the land to farmworkers. The third and fourth options involved placing areas earmarked for farmworker occupation under the jurisdiction of either an existing local authority or an existing tribal authority.¹⁸⁵ [¹⁸⁵ *Ibid*]

Mr Husy said that agri-villages could provide a successful alternative form of accommodation only if the problem of security of tenure was addressed directly and workers were able to invest in and own houses and land. He said that unless farmers accepted that employment contracts were distinct from the provision of housing, access to housing in agri-villages would still be linked to employment on particular farms. Mr Husy said that agri-villages could however, address some of the problems faced by farmworkers and that in addition, the establishment of these villages could strengthen the claims of particular farm communities such as labour tenants to land.¹⁸⁶ [¹⁸⁶ Ibid]

A community development planner at the Association for Rural Advancement, Mr Marc Schneider, said the proposal regarding agri-villages was a step forward in stimulating debate on the accommodation of farmworkers but argued that it was necessary for farmworkers to participate in the debate. He added that in the context of new labour legislation for farmworkers, the relevance of the agri-village concept might diminish (see below).¹⁸⁷ [¹⁸⁷ Ibid]

Labour Legislation

In January 1993 the Unemployment Insurance Act of 1966 was extended to include farmworkers. In April 1993 the minister of manpower, Mr Leon Wessels, announced that the Basic Conditions of Employment Act of 1983 would be extended to include agricultural workers as from 1 May 1993 (see chapter on *Labour Relations*).¹⁸⁸ [¹⁸⁸ *Business Day* 8 April 1993] As a result farmworkers' working hours, overtime hours, payment for overtime and for work on public holidays, annual leave, sick leave and termination of employment became regulated by law.¹⁸⁹ [¹⁸⁹ *Farmers Weekly* 14 May 1993]

However, as the Labour Relations Act of 1956 had not been extended to include farmworkers, they did not have the right to organise in officially recognised trade unions. The senior research officer on the land project of the Centre for Applied Legal Studies at the University of the Witwatersrand, Ms Aninka Claassens, said that the right to take a farmer to court for contravention of these acts was essential to ensure that the law was implemented.¹⁹⁰ [¹⁹⁰ *The Weekly Mail* 18 June 1993]

A Stellenbosch attorney, Mr Dawid Bosch, expressed doubt as to whether the Department of Manpower would be able to enforce the regulations governing farmworkers' conditions of employment. He said that only 136 additional staff members had been employed by the Department of Manpower to deal with every aspect of agricultural labour legislation. Mr Bosch argued that more resources were needed for enforcement agencies.¹⁹¹ [¹⁹¹ Ibid]

Constraints on Agriculture

Drought

The drought which occurred in 1991/92 caused agricultural production to drop substantially, necessitated the importation of approximately 4m tonnes of maize and affected the economy severely (see *Agricultural economy* above and 1992/93 *Survey* pp402–406). In March 1993 it was reported that the drought had broken in many parts of South Africa. *Business Day* reported that as a result of rains which fell in January and February 1993, at least R2,5bn would be saved in foreign exchange.¹⁹² [¹⁹² *Business Day* 4 March 1993] The chief executive of the Maize Board, Mr Peter Cownie, said in March 1993 that as a result of the rains enough maize would be produced to satisfy local demand.¹⁹³ [¹⁹³ *The Star* 4 March 1993]

However, the National Consultative Forum on the Drought reported in May 1993 that despite good rain over the highveld, other areas of the country were still suffering from drought. Average rainfall throughout the country during the summer season of 1992/93 was reported in May 1993 to be only 75% of normal rainfall. The forum said that in the KwaZulu/Natal region average water supply was about 20% of its normal capacity, that grazing was between 20% and 30% of normal capacity and only 20% of fields had been planted. According to the Department of Agriculture, the 1993 sugar crop in Natal was expected to have a yield of between 40% and 50% of normal crop yield and maize of between 50% and 80% of normal yield. The forum said that the eastern Cape and Border/Kei regions had also been severely affected by the continuing drought, that they were undergoing their fourth consecutive year of drought and that they had received only 50% of normal average rainfall in the summer season of 1992/93.¹⁹⁴ [¹⁹⁴ National Consultative Forum on the Drought, *Drought Monitor*, May 1993]

The greatest improvements in rainfall between 1992 and 1993 occurred in northwestern Natal, the Orange Free State highveld and the Transvaal. Nevertheless, the forum said that the effects of the drought would be long term. While citrus crops in the northern Transvaal in 1992/93 had been good because farmers had been able to irrigate from dams, the 1993/94 crop was expected to be severely affected because of a limit equivalent to 10% of normal usage on the use of water from the Fanie Botha Dam, which was only 7% full in May 1993.¹⁹⁵ [¹⁹⁵ *Ibid*]

The assistant director of financial assistance in the Department of Agriculture, Mr Daan Liebenberg, said that in June 1993 there were 74 areas nationwide which had been declared drought disaster areas. (By June 1992, 42 districts had been declared drought disaster areas.)¹⁹⁶ [¹⁹⁶ *Farmers Weekly* 25 June 1993; *Fast Facts* no 5 1992]

Loss of Jobs

A spokesman for the South African Agricultural Union, Mr Koos du Toit, estimated in February 1993 that between 500 and 600 farmers had given up farming in 1992 as a result of the drought.¹⁹⁷ [¹⁹⁷ *Finance Week* 2 February 1993] The minister of agriculture, Dr Kraai van Niekerk, said that about 100 000 jobs had been lost in agriculture because of the drought which had extended from 1990/91 into 1992.¹⁹⁸ [¹⁹⁸

Business Day 3 February 1993]

Dr van Niekerk added in February 1993 that approximately 1 000 farmers would have to be ‘phased out’ as a result of the drought, in addition to 3% of farmers (1 857) who would have left farming in 1993 under normal circumstances.¹⁹⁹ [¹⁹⁹ Ibid 10 February 1993]

Drought Aid

In 1992 the government allocated a total of R4,15bn to farmers for what it termed ‘drought relief’ (see 1992/93 *Survey* p405). This amount comprised three parts: an amount of R350m allocated in the agricultural budget for drought aid; an additional amount of R1,4bn for the same purpose, allocated after the budget had been drawn up, of which R1bn was to be spent in the 1992/93 financial year; and R2,4bn for debt repayment (see *Debt and Sequestrations* below). Therefore, of the total amount allocated for relief to farmers, R1,75bn was for drought relief and R2,4bn to assist with debt repayment. Dr van Niekerk said in February 1993 that the government had spent far more than the amount allocated directly for drought relief and financial aid to farmers and that the amount actually spent was closer to R5bn when funds spent by other departments were taken into account.²⁰⁰ [²⁰⁰ Ibid]

Dr van Niekerk said that as a result of aid to farmers in 1992 between 300 000 and 400 000 jobs had been secured and about 12 000 farmers had been saved from insolvency.²⁰¹ [²⁰¹ Ibid 10 February, *The Star* 4 March 1993]

The director of the Southern African Disaster Relief Agency, Ms Janet Love, criticised the government’s drought relief package in April 1993, saying that it focused too much on white farmers. She said that there were 10m people living in rural areas, of whom 93% were African, but that the government had allocated in drought aid R703 per rural white and only R13 per rural African.²⁰² [²⁰² *Democracy in Action* 15 April 1993] The Land and Agriculture Policy Centre in Johannesburg said that government spending on drought relief had been ‘grossly distorted in favour of the white commercial sector’. The centre said that of R1bn which had been allocated for drought relief in 1992/93, some R870m had been allocated to commercial farmers, while African farmers in the homelands had received only R130m. If other forms of aid were included (such as a sum of R71m allocated through the Central Economic Advisory Services, R174m for nutritional aid, and R68m in overdraft facilities and other forms of concessionary finance) the total amount allocated by the government for drought aid in the homelands came to R543m.²⁰³ [²⁰³ Land and Agriculture Policy Centre, *Debt Relief and the South African Drought Relief Programme: an Overview*, May 1993]

The distortion in the allocation of drought aid was recognised by the government. The director general of agriculture, Dr Frans van der Merwe, said in February 1993 that he realised that allocation of aid had been biased towards commercial farmers and that in future the government would work through the National Consultative Forum on the Drought in allocating drought aid.²⁰⁴ [²⁰⁴ *Finance Week* 18 February 1993]

The regional director of Operation Hunger in the Orange Free State, Mrs Judith Mokhetle, said that fieldworkers for the organisation could find ‘no evidence’ that drought aid had reached farmworkers, although money and food parcels from the government’s national nutrition and social development programme were being claimed from the organisation by farmers. A spokesman for the Orange Free State Agricultural Union, Mr Pieter Moller, said, however, that the union was confident that no farmers were abusing the aid provided.²⁰⁵ [²⁰⁵ *Farmers Weekly* 29 January 1993]

Mr Liebenberg said that more than R100m would be spent on drought aid in the 1993/94 financial year. He said that more than 10 000 farmers, including 3 000 stock farmers, were dependent on drought aid for survival.²⁰⁶ [²⁰⁶ *Ibid* 25 June 1993]

Debt and Sequestrations

During the period under review nominal agricultural debt rose substantially, although real agricultural debt had declined slightly since the mid 1980s. According to the Land and Agriculture Policy Centre, between 1980 and 1991 nominal agricultural debt rose by 329% from R3,8bn to R16,3bn.²⁰⁷ [²⁰⁷ Land and Agriculture Policy Centre, *Debt Relief and the South African Drought Relief Programme: an Overview*, May 1993] Boland Bank said that nominal agricultural debt had dropped to R15,6bn in 1992 as a result of the government’s financial aid package of R2,4bn. The bank said that at 1992 values agricultural debt had dropped by R14,5bn since 1985.²⁰⁸ [²⁰⁸ *The Citizen* 2 June 1993]

The Land and Agriculture Policy Centre said that there were two reasons for the concern over agricultural debt. The first was the increase in the debt-asset ratio from 15% in 1970 to 23% in 1991. The second reason for concern was the growth in the proportion of short-term debt—from 28% in 1970 to 57% in 1991.²⁰⁹ [²⁰⁹ Land and Agriculture Policy Centre, *Debt Relief and the South African Drought Relief Programme: an Overview*, May 1993]

The centre said that crop farmers in the summer-crop and winter-grain areas faced the biggest debt burden. The 1991/92 drought caused the proportion of farmers in the grain producing areas with debt-asset ratios in excess of 50% to increase from 28% to 45%.²¹⁰ [²¹⁰ *Ibid*]

The senior manager of the agricultural division of Standard Bank, Mr Rudi Wilsnach, said that interest repayments had become one of the largest single costs in agriculture. He said interest on agricultural debt amounted to R2,8bn in 1992.²¹¹ [²¹¹ *Farmers Weekly* 21 May 1993]

The Land and Agriculture Policy Centre said that the impact of the debt relief subsidy of R2,4bn had been to keep a large number of heavily indebted farmers on the land and to ‘postpone rather than solve the problem of inefficiency in the sector’. It said that the programme had been harmful in that at a time when land reform was ‘high on the agenda of the democratic movement’, it had contributed to artificially high land prices which had inhibited the acquisition of land by smaller and poorer farmers.

However, the relief scheme had also prevented bankruptcies and job losses in industries linked to agriculture. The centre said, 'Indebted farms from the commercial sector are an important source of land for a future land reform programme. Measures to keep as many heavily indebted white farmers on the land as possible do nothing to promote efficiency ... and should be scrapped. Future debt relief policy should facilitate the removal of [such] farmers ... in order that their land can be used more efficiently and equitably.' The centre added that a prerequisite for such reform was credit schemes to enable black farmers to buy or lease land.²¹² [²¹² Land and Agriculture Policy Centre, *Debt Relief and the South African Drought Relief Programme: an Overview*, May 1993]

The directorate of financial assistance of the Department of Agriculture said that in the 1993/94 financial year R500m had been budgeted for aid to farmers. (This included R100m allocated for drought aid.)²¹³ [²¹³ *Business Day* 22 June 1993]

Promotion and Development of Agriculture

According to the chairman of the Lebowa Agricultural Corporation (LAC), Mr Matome Maponya, the LAC had created 2 300 jobs between 1991 and 1993 through its promotion of agriculture. Since its inception in 1984 the LAC had implemented new projects at a cost of R44m and in 1993 it served about 6 000 farmers, assisting them in the marketing of their crops.²¹⁴ [²¹⁴ *Enterprise* April 1993]

In June 1993 a project was launched to assist in raising the productivity of smallholdings in the Cape from the Namibian border to Knysna. The project was to be administered by the Cape Land Development Trust and was a joint initiative by the University of the Western Cape, the Independent Development Trust, the Kagiso Trust and a London-based organisation, Farm Africa. The project had a budget of R3m for the first three years of its operation.²¹⁵ [²¹⁵ *Argus* 10 June 1993]

During the period under review Tongaat-Hulett Sugar initiated construction of an irrigation scheme for the Heatonville area (near Empangeni in northern Natal) at a cost of R100m. It was expected that 60% of the scheme would be completed by mid-September 1993 and the remainder six months later. The irrigation scheme was expected to raise sugar production in the area from 50 000 tonnes per year to 495 000 tonnes per year and to create about 2 450 new jobs. A total area of 5 500ha of land was to be irrigated, of which 3 250ha belonged to Tongaat-Hulett Sugar, 1 750ha to private growers and 500ha to the KwaZulu administration.²¹⁶ [²¹⁶ *The Natal Mercury* 3 March 1993]

As a result of the financial aid fund established by the South African Sugar Association (Sasa), production of sugar by small growers increased from 360 000 tonnes in 1972/73 to almost 2m tonnes in 1991/92, generating revenue of R120m in 1991/92. The vice chairman of the Small Grower Development Trust, Mr Wilson Luthuli, said that yield per hectare had increased from 15 tonnes to as much as 30 tonnes in 1991. Mr Rex Hudson, the chief executive of the South African Cane Growers' Association (a branch of Sasa), said that it was acknowledged that small-farm development had

proceeded further in the sugar industry than in any other sector of agriculture in South Africa.²¹⁷ [²¹⁷ *Farmers Weekly* 15 January, 21 May 1993]

The Industrial Development Corporation (IDC) announced in April 1993 that it would invest R100m in agricultural development. The senior general manager of the IDC, Mr Malcolm Macdonald, said that the organisation aimed to persuade farmers to switch from lower-value conventional crops to those with higher returns, such as nuts. The IDC had invested R78m in a pistachio-nut growing project near Prieska (northern Cape) and, together with the KwaZulu Finance and Investment Corporation and Unilever, aimed to establish a cashew-nut plantation in northern Natal near the Mozambique border. The pistachio-nut investment was expected to employ 300 people and generate foreign exchange of R30m a year. The cashew-nut project was expected to create jobs for a further 300 people and to have a turnover of R5m a year.²¹⁸ [²¹⁸ *Business Day* 16 April 1993, *Engineering News* 7 May 1993]

Agricultural Organisations

During the period under review there were two major national agricultural organisations in existence—the National African Farmers' Union (Nafu) and the South African Agricultural Union (SAAU). Together with its affiliates in the four provinces, the SAAU represented most white commercial farmers. Nafu had 14 000 paid-up members and represented African farmers who farmed both on a small-scale and a commercial basis.²¹⁹ [²¹⁹ *Farmers Weekly* 9 April 1993]

The SAAU came under pressure to open the membership of all its affiliates to all races during the period under review. In January 1993 the chief executive of the South African Cane Growers' Association, Mr Rex Hudson, said that sugar growers might have to withdraw from the SAAU unless certain provincial agricultural unions abolished racial barriers to membership. He pointed out that the Transvaal Agricultural Union and the Orange Free State (OFS) Agricultural Union still restricted membership to whites. He added that because of the statutory levy payable by all farmers to the SAAU, approximately 40 000 small cane-growers, the majority of whom were African, had to contribute to organisations to which they could not belong. Mr Hudson estimated that the sugar industry contributed a levy of more than R250 000 per year to the SAAU.²²⁰ [²²⁰ *Sunday Tribune* 17 January 1993]

In March 1993 the president of the SAAU, Mr Boet Fourie, said that the organisation aimed to represent the interests of all commercial farmers and, in particular, to incorporate African commercial farmers into its structures. Mr Fourie said that the SAAU would, therefore, have to define when a subsistence farmer 'achieved the development status of a commercial farmer'. He said that the SAAU would also have to consider whether it was strategically sound to accommodate commercial farmers only or whether a structure should be established for all farmers regardless of the size of their operations.²²¹ [²²¹ *Farmers Weekly* 12 March 1993]

In May 1993 a split between the OFS and Transvaal agricultural unions and the SAAU was averted.

Following the promulgation of legislation to include farmworkers under the Basic Conditions of Employment Act of 1983 and discussions regarding the inclusion of farmworkers within the ambit of the Labour Relations Act of 1956 (see chapter on *Labour Relations* and *Labour Legislation* above), the Transvaal and OFS unions accused the SAAU of not looking after the interests of the farming community. At a rally held in Potchefstroom (western Transvaal) in May 1993, and attended by approximately 6 000 white farmers, various speakers accused Mr Fourie of not representing their views to the government and said that they would not comply with the labour legislation. Mr Fourie subsequently accused the president of the Transvaal Agricultural Union, Mr Andries Bruwer, of causing disunity within the farming community.²²² [222 *The Citizen* 7, 13 May 1993; *Business Day* 11 May 1993]

In addition, the OFS and Transvaal agricultural unions accused the SAAU of not doing enough to combat the increasing number of attacks on farmers. (According to Major General Leon Mellet of the South African Police, there had been 369 attacks on farmers between the beginning of 1992 and May 1993—see also chapter on *Security*.)²²³ [223 *The Citizen* 6 May 1993]

After a meeting of the general council of the SAAU at the end of May 1993, the SAAU decided that it was not prepared to negotiate with the government on extending current labour legislation to farmworkers, but that it was prepared to negotiate legislation which was specific to farmworkers. Mr Fourie added that in response to the increased number of attacks on farmers, the SAAU was to appeal to the state president, Mr F W de Klerk, for the reintroduction of the death sentence, the proclamation of unrest areas and the application of curfews, where necessary.²²⁴ [224 *Farmers Weekly* 21 May 1993]

A committee was also appointed by the general council to investigate the handling and settlement of internal disputes between the agricultural unions, evaluate policy and to plan short-term action. The committee consisted of one representative each from the Eastern Cape Agricultural Union, the Northern Cape Agricultural Union, the OFS Agricultural Union and the Transvaal Agricultural Union. Representatives from the other provincial unions were not included on the committee. As a result of the general council's decisions, a split was averted.²²⁵ [225 *Ibid*]

The National Maize Producers' Organisation (Nampo), which represented about 6 000 maize growers who produced about 85% of the South African maize crop, announced in February 1993 that it was to make its membership available to black farmers. Nampo had also been conducting talks with the African National Congress (ANC) in which it informed the ANC that it was willing to devote resources and influence to improving the position of small-scale black maize-growers. Such aid would include technical advice, as well as facilitation of access to markets and financial assistance.²²⁶ [226 *Finance Week* 18 February 1993]

The Rural Foundation, which had been established in 1982 with the purpose of improving the quality of life and standard of living of farmworkers and their families, extended its terms of reference during the period under review to include assisting small-scale and subsistence farmers, as well as non-agricultural rural organisations. The foundation had 3 500 members in 1992 and was active in 137 districts

countrywide. The head of public relations of the Rural Foundation, Mr Herman Bailey, said that the foundation was most active in the western Cape, where it operated on 1 286 farms with 27 928 employees. In the western and northern Transvaal the foundation was active on 579 farms with 26 563 employees. The foundation's activities included adult education, preschool education, primary health-care training and voter education.²²⁷ [²²⁷ *Engineering News* 26 March 1993; Information supplied by the media liaison officer of the Rural Foundation, Miss Liesel Koch, September 1993]

Other Rural Issues

Women in Rural Areas

The Border Rural Committee (BRC) said in August 1993 that one of the striking features about rural communities in South Africa was the large number of women who lived in these areas. It pointed out that 59% of rural households were headed by women. The BRC said that women played a vital role in the functioning of rural areas in that they maintained households, sustained agricultural production and were responsible for the day-to-day running of rural communities. The BRC said that effective rural development would, therefore, have to involve and address the needs of women in these areas.²²⁸ [²²⁸ *Groundwork: Border Rural Committee Newsletter* August 1993]

A founder member of the Rural Women's Movement, Ms Lydia Kompe, said in September 1992 that African women in rural areas 'face oppression from four sides—because they are [African], because they are women, because they are poor and because they live in rural areas'. She said that the lot of rural women had been made more difficult by the lack of electricity in these areas and the difficulty in obtaining water. (The Rural Women's Movement was established in 1990 with the aim of offering rural women the opportunity to discuss common concerns and to campaign regarding such issues. In 1992 it had 500 members nationwide.)²²⁹ [²²⁹ *Land Update* September/ October 1992]

The Transvaal Rural Action Committee (Trac) reported in October 1992 that a major problem facing African rural women was their lack of access to land. Trac said that traditionally land was owned or controlled by the male head of an African household. Since many rural men had to migrate to the cities to find work, women had taken on responsibility for the land but were given no formal control over decision making regarding land and its use.²³⁰ [²³⁰ *Ibid*]

Mr Duduetsang Kgori of the Farmworkers' Research and Resource Project said in October 1992 that although African women played a significant role in agriculture, African custom did not recognise women as heads of households and landowners and so African women in rural areas had little or no access to credit and other resources needed to participate in agricultural projects. An African National Congress member and researcher in the field of agricultural production, Ms Bongive Njobe, added that it should not be assumed that all emergent African farmers were men. She said that credit systems should not necessitate the provision of collateral and the involvement of husbands, but should allow

active participation by women.²³¹ [²³¹ *Ibid*]

At a meeting of the Rural Women's Movement near Tarlton (west Rand) at the end of 1992, delegates made a number of demands. These included:²³² [²³² *Ibid January/February 1993*]

- the improvement of health facilities in rural areas through the provision of a 24-hour clinic in every village with full-time staff, the provision of more doctors, the upgrading of roads to clinics, the improvement of conditions at such clinics and the provision of transport to clinics for the disabled, accident victims and pregnant women;
- the provision of more creches and schools in rural areas;
- the inclusion of women in the decision-making structures of their communities;
- the extension of land rights so that African women in traditional rural areas could have rights to land whether married or unmarried, could have land registered in their name, could farm and produce their own food crops and could have access to land for grazing; and
- the erection of automatic telephone exchanges in rural areas and the adequate supply of water and electricity to such areas.

Problems in Rural Areas

According to the National Consultative Forum on the Drought, the effects of the drought were not limited to lower crop production. The forum said in May 1993 that rural communities had also suffered severe water shortages and worsening malnutrition. It said that while drought was a factor precipitating the difficulties experienced in rural areas, underdevelopment and the lack of resources in rural areas were the cause of the vulnerability of these areas to drought. The forum argued that had there been functioning water installations, alternate sources of employment, a primary health-care system and a community-based drought management strategy, the effects of the drought on rural areas would not have been as severe.²³³ [²³³ *National Consultative Forum on the Drought, Drought Monitor, May, June 1993*]

The forum reported that rural communities in the homelands lacked access to water in areas of both medium and low rainfall because infrastructure was poor and relief programmes had not reached them. It said that 80% of the windmills in the Transkei were not functioning and that 'almost all' communities in Ciskei reported broken handpumps or windmills with few alternate sources of water. The forum added that many communities were using unpotable water from stock dams or walking between 2km and 7km daily to fetch water.²³⁴ [²³⁴ *Ibid*]

The forum said that in the long-term development of rural areas was a far more effective strategy for drought relief than ‘responding every fifth year with food packages, short-term job schemes and emergency tanks of water’. The organisation added that effective drought relief was impossible without the direct involvement of rural communities. To this end the forum was involved in establishing regional drought and rural development forums. By June 1993, six such forums had been established—in the eastern Cape/Border region, the eastern Transvaal, KwaZulu/Natal, the northern Cape, the northern Transvaal and the western Transvaal. Efforts were being made to establish similar forums in the Orange Free State and the Transkei.²³⁵ [²³⁵ *Ibid* June 1993]

The executive director of Operation Hunger, Mrs Ina Perlman, said in March 1993 that there would be a need to feed many people in rural areas for at least another year. She added that relief for farmers was distributed only to people who lived on farms and that farmworkers in the Orange Free State who had been compelled to move to neighbouring informal settlements since 1991 while continuing to work on farms were excluded from such relief.²³⁶ [²³⁶ *Land Update* March 1993]

Mrs Perlman said that Operation Hunger was feeding about 2,6m people and was ‘trying to undo years of nutritional insult’. She said that she had observed increasing malnutrition in rural areas and ascribed it to rising unemployment and reduced remittances to the homelands, as well as to the effects of the drought. Mrs Perlman said that one of the major flaws of emergency feeding schemes implemented by the government was that they were directed at individuals, who would then share their food packages with entire families because the family itself was undernourished (see also chapter on *Health and Welfare*).²³⁷ [²³⁷ *Ibid*]

The Border Rural Committee identified a number of other problems faced by people living in rural areas. These included inadequate education facilities, health facilities and housing, and a lack of access to electricity and other forms of energy. Professor Simon Bekker and Ms Catherine Cross of the Centre for Social and Development Studies at the University of Natal (Durban) and Professor Norman Bromberger of the Department of Economics at the University of Natal (Pietermaritzburg), said in 1992 that sources of energy in rural areas were often inadequate and located far from where people lived. They added that health indicators such as infant mortality rates and malnutrition rates were consistently worse in rural communities. In addition, they said, there was a ‘virtually universal’ urban bias in education programmes, with eight out of ten farmworkers being illiterate. Professors Bekker and Bromberger and Ms Cross added that in the absence of effective policy with regard to provision of these services, farmworkers’ access to these facilities depended largely on the attitudes of the farmers for whom they worked. They said that rural areas could be characterised as most in need of welfare and yet least able, both administratively and financially, to meet such needs.²³⁸ [²³⁸ *Indicator SA* spring 1992; *Groundwork: Border Rural Committee Newsletter* March 1993]

Rural depopulation was identified as another problem facing rural areas. Professors Bekker and Bromberger and Ms Cross said that the impact of rural depopulation approximated ‘asset stripping’ as able-bodied educated workers left such areas, leaving the communities without the personnel needed to

operate local enterprises and to co-ordinate local government. They also pointed to conflict in rural areas over the legitimacy of local government structures. Professors Bekker and Bromberger and Ms Cross said that tribal authorities were perceived as not being able to provide development, maintain services or control conflict and, therefore, often lacked popular support.²³⁹ [²³⁹ *Indicator SA* spring 1992]

Key Projections

- The Foundation for Research Development predicted in March 1992 that small-scale agriculture would play an increasingly important role because of the growing population and increasing unemployment in both rural and urban areas.
- The national crop estimates committee estimated that the total maize crop for 1993 would be almost 8m tonnes (compared with 3m tonnes in 1992).
- Standard Bank predicted that should South Africa sign the General Agreement on Tariffs and Trade, farmers would be less protected than in the past and would have to produce at more competitive prices.

ENVIRONMENT

Key Points

- The government published a white paper entitled *Policy on a National Environmental Management System for South Africa* in February 1993, which said that a balance had to be attained between development and conservation, and which identified ways in which this goal could be achieved.
- Both the African National Congress and the Inkatha Freedom Party suggested in their policy documents on the environment that local communities living near game reserves should have a say in the management and profits of such reserves.
- The Industrial Environment Forum of Southern Africa said in March 1993 that South African businesses would have limited international trade opportunities if they did not become more aware of international trends in terms of environmental concerns.
- According to the Poisons Working Group, South Africa was still using nine out of the 12 pesticides identified by Pesticide Action Network International in June 1990 as being extremely hazardous to humans or to the environment.
- The Environmental Impact Report on St Lucia, which was published in March 1993, concluded that

mining the area in northern Natal would have no severe and persistent effects on the functioning of the ecosystem, and damage would not be irreparable. The report recommended that mining take place, but in conjunction with ecotourism.

- The minister of environment affairs, Mr Japie van Wyk, said in March 1993 that there had been a 73% increase between 1988 and 1993 in the volume of materials recycled in South Africa.
- In 1993 there were approximately 800 game reserves in South Africa (including the ten homelands), excluding those owned by the National Parks Board.
- In March 1993 Eskom announced plans to build nuclear power stations along the Cape west coast and identified two potential sites.

Policy

Sustainable Development

Sustainable development was defined by the government white paper entitled *Policy on a National Environmental Management System for South Africa*, published in February 1993, as ‘a process of change in which the use of resources, the direction of investments, the orientation of technological development and institutional change all enhance the potential to meet human needs’.¹ [¹ White Paper: *Policy on a National Environmental Management System for South Africa*, 1993] The white paper stated that in order to promote sustainable development without jeopardising the environment the government would need to take certain steps. These were:² [² Ibid]

- to encourage private enterprise to introduce environmental monitoring and auditing;
- to issue directives to certain industrial and land developers to undertake appropriate environmental impact studies; and
- to apply the principle of ‘the user must pay’ for environmental damage to such developers.

The white paper identified goals to be pursued in order to attain a balance between development and conservation. These were:³ [³ Ibid]

- to make provision for environmental concerns in a bill of rights;

- to support the population development programme and measures to combat poverty (see chapter on *Population*);
- to ensure that government institutions attended to environmental issues falling within their area of concern;
- to implement a national environment assessment programme to determine all aspects of the state of the environment;
- to apply appropriate measures with regard to land use to ensure the conservation of ecologically sensitive and unique areas, in conjunction with the private sector and using environmental impact assessment studies;
- to plan development and construction activities so as to minimise their impact on the environment and to facilitate its rehabilitation;
- to arrange urban development so that urban residents could live in an aesthetically pleasing environment and cultural resources could be protected;
- to compile an inventory of protected natural areas;
- to apply a national nature conservation plan in such a way that it would not jeopardise the managerial autonomy of existing conservation authorities;
- to deploy a national strategy for waste management and develop integrated pollution control measures;
- to formulate policies and legislation to combat water and air pollution;
- to support measures to promote the conservation of energy, and to optimise the generation of electricity using fossil fuels;
- to support measures to control noise and vibration;
- to co-ordinate the environmentally safe management of hazardous substances in accordance with internationally accepted standards and practices; and
- to plan for achievable environmental education and environmental information programmes.

Mr Rupert Lorimer MP (Democratic Party) argued in Parliament in March 1993 that bad planning on the part of the government, including ‘disastrous agricultural policies’ and ‘the dumping of people, for

political reasons, in areas too small to sustain adequate subsistence-level agriculture', had led to the ruin of many areas of land. He said that it was, therefore, necessary to compel politicians to preserve the environment by means of entrenched constitutional provisions. Mr Lorimer added that national rather than regional government should ensure protection of the environment. Poor management in one area could have a significant impact upon another area, he said. He argued that 'a holistic philosophy must be applied to keep the best possible natural balance in the largest possible area'.⁴ [⁴ *Hansard* (A) 6 cols 2487-2488, 8-11 March 1993]

The professor of environmental studies at the University of Cape Town, Professor Richard Fuggle, said in June 1993 that a national environmental strategy needed to be developed by participants in the multiparty negotiating forum. He argued that a credible strategy was too important to be developed by the government on its own.⁵ [⁵ *Business Day* 18 June 1993]

Government Policy

The government's *Proposals on a Charter of Fundamental Rights*, published in February 1993, included a provision on environmental rights which stated that 'every person shall have the right not to be exposed to an environment which is dangerous or seriously detrimental to the health or well-being of man, and the right to conservation and protection of the environment'.⁶ [⁶ Department of Justice, *Government's Proposals on a Charter of Fundamental Rights*, 2 February 1993]

The document stated that this right should be enforced only against the government, 'which will prevent a witch-hunt against private entrepreneurs', although the document also said that 'the recognition of this right will have an inhibiting side effect on private entrepreneurs who disregard the importance of conservation and the protection of the environment'.⁷ [⁷ *Ibid*]

The (former) minister of environment affairs, Mr Louis Pienaar, said in March 1993 that the government would play a co-ordinating rather than a dominant role with regard to the implementation of this strategy. He stated that 'caring for the environment is not the responsibility of government only'. The government's tasks would, he said, include the formulation of a national plan of action and the publication of 'a regular report on the state of the environment'.⁸ [⁸ *Cape Times* 23 March 1993]

Arising out of the findings and recommendations of the *Report of the Three Committees of the President's Council on a National Environmental Management System*, published in October 1991 (see 1992/93 *Survey* p155), the government tabled its white paper entitled *Policy on a National Environmental Management System for South Africa* in March 1993. In this report the government outlined the main elements of a new environmental protection strategy for implementation over the next decade (see also below and *Sustainable Development* above). The document included certain targets and standards, and suggested means for attaining them.⁹ [⁹ *Business Day* 9 June 1993]

The white paper stated that there was a necessity to manage the environment effectively in order to sustain ‘the necessary political and economic development that is planned’. It named several principles that should be recognised in order to attain this, including the responsibility of all persons and institutions to look after the environment and the right of all people to live in a healthy environment.¹⁰ [10 White Paper: *Policy on a National Environmental Strategy for South Africa*, 1993]

The minister of environment affairs, Mr Japie van Wyk, announced in June 1993 that a committee had been appointed to investigate the control of dangerous materials and to prepare legislation conforming to international standards in this regard.¹¹ [11 *The Citizen* 27 June 1993] He also announced that draft legislation on an overall policy for pollution control was expected to be tabled in Parliament in 1994.¹² [12 Ibid]

‘Integrated environmental management’ (IEM) was adopted as the theme of the 1993 national environment week. The government white paper, *Policy on a National Environmental Management System for South Africa*, defined IEM as a ‘procedure to ensure that environmental considerations are efficiently and adequately integrated into all stages of the development process’.¹³ [13 *Policy on a National Environmental Management System for South Africa*, 1993] According to the Department of Environment Affairs, this entailed the identification and continued reassessment of alternatives to environmentally hazardous policies and the continuous monitoring of a project’s environmental effects.¹⁴ [14 *Business Day* 4 June 1993] The white paper mentioned a series of principles for the implementation of this strategy. They included that:¹⁵ [15 *Policy on a National Environmental Management System for South Africa*, 1993]

- the term ‘environment’ should be defined to include biological, cultural, economic, historical, physical, planning and social aspects;
- informed decision making should take place about environmental issues;
- an open, participatory approach should be adopted;
- consultation should take place with interested and affected parties;
- attempts should be made to ensure that the social costs of development did not outweigh its social benefits;
- those organisations or individuals who provided information on which decisions about the environment were taken should be held accountable for the effects of policies adopted; and
- all the abovementioned principles should be complied with at all stages of a project’s conception and implementation.

The white paper identified three issues that would need to be formulated and clarified to implement these principles effectively. The first issue was the question of accountability, including the apportionment of personal, community and governmental responsibility. According to the white paper, the government should undertake to develop educational and guidance programmes to develop individuals' understanding of their environmental responsibility. Organisations and communities would be expected to collaborate with the authorities to address environmental issues. The document defined the government's role as 'the promotion of the spiritual and material welfare of all citizens as a national objective'. This included, among other things, the development of national policy with regard to the environment and the creation of environmental awareness.¹⁶ [¹⁶ Ibid]

The second issue was the question of the methods and procedures which should be used to achieve the objectives mentioned above, and in particular the application of the principles of sustainable development and integrated environmental management 'in an evolutionary manner'. Because the development of these principles would inevitably take time, the white paper stated that a single government paper would probably not be sufficient.¹⁷ [¹⁷ Ibid]

The white paper identified the apportionment of responsibilities and functions as the third issue. In accordance with this, it stated that all sections of society should be taken into account through a process of broad consultation. Environmental matters would remain the concern of the central government but functions could be devolved where appropriate. Central government functions would include the formulation of policy and legislation, monitoring, research, the extension of international cooperation and the execution of functions of national importance (such as meteorological services). Regional administrations would assist with the management of these functions with the emphasis being on executive functions. Local authorities would be involved in the promulgation of regulatory measures of local importance and the application of national policy.¹⁸ [¹⁸ Ibid]

The white paper said that it was the responsibility of the government to make adjustments to the structure of the Department of Environment Affairs so that it could perform its functions effectively. It stated that various 'functional components' could be created in the department to address major environmental problems (ie the department could be restructured). The document also proposed the creation of an inspectorate to enforce regulations and the better utilisation of the committee for environmental management to promote 'co-ordination of purpose' in the public sector with regard to environmental issues. In conclusion, the document stated that this outline of the government's intentions would need to be followed up by the development of a specific implementation strategy.¹⁹ [¹⁹ Ibid]

In May 1993 the deputy director general of environment affairs, Mr Wynand Fourie, called on business to adopt these principles, although he said that the Environment Conservation Act of 1989 did not allow for their legal enforcement. He did, however, say that the act allowed the minister of environment affairs to lay down general rules which could then become part of municipal bylaws.²⁰ [²⁰ *Rapport* 21 May 1993]

Mr Rupert Lorimer MP (Democratic Party) argued in response to the white paper that although the principles outlined in it were generally good there seemed to be no solid proposals that would allow the

principles to be carried out in practice. It was, he said, a ‘motherhood and apple-pie’ document consisting of platitudes aimed at appeasing environmentalists and containing no indication of a serious commitment on the part of the government. Mr Lorimer added that environmental issues were not given the priority they deserved in the white paper. The document stated that environmental issues were a question of ‘national survival’. Mr Lorimer pointed out that this criterion could not be applied to St Lucia (northern Natal), for example, which was nevertheless important environmentally (see also *Mining* below). He suggested that the proviso in the white paper that environmental concerns should not restrict economic growth would allow the government to ignore certain important issues.²¹ [21 Telephonic interview with Mr Rupert Lorimer MP (DP), 26 July 1993]

African National Congress

Section 12 of the bill of rights of the African National Congress (ANC), published in November 1990 and updated in March 1992, stated that ‘a balanced environment is essential for any degree of sustainable socioeconomic development, as long as the interests of the entire community are taken into account’.²² [22 *Hansard* (A) 6 col 2479, 8 March 1993]

The head of the agricultural desk of the ANC, Mr Derek Hanekom, said during a lecture at the University of Natal’s Pietermaritzburg campus in March 1993 that the organisation was investigating the possibility of using parts of the Kruger National Park for livestock farming,²³ [23 *The Citizen* 5 March 1993] although he stated later that this decision would not be ‘automatic’ and that the authorities would need to ascertain the best way in which to use any given piece of land.²⁴ [24 *Barometer*, February 1993] The ANC said subsequently that it was not in favour of using the park for farming. The organisation said, however, that people living adjacent to the park were in dire need of additional land and that the possibility of greater involvement by the local communities in the work of the park should be examined.²⁵ [25 *The Citizen* 9 March 1993]

As part of the process of taking communities near game reserves into account, the ANC suggested in July 1993 that these communities be issued with game hunting permits. This measure, it said, would assist culling operations and contain the labour expenses of the game reserves. The ANC also suggested that taxes paid by private game reserves to the government should be paid to the communities living nearby.²⁶ [26 *Ibid* 16 July 1993]

Inkatha Freedom Party

The Inkatha Freedom Party (IFP) policy document entitled *The Environment and Conservation*, which was published in 1993, outlined the following principles for care of the environment:²⁷ [27 IFP policy document: *The Environment and Conservation*, 1993]

- changes brought about by development should not threaten the natural ecological processes that sustained development;
- adequate sources of energy were important for development and for ensuring human quality of life, but in utilising such energy the use of renewable over nonrenewable sources should be encouraged;
- anyone who polluted the environment through chemicals, noise or degradation of the physical environment should contribute to the costs of its rehabilitation. Air and water pollution should be kept to levels that did not cause permanent injury to humans or animals;
- the water supply should be managed in such a way that it allowed efficient and equitable allocation to competing users;
- attention should be given to land-based sources of ocean pollution;
- fishing communities and organisations should be involved in the management of fisheries;
- public awareness about threats to the atmosphere should be fostered;
- a balance should be achieved between family size and resources available, without detracting from the strength of the family; and
- toxic materials that could not be neutralised should not be used.

The IFP said in its policy document that it associated itself with the conservation policies of the KwaZulu Bureau of Natural Resources and, in particular, with the principle that local communities should have access to conservation areas. The bureau, established in 1982, declared in its mission statement that it 'strives to make environmental integrity directly beneficial to the widest range of people possible' and adopted two principles in this regard:²⁸ [28 Ibid]

- communities living adjacent to an area proclaimed for conservation purposes should have access to that area for their specific needs; and
- local communities should earn 25% of the revenue from tourist facilities in the area.

The IFP document also gave support to the bureau's policy that natural resources should be utilised only according to scientifically researched standards of sustainability. Resources should not be used merely on the basis of demand.²⁹ [29 Information obtained from Ms Anthea Ramese of the IFP Information Centre, 8 July 1993]

Pan-Africanist Congress

In a discussion paper published in 1991, the Pan-Africanist Congress said that ‘there might be adverse environmental effects’ arising out of the accommodation of basic human needs, and stressed the need to find an ‘appropriate balance between environmental planning and the provision of basic needs’. The document stated that there was a need for an environmental code of ethics to be incorporated into a new South African constitution. It proposed that the courts recognise the public’s right to express concern and to intervene in environmental disputes. An environmental ombudsman independent of both the state and the private sector was recommended as an agent to mediate environmental disputes.³⁰ [³⁰ *SA Review* 6, 1992]

Business

In June 1993 the former president of the South African Chamber of Business, Mr Hennie Viljoen, proposed the creation of a forum along similar lines to the National Economic Forum to reconcile differing perceptions of what the most important environmental issues in South Africa were. According to Mr Viljoen, this forum should include representatives of business, nongovernmental organisations, and government and community-based organisations, which would participate on a voluntary basis. Mr Viljoen said that the participation of business in this forum would ensure the setting of realistic and attainable objectives.³¹ [³¹ *Daily Dispatch* 14 June 1993]

The Industrial Environment Forum of Southern Africa (IEF), which had been formed in 1990 with the purpose of improving environmental awareness among companies in South Africa and which consisted of approximately 30 organisations (see 1992/93 *Survey* p159), said in March 1993 that South African companies adopting an environmentally friendly approach to business would have a greater advantage in the international arena. The IEF proposed setting up an environmental standard in conjunction with the South African Bureau of Standards, based mainly on the British BS7750 standard.³² [³² *Business Day* 9 March 1993] The BS7750 standard was used to ensure the compliance of British environmental management systems with ‘stated environmental policy objectives’. Compliance with the standard was a requirement for the development, implementation and maintenance of any such environmental management system in Britain.³³ [³³ Information supplied by the South African Bureau of Standards, Information Centre, 3 July 1993]

Commenting on South Africa’s involvement in international trade, Werksmans, a Johannesburg law firm, said in May 1993 that South African business needed to keep up to date with international environmental legislation governing international trade. It added that legislation that could ‘force compliance with, or adoption of, national domestic standards in other countries’ could affect South Africa’s trade potential³⁴ [³⁴ *Business Day* 11 May 1993] and that South Africans, because of years of isolation as a result of sanctions, were generally unaware of the strength of the green movement internationally.

This meant, it argued, that it would be a great deal harder to sell products in the international market place than in local markets.³⁵ [³⁵ *Saturday Star* 8 May 1993]

Environmental Damage

Population Pressure

Speaking at an Earthlife Africa conference in September 1992 in Pietermaritzburg (Natal), Professor Omo-Fadaka, a Nigerian academic, said that Africa was underpopulated, 'a fact even the World Bank acknowledges', but that arable land and minerals were not being used for the benefit of the African people.³⁶ [³⁶ *New Ground* summer 1992/93]

According to the director of the National Botanical Institute, Mr Brian Huntly, overpopulation was one of the principal reasons for environmental degradation in the 'independent' homelands. He said that as a result of limited available land, overgrazing had resulted in soil erosion, indigenous forests had been destroyed because of the need for firewood, water sources had been contaminated with sewage, and hunting and snaring had destroyed rare animal species. He added that because these areas lay outside the mainstream economy of South Africa, the environmental damage there was little known.³⁷ [³⁷ *Rural Poverty Alert*, FRD Report Series No 2, March 1992]

Land Degradation

Mr Rupert Lorimer MP (Democratic Party) said that in 1900 as little as 15% of South Africa's total land area would have been regarded as desert or semi-desert. In 1993 the figure stood at 50% and he estimated that if the present neglect continued, that proportion would escalate to 70% of the total area of South Africa (including the ten homelands) in 20 years' time.³⁸ [³⁸ *Hansard* (A) 6 col 2487, 8 March 1993]

Afforestation and Deforestation

A researcher for the Wildlife Society of Southern Africa, Mr Andrew Duthie, said in April 1993 that it was necessary to distinguish between forests, which were highly complex ecosystems, and plantations, which were 'sterile, biologically impoverished chunks of land' and which had a detrimental effect on surrounding wildlife. He said that several species of rare bird, including the blue swallow, had become almost extinct as a result of afforestation taking place along the Drakensberg escarpment (Natal). He added that plantations soaked up ground water, causing rivers and streams to dry up. Wetlands, which acted as catchment areas for clean water that would later be released into rivers, were being drained to plant trees which resulted in a build-up of silt in rivers and reduced the amount of water flowing through them. He deplored the fact that plantation companies were not required by law to carry out

environmental impact studies.³⁹ [³⁹ *The Weekly Mail* 16 April 1993]

In an attempt to reduce the environmental damage caused by plantations, four companies—HL & H, Mondi, Safcol and Sappi—had launched the twinstreams coastal catchment area scheme in northern Natal in 1980. This scheme was introduced because of the progressive silting up of the Siyaya estuary because of agricultural activities in its catchment area. It was reported that by 1993, 65% of the wetlands and river catchment areas in the region had been rehabilitated.⁴⁰ [⁴⁰ *The Natal Mercury* 5 May 1993]

It was estimated that by April 1993, 60% of the threatened Dukuduku state forest (northern Natal) had been destroyed by informal settlers living in the forest. The government had made new land available to the informal settlers in September 1992, but it was reported that few of the 8 000 informal settlers had moved.⁴¹ [⁴¹ *Ibid* 30 April 1993]

The minister of environment affairs, Mr Japie van Wyk, said in July 1993 that the rate at which trees in South Africa were being cut down exceeded the rate of afforestation, and that if the pattern of consumption continued at its present rate, South Africa would have sufficient fuel for only 30 to 40 years.⁴² [⁴² *The Star* 15 July 1993]

According to the Forestry Council of South Africa, plantations covered more than 1,3m hectares of land in South Africa. The council said that the industry was responsible for R2bn of exports each year and provided employment for 120 000 people.⁴³ [⁴³ *The Natal Mercury* 5 May 1993]

Fertilisers, Insecticides and Pesticides

In June 1985 the Pesticide Action Network International, a coalition of 300 groups in 60 countries working to stop pesticide misuse and to promote sustainable pest control, had targeted 12 pesticides for strictly controlled use, national banning and ultimately worldwide elimination. According to the Poisons Working Group, a South African environmental organisation, most of these pesticides were being used in South Africa in 1990. The 12 pesticides were subject to varying degrees of control in South Africa:⁴⁴ [⁴⁴ Information supplied by the South African Wildlife Society, July 1993]

- the registration for use of parathion on deciduous fruit and vines had been withdrawn in 1972, and in 1990 it had restricted-use status;
- paraquat was widely used in South Africa, and it was accepted as safe by the South African Medical Research Council (western Cape);
- pentachlorophenol was registered for use in South Africa as a wood preservative only;

- dichlorodiphenyl (DDT) had been banned as an agricultural remedy in 1972 and all registrations for its use were withdrawn. However, according to the Poisons Working Group, the Department of National Health and Population Development was still using DDT in 1991 for malaria control, and small amounts of it were contained in the pesticide dicofol, which was registered for use in South Africa;
- chlordane had had restricted-use status in South Africa since 1976;
- aldicarb had restricted-use status, but according to the Poisons Working Group, it was still used extensively for baiting to control certain animal populations;
- 1,2-dibromoethane (commonly known as EDB) had restricted-use status;
- aldrin had been restricted to use as a soil treatment under buildings in 1980 and could be sold only to registered pest control operators;
- dieldrin's registration for use was withdrawn in 1980;
- the use of endrin was restricted to the control of forest pests in 1970, and it was later withdrawn from the market;
- 1,2,3,4,5,6-hexachlorocyclohexane (commonly known as gammaBHC) had been withdrawn as a stock remedy in 1989; and
- the use of BHC as an agricultural remedy had been terminated in 1973, and its use as a stock remedy in 1974. BHC had, however, been used extensively since then in government-sponsored sprays to control locusts.

Droughts

According to Ms Rachel Wynberg of the Environmental Evaluation Unit, the drought which continued during the period under review had highlighted the concern about desertification, the diminishing carrying capacity of land and soil erosion. She said that the drought pointed to the crisis being the result of 'ineffectual policy, poor management, bad economic conditions and poverty more than low rainfall'. She added that it had raised questions about the suitability of farming imported crops such as maize as opposed to drought-resistant indigenous varieties.⁴⁵ [⁴⁵ Wynberg R, *Explaining the findings of the Rio United Nations Conference on Environment and Development: Implications for South Africa*, Mazda Wildlife Fund, 1993]

Ms Wynberg maintained that the state's policy on drought was inadequate. She said that there was no national strategy on drought preparedness, no adequate early warning system and little insight into the 'structural causes of drought'. She said as an example that drought relief had not only benefited mainly white farmers, but had also not required farmers to engage in environmentally sound farming practices

(see also chapter on *Land, Agriculture and Rural Areas*).⁴⁶ [⁴⁶ Wynberg R, *Exploring the Earth Summit*]

Water Shortage

The Water Research Commission (WRC), a semi-government organisation funded by tariffs on water supplies, said in March 1993 that South Africa would run out of water between 2020 and 2030, making this issue the most critical problem in South Africa.⁴⁷ [⁴⁷ *City Press* 28 February 1993] The WRC predicted that the western Cape would be without sufficient water by the end of the century if measures to address the shortage were not implemented.⁴⁸ [⁴⁸ *Cape Times* 2 March 1993]

The Department of Water Affairs and Forestry identified population pressure and heavy agricultural and industrial usage, exacerbated by severe drought, as the principal reasons for the shortage throughout the country.⁴⁹ [⁴⁹ *City Press* 28 February 1993]

It was reported in February 1993 that the Department of Water Affairs and Forestry had in conjunction with the governments of neighbouring countries embarked on several dam building projects in order to alleviate the water crisis. The first phase of the Lesotho Highlands Water Project was due for completion in 1996. This phase had begun in 1992 with the preparation of the foundation of the Katse Dam. It would, on completion, be the deepest dam in Africa with a water storage capacity of 1 950m cubic metres. This project was to be followed by the construction of the Driekoppies dam (250m cubic metres) on the Lomati River (eastern Transvaal) and the Maguga Dam in Swaziland. Funding for all three projects was to be provided by the Development Bank of Southern Africa.⁵⁰ [⁵⁰ *Ibid*]

The first phase of the Palmiet water scheme in the western Cape was close to completion in 1993. The scheme involved connecting the Rockview and Steenbras dams, and then connecting the Steenbras dam to the Faure water treatment plant. The scheme would give Cape Town an additional 40m cubic metres of water a year. The second phase of the project was to involve the construction of the Lower Palmiet Dam, a controversial project because it would result in the destruction of large areas of fynbos. The chief project planning engineer for the Department of Water Affairs and Forestry, Mr Peter van Niekerk, said that an alternative proposition was the creation of the Upper Campanula Dam, which would cause less environmental damage but would cost about 20% more.⁵¹ [⁵¹ *Cape Times* 2 March 1993]

Mining

The Environmental Impact Report (EIR) on mining at St Lucia (northern Natal) was published in March 1993 (see 1992/93 *Survey* pp147–148). The report, research for which had been conducted over a period of three years, had been commissioned by Richards Bay Minerals (RBM) to evaluate the likely impact on the area of the company's proposed mining of sand dunes for various minerals. The environmental services division of the Council for Scientific and Industrial Research was responsible for the draft

version of the report, and it was co-ordinated by the Department of Environment Affairs.⁵² [⁵² *The Star* 19 March 1993]

The report concluded that mining the dunes at St Lucia would have no severe and persistent effect on the functioning of the ecosystem and damage would not be irreparable.⁵³ [⁵³ *Developer* June 1993] (Irreparable damage was defined as ‘an impact of the highest order with no possible mitigation in the long term’).⁵⁴ [⁵⁴ *Business Day* 19 March 1993] Based on these findings, the report recommended that mining take place but in conjunction with ecotourism.⁵⁵ [⁵⁵ *The Star* 19 March 1993] The report also stated, however, that if the government decided that possible environmental damage outweighed the economic benefits of mining it could refuse justifiably to give permission to mine. While the report found that there would be a severe negative effect on the vegetation and plants in the area, it stated that these effects (apart from topographical effects, which would be largely visual and would have no effect on the ecosystem) would not be permanent.⁵⁶ [⁵⁶ *Developer* June 1993] It also concluded that the proposed area had had a history of disturbance, including occupation by black communities, agricultural activities and commercial forestry, and was, therefore, even without mining, no longer pristine wilderness.⁵⁷ [⁵⁷ *The Star* 18 March 1993]

The report made several recommendations of steps to be taken should mining go ahead. These were that:⁵⁸ [⁵⁸ *Developer* June 1993 vol 5]

- RBM should pay for more research on soil fertility to enhance its rehabilitation techniques;
- mining should not be permitted in particularly sensitive areas;
- RBM should not mine closer than 400m to the high water mark of the lake;
- mining should not encroach upon the wetland, but should keep to the dune area;
- RBM should put up a R3,2m bond to guarantee further rehabilitation work;
- RBM should pay all costs of mitigating the predicted impacts;
- a mitigation monitoring committee should be set up;
- mitigation measures should be reviewed annually by independent consultants; and
- no burning to clear vegetation should be allowed.

The report recommended that if mining of the land were to be permitted the St Lucia area should be

given permanent legal protection and any further mining or prospecting in the area should be prohibited.⁵⁹ [⁵⁹ *The Natal Mercury* 19 March 1993]

The EIR gave figures on the estimated income to be obtained from mining the minerals (mainly ilmenite, rutile, titanium and zircon). It calculated the value of the operation to be R153m (discounted to present-day values). The report stated that there would be other benefits in the form of foreign exchange earnings of R606m and tax earnings of R157m. It also estimated that the project would create 300 temporary jobs, 313 permanent jobs and between 1 275 and 4 675 allied jobs around the country.⁶⁰ [⁶⁰ *Ibid*] In comparison, the report estimated that ecotourism without mining would generate R266m in total income (including tax and foreign exchange) and generate between 212 and 392 full-time jobs. If mining was to be permitted, the tourism industry in the area would earn R70m less.⁶¹ [⁶¹ *Business Day* 19 March 1993] RBM announced that it planned to start mining the area in about 1999. The company said that the operation would take about 17 years to complete and an additional three years would be required for rehabilitation.⁶² [⁶² *Developer* June 1993]

The report was to be submitted to a five-member review panel, chaired by a former Natal Supreme Court judge, Mr Justice Ramon Leon. The panel would make a recommendation on a preferred option based on public hearings that it was to hold in August 1993.⁶³ [⁶³ *The Citizen* 7 May 1993] The minister of mineral and energy affairs, Mr George Bartlett, would then make a final decision on the matter after consultation with the cabinet.⁶⁴ [⁶⁴ *Developer* June 1993 vol 5] At the time of writing, a decision had not yet been made.

The Campaign for St Lucia, comprising several environmental and conservation groups, including the Wildlife Society of Southern Africa, rejected the report, saying that the EIR had a pro-mining bias, that no attempts had been made to evaluate other areas of state-owned land for mining and that several decision-making procedures had not been followed. The Natal Parks Board also criticised the report. The board said that there were important omissions and shortcomings in the report, and, in particular, the question of rehabilitation requirements and the significance of the potential impact of mining on the biodiversity of the area had not been addressed adequately.⁶⁵ [⁶⁵ *The Citizen* 18 June 1993] The Natal Parks Board also condemned the fact that employees of RBM had sat on the assessment management team.⁶⁶ [⁶⁶ *Business Day* 29 March 1993] The board said that mining could hinder the development of ecotourism and suggested that instead of being mined the area should be set aside to be developed as a formal conservation area to take advantage of the predicted growth of ecotourism.⁶⁷ [⁶⁷ *The Natal Mercury* 19 March 1993]

South Africa was a signatory to the Ramsar Convention, which had been drawn up in Iran in 1978. The convention had compiled a list of 12 protected wetlands which it considered to be of international importance, including the St Lucia area. In terms of the convention, contracting parties had to inform the bureau established by the convention immediately if the ecological character of any wetland on the Ramsar list had changed, was changing or was likely to change as a result of technical developments,

pollution or other human interference. South Africa would be acting in contravention of the Ramsar Convention if mining were to be permitted at St Lucia. A three-member Ramsar team visited St Lucia in 1992 and published a report in March 1993. In its report the team said that the government should consider refusing the application for mining rights on principle.⁶⁸ [⁶⁸ *The Argus* 26 March 1993] The report stated that mining in the area would result in major, irreparable damage to the habitat, and would alter the soil characteristics, dune structure and beaches of the area significantly.⁶⁹ [⁶⁹ *Business Day* 25 March 1993]

A spokesman for environmental affairs for the African National Congress, Professor Stan Sangweni, said that the issue of mining at St Lucia was too important for a decision to be made before an interim government was in place.⁷⁰ [⁷⁰ *Sunday Times* 14 May 1993] It was reported in January 1993 that the National Union of Mineworkers was likely to oppose mining at St Lucia. The union argued that mining would benefit only a small group but that once a new government was in place and wealth could be distributed more evenly, mining the area might become more acceptable.⁷¹ [⁷¹ *The Weekly Mail* 22 January 1993]

It was reported that the project had the support of most of the traditional leaders in the area.⁷² [⁷² *Ibid*] The population in the areas around the proposed mining site was ranked by the World Bank as one of the poorest in the world, with few schools and a literacy rate of 36%.⁷³ [⁷³ *Saturday Star* 20 March 1993]

The Inkatha Freedom Party expressed its support for the mining although it suggested that local communities should be permitted to share in the mining revenues.⁷⁴ [⁷⁴ *Cape Times* 20 March 1993]

The final report of the environmental impact assessment was published in September 1993. The main findings of the previous report were left largely unchanged, although four new issues were raised. Firstly, the report suggested three options for the resettlement of people forcibly removed from the area in the 1950s, 1960s and 1970s. Either the previous situation, where the minister of mineral and energy affairs had the legal right to make a decision about whether or not the removed people returned, could be retained, or the land could be returned to the original owners with the state retaining control over mineral rights to the area, or the land and mineral rights could be handed over to the previous owners.⁷⁵ [⁷⁵ *Saturday Star* 18 September 1993]

The report recommended that the resettlement process be addressed in the following manner:⁷⁶ [⁷⁶ *Ibid*]

- a process of negotiation between the state and the claimants to the land be started immediately; and
- a forum be established to oversee the development of the land.

Secondly, the new report isolated a problem relating to the use of water for the mining project. It said that leakage in some places could mean that the potential daily use of water by the mine had been

underestimated. The report recommended that if mining were to take place it should not take place in areas that were subject to this risk.⁷⁷ [⁷⁷ Ibid]

Thirdly, the report suggested that the ecotourism plans suggested by the Natal Parks Board as an alternative to the mining could lead to overcrowding. It recommended that if this option were to be adopted it should be preceded by a new environmental impact study, to be funded by the National Parks Board.⁷⁸ [⁷⁸ Ibid]

Finally, the report discussed the views of the local communities living in the area, whose opinions had not previously been canvassed. It concluded that most of the people felt that the land expropriated by the state should be returned to its previous owners before a decision was made about the mining. Alternatively, they should be fully compensated or involved in a future dispensation.⁷⁹ [⁷⁹ Ibid]

It was reported in September 1993 that there were two groups laying claim to the land surrounding Lake St Lucia. These were the Mkhwanazi clan, led by Chief Mineus Mkhwanazi, and a smaller group led by a traditional healer, Mr Phineas Mbuyazi. Chief Mkhwanazi said that he supported plans to mine the area. However, Mr Mbuyazi said that he wished the land to be returned to his group 'for cultural and ceremonial reasons'. A spokesman for RBM, Mr Barry Clements, said that it was the responsibility of the Advisory Commission on Land Allocation to decide which of the two groups had a legitimate claim to the land (see also chapter on *Land, Agriculture and Rural Areas*).⁸⁰ [⁸⁰ *Sunday Times* 19 September 1993]

Damage to the Coastline

During 1993 a process of sand dune reclamation was instituted by conservation authorities on sand dunes in the western Cape, on which alien plants had previously been planted by foresters to stabilise the dunes. The stabilisation technique had begun in 1875 when shifting dune sand had hindered road and rail transport and encroached upon farmland. In the 1960s conservation authorities began to recognise that it was natural to have a certain amount of shifting sand and that ecological damage was being caused by bringing in foreign plants. However, only when these areas were transferred to the Cape Nature Conservation authorities in 1987 did serious rehabilitation of the dunes begin.⁸¹ [⁸¹ *The Argus* 24 March 1993]

Following a proposal by a private developer for the building of a seven-storey hotel in the Summerstrand beach area in Port Elizabeth (eastern Cape), the Port Elizabeth City Council decided in June 1993 to declare the site an environmentally sensitive area. According to a Port Elizabeth city councillor, Mr Graham Richards, this would mean that no development could occur on the site without a full environmental impact study and an extensive review period involving meetings with all interested parties.⁸² [⁸² *Eastern Province Herald* 25 June 1993]

Overfishing

It was reported during the period under review that the imposition of fishing quotas had had a negative effect on many fishing communities, resulting in retrenchment and poverty for many of the people involved in the fishing industry. The imposition of fishing quotas, together with the effects of the Group Areas Act of 1966 (which had compelled black fishermen to live far from the coast), meant that independent fishermen were often pushed out of business by the high costs of fishing and small quotas, and commercial interests dominated the industry. In 1986 the Commission of Inquiry into Recommendations on the Allocation of Quotas for the Exploitation of Living Marine Resources on a Firm Basis (the Diamont commission) had recommended public scrutiny of the allocation of quotas but it was reported in 1992 that little had been done about this.⁸³ [⁸³ *New Ground* summer 1992/93]

The Dolphin Action and Protection Group, based in Fish Hoek (Cape Town), which was involved in a campaign for the banning of gillnets from South African waters, appealed for assistance to the Portuguese consul general after a Portuguese fishing vessel was found using gillnets off the west coast of the Cape province in May 1993. (Gillnets are designed so that fish are caught in the strands of netting by their gills. Although only small fish can be caught in this manner, larger fish often became entangled in the nets.) At the time of writing there had been no further developments.⁸⁴ [⁸⁴ *The Argus* 10 May 1993]

It was reported that owing to overfishing the crayfish population on the west Cape coast had been virtually eliminated in 1964, and again in 1981, after which numbers had started increasing again. According to the secretary of the Dolphin Action and Protection Group, Mrs Nan Rice, the crayfish population had stabilised again by 1993, but was not yet secure.⁸⁵ [⁸⁵ *Ibid*]

Water Pollution

In its report on water quality management policies and strategies in South Africa, the Department of Water Affairs and Forestry identified the following major sources of water pollution in South Africa:⁸⁶ [⁸⁶ *City Press* 28 February 1993]

- industry-based pollution, including industrial waste and hazardous waste;
- pollution as a result of urbanisation, including solid waste, storm water, leaking sewers polluting ground water and faecal pollution from informal settlements;
- mining and power station pollution, including the discharge of saline effluent, acid mine drainage, metal pollution and erosion; and
- agricultural pollution, including irrigation return flows containing high salt loads and other pollutants, pesticides, fertilisers containing nitrate, faecal pollution and land disturbance (for example, as a result of

construction activity).

The minister of water affairs and forestry, Mr Magnus Malan, said in February 1993 in response to a question in Parliament that the European Community guidelines with regard to pollution levels in the ocean had been exceeded marginally at four places close to stormwater drains along the western Cape coast in 1993. The situation would improve, he said, on completion of repairs to the Green Point sea outfall pipeline and on completion of the construction of the Hout Bay pipeline. He added that no damage to marine life because of the pollution had been detected and that there was only a limited risk to bathers in the area.⁸⁷ [87 *Hansard* (A) 3 q cols 84-86, 17 February 1993]

The Water Research Commission (WRC) reported in May 1993 that the pollution of the water run-off in areas near informal settlements was often worse than water entering sewage purification plants. The commission said that for this reason it had decided to conduct research regarding the sanitation needs of developing communities and, in particular, the development of affordable ways of preventing pollution.⁸⁸ [88 *The Argus* 17 May 1993]

The WRC did not undertake such research itself but entered into agreements with other organisations such as universities, government departments, various water boards, the Chamber of Mines of South Africa and the Council for Scientific and Industrial Research. In 1992 the commission supported 225 projects with funds of R33m.⁸⁹ [89 *The Star* 4 May 1993]

The Palmer Development Group, an organisation funded by the Industrial Development Corporation and which had conducted research into alternative sanitation, estimated in April 1993 that a single sewer connection to a dwelling unit would cost R6 000. The group stated that if the number of dwelling units required to house the entire population in formal housing were constructed, the use of water by people living in these dwellings would place a heavy burden on South Africa's already limited water resources (see *Water shortage* above).⁹⁰ [90 *Engineering News* 8 April 1993]

The WRC estimated in April 1993 that one in every three people in South Africa did not have access to safe water, and one in every two people did not have adequate sanitation. For this reason, the WRC said, it was promoting and co-ordinating extensive research into sewage and effluent systems.⁹¹ [91 *Ibid*]

The International Association for Water Quality conducted a technical tour of South Africa in 1993 to review technological developments relating to the removal of nutrients from sewage in South Africa. This involved, principally, ways of dealing with sludge, a byproduct of sewage treatment which contained a variety of pathogens. A technique mentioned was one developed for transforming sludge into fertiliser to be used in agriculture.⁹² [92 *Ibid*]

During 1993 extensions were made to Johannesburg's northern wastewater purification plant, making it the largest sewage treatment installation in South Africa.⁹³ [93 *Ibid*]

Air Pollution

The minister of national health, Dr Rina Venter, said in response to a question in Parliament in March 1993 that steps had been taken to combat air pollution in the eastern Transvaal. She said that all scheduled industries and metallurgical plants in the area had been fully equipped with air pollution control equipment, and all were monitored on a regular basis by the Department of National Health and Population Development. All such plants had to submit written monthly reports to the department, she said.⁹⁴ [⁹⁴ *Hansard* (A) 6 q col 437, 10 March 1993]

In response to another question in Parliament in March 1993, Dr Venter said that air pollution had reached unacceptable levels in several areas in South Africa. These areas were: Cape Town (mainly as a result of high nitrogen oxide levels from exhaust emissions); the Vaal Triangle (southern Transvaal), Edenvale, Kempton Park and Modderfontein (all east Rand) (as a result of high levels of particulate pollution); and several unelectrified urban areas (as a result of coal fire fumes).⁹⁵ [⁹⁵ *Ibid* q cols 436-438, 10 March 1993]

The report of the Council for Scientific and Industrial Research (CSIR) regarding air pollution on the east Rand, which was published in July 1993, found that dust and smoke levels in the area were above minimum health limits. The report stated that levels of particulate pollution such as dust and smoke were unhealthy although levels of gaseous pollutants such as sulphur dioxide and nitrogen dioxide fell within maximum health limits.⁹⁶ [⁹⁶ *Business Day* 19 July 1993]

Waste

The vice president of the Institute of Waste Management, Mr Rob Hall, said in June 1993 that only one in ten waste disposal sites in South Africa were properly controlled and audited. The deputy director general of water affairs and forestry, Mr Leon Bredenhann, said that of the 1 200 formal waste disposal sites in South Africa, only 60 had been issued with permits. He stated that the only action that his department took regarding waste disposal was in reaction to problems that developed. A site had to cause environmental damage before the owners of it could be prosecuted, Mr Bredenhann said. However, the manager of the environmental services division of the CSIR, Mr Graham Noble, warned that enforcing too many regulations in the waste control industry would be likely to compel people to dump in the veld and rivers and could, therefore, be counterproductive.⁹⁷ [⁹⁷ *The Star* 11 June 1993]

Nuclear Power

In response to a question in Parliament in April 1993 the minister of mineral and energy affairs, Mr

George Bartlett, said that there had been a nuclear accident at Pelindaba (central Transvaal) on 9 December 1992. The accident at the nuclear enrichment plant of the Atomic Energy Corporation of South Africa (AEC) had, he said, involved the release of between 100kg and 150kg of uranium, as a result of the failure of the nuts used to secure a blind flange. He added, however, that only 29kg of the uranium was estimated to have escaped through the smoke stack of the plant and into the air. According to Mr Bartlett, the environment outside the plant had not been affected, and it had not been necessary to take any emergency measures.⁹⁸ [⁹⁸ *Hansard* (A) 9 q cols 1029-1031, 2 April 1993]

It was reported in May 1993 that the AEC had received help from the United States in the development of a nuclear explosive for mining purposes in the 1960s and early 1970s, and that since 1974 the South African government had completed six nuclear bombs which Armscor had begun to dismantle in 1990. Old 'Hiroshima style' technology had been used in the manufacture of the bombs to minimise the need for outside technology. After the bombs had been dismantled all relevant documents were reported to have been destroyed (see also chapter on *Security*).⁹⁹ [⁹⁹ *Eastern Province Herald* 13 May 1993]

In March 1993 Eskom announced plans to build new nuclear power stations along the Cape west coast and identified two potential sites. The Cape Wildlife Society argued that in the light of a worldwide move away from nuclear power it was inappropriate for Eskom to be building more nuclear reactors.¹⁰⁰ [¹⁰⁰ *The Citizen* 8 March 1993]

In May 1993 Greenpeace International published a report claiming that more than half of the world's nuclear reactors were under a high risk of meltdown. The report stated that this was due to a phenomenon discovered by a French electricity utility in 1991 and known as vessel head penetration cracking. This phenomenon resulted from cracking in pressurised water reactors which often led to malfunction of the control rods (the most central component of a reactor's safety mechanism). This resulted in an increased risk of meltdown with no safety mechanism to combat it.¹⁰¹ [¹⁰¹ *The Argus* 10 April 1993]

Following the publication of this report environmental protestors in Cape Town demanded the immediate closure of the Koeberg nuclear power station (western Cape). Eskom responded by saying that a theoretical safety test for the cracking of the vessel head had been performed and that the licensing authority, the Council for Nuclear Safety, had been satisfied with the results. A physical safety test had not been required, they added.¹⁰² [¹⁰² *Ibid*]

Although the government announced its intention to abandon its nuclear weapons programme in July 1993, the AEC announced that it would retain its stockpile of highly enriched uranium. The AEC said that the manufacture of industrial and medical isotopes from the uranium would generate revenues of as much as R500m over the following decade.¹⁰³ [¹⁰³ *Business Day* 28 July 1993]

Conservation Measures

International and Regional Treaties

In July 1991 South Africa became a signatory to the Nuclear Nonproliferation Treaty, in terms of which South Africa had to cease manufacturing or acquiring nuclear weapons and to submit a comprehensive inventory of all nuclear material and facilities to the International Atomic Energy Agency (IAEA). The IAEA announced in April 1993 that it would send an inspection team to South Africa to verify that authorities had destroyed nuclear installations.¹⁰⁴ [¹⁰⁴ *South African Policy Review* May 1993] At the time of writing this had not yet taken place.

In November 1992 South Africa was a signatory to the Montreal Protocol relating to chlorofluorocarbons (CFCs), in terms of which production levels of the CFCs R11 and R12 would be frozen by 1996 and their use phased out completely by 2030. It was reported in February 1993 that about 3 500 tonnes of these chemicals were being used in South Africa in 1993, compared with about 10 000 tonnes ten years previously. AECI was the only manufacturer of these chemicals. An AECI manager, Mr Mike Rex, said that the company would stop producing the gases by 1995 although alternatives would be more expensive.¹⁰⁵ [¹⁰⁵ *Business Day* 8 February 1993]

Mr Rupert Lorimer MP (Democratic Party) suggested in March 1993 that once South Africa had become a member of the United Nations Educational, Scientific and Cultural Organisation (Unesco), parks with international borders such as the Kruger National Park could become international peace parks and should be proclaimed world heritage sites.¹⁰⁶ [¹⁰⁶ *Hansard* (A) 6 col 2487, 8 March 1993]

Legislation

An amendment to the Minerals Act of 1992 was tabled and passed in Parliament in May 1993. The amendment sought to increase the responsibility of mine owners for rehabilitating the environment where environmental damage had occurred and to increase the environmental planning requirements for new mines. In terms of the amendment, a certificate had to be obtained from an official of the Department of Mineral and Energy Affairs stating that adequate provision for rehabilitation had been made before a mining operation was terminated. The amendment also provided for the Department of Mineral and Energy Affairs to be able to prevent a mine owner from disposing of assets until adequate plans for rehabilitation had been made, with a maximum fine of R50 000 for contravention of this requirement.¹⁰⁷ [¹⁰⁷ *Business Day* 10 May 1993]

The Environment Conservation Amendment Bill, debated in Parliament in June 1993 and passed in July 1993, outlined the creation of a new environment management committee. The committee would be made up of the directors general of 17 departments under the chairmanship of the director general of environment affairs, and was to replace the defunct committee for environmental management.¹⁰⁸ [¹⁰⁸ *The Citizen* 17 June 1993] According to Mr Lambert Fick MP (National Party), the new committee would be

more streamlined than the old one because it would no longer include extra-parliamentary organisations.¹⁰⁹ [¹⁰⁹ *Hansard* (extended public committee—House of Representatives) 20 col 10362, 7 June 1993]

However, commenting on the new bill, Mr Errol Moorcroft MP (Democratic Party) said that the new committee would be overly bureaucratic, and that it did not include people who could be considered experts on the environment. He said that, in particular, the National Parks Board and the National Botanical Institute had not been included, and that the majority of the participants would be more concerned with industrial growth than with the preservation of the environment.¹¹⁰ [¹¹⁰ *The Citizen* 17 June 1993]

During a debate in Parliament in June 1993 on the Water Amendment Bill (passed in July 1993) the minister of environment affairs, Mr Japie van Wyk, said that the bill would allow the authorities to recoup part of the cost of clearing up water pollution from those who had profited from causing it. The bill would also enable the department to take effective steps to prevent accidents that could lead to water pollution, he added.¹¹¹ [¹¹¹ *Ibid* 8 June 1993]

National Parks and Game Reserves

In May 1992 the government made available R600m through the Industrial Development Corporation (IDC) to subsidise the establishment of private game reserves and wildlife lodges. It also announced plans to increase the amount of land used for ecotourism by 800 000ha over the following five years.¹¹² [¹¹² *Saturday Star* 17 April 1993]

The IDC had reported earlier, in January, that of the applications that had been received for funding for game reserves, 70% were from conservation authorities and 30% from the private sector.¹¹³ [¹¹³ *The Citizen* 12 January 1993]

It was estimated that in 1993 there were approximately 800 game reserves in South Africa (including the ten homelands), excluding those owned by the National Parks Board (NPB). The National Game Organisation estimated that in 1990 there were approximately 9 000 game ranches owned by individual farmers and covering 8m hectares. A total of R355m was generated by game farming in 1990. Some 75% of this amount accrued from safari hunting and the remainder from tourist visits, game auctions and the sale of venison.¹¹⁴ [¹¹⁴ *Saturday Star* 17 April 1993]

The minister of tourism, Mr Org Marais, estimated in May 1993 that ecotourism had brought R2,42bn in revenue into South Africa in 1992, and that approximately 386 000 foreign visitors had come to South Africa in order to visit game reserves and parks. ‘As a result, it can be said that 66% of all overseas visitors were motivated by ecotourism to travel to South Africa,’ he said.¹¹⁵ [¹¹⁵ *Ibid*] The deputy minister of environment affairs, Mr Wynand Breytenbach, said that one job was created for every 30 tourists, and two more were created in supporting industries.¹¹⁶ [¹¹⁶ *South African Policy Review* April 1993]

According to the South African Tourism Board (Satour), political violence had resulted in a cancellation rate of between 5% and 8% of bookings made by overseas visitors in 1992, and although there was still much interest in South Africa as a tourist destination, international trade had ‘taken a “wait-and-see” attitude’.¹¹⁷ [¹¹⁷ *The Weekly Mail* 21 May 1993]

At the time of writing the NPB was responsible for the designation of national parks.¹¹⁸ [¹¹⁸ *The Star* 9 March 1993] The minister of environment affairs, Mr Louis Pienaar, suggested in March 1993 that this should be changed so that national park status could be granted to areas such as Table Mountain (Cape Town) that the NPB was not interested in managing. National park status would ensure better conservation of such areas.¹¹⁹ [¹¹⁹ *Ibid*]

According to the NPB, international guidelines called for countries to reserve at least 10% of their surface area for nature conservation. In 1993 South Africa (including the ten homelands) had only 5,8% of its total area set aside for such purposes.¹²⁰ [¹²⁰ *The Natal Mercury* 19 March 1993]

In May 1993 a R35m private ecotourism project designed to reintroduce the ‘big five’ mammals (ie buffalo, cheetah, elephant, lion and rhino) to a private game reserve in the northern Transvaal was launched. The plan was a joint development of the Du Plessis Trust, Jordan Properties and Rand Merchant Bank and was to involve the purchase of 51 farms of 500ha each in the Vaalwater district (northern Transvaal). The farms would be owned by individual investors, who would have the right to traverse the whole reserve. The 16 units were to be sold for R1,05m each.¹²¹ [¹²¹ *Business Day* 26 March 1993]

A spate of attacks on humans by wild animals in game reserves during 1993 led the Rhino and Elephant Foundation to suggest that the industry was being allowed to expand without sufficient research into animal management being undertaken. The chairman of the foundation, Mr Clive Walker, said that animals were being moved around too much ‘without much knowledge about the effect this has on their behaviour’. He pointed out that some of the attacks had been by young bull elephants. According to Mr Walker, many elephants moved to new game reserves were young bulls that had been orphaned in traumatic culling operations in the Kruger National Park. He warned that ‘people get killed by elephants that have been harassed by man’.¹²² [¹²² *The Weekly Mail* 7 May 1993]

The tourism development director of Satour, Mr Mike Fabricius, said in May 1993 that government funds to sponsor wildlife projects should be granted only to those projects which ensured that local inhabitants participated in their management. He pointed out that the wildlife projects that most tourists visited were often in depressed rural areas, and that the ultimate goal of ecotourist development should be the improvement of the quality of life of the people of South Africa. Satour also suggested that the government make it mandatory that all new tourism enterprises be accompanied by an environmental impact assessment.¹²³ [¹²³ *Ibid* 21 May 1993]

In July 1993 a boundary fence between the Kruger National Park and neighbouring private nature reserves was removed, effectively enlarging the park by 205 000ha. A joint statement by the administrator of the Transvaal, Mr Danie Hough, and the executive director of the NPB, Dr Robbie Robinson, said that the restoration of natural ecosystems, the establishment of a uniform conservation strategy and the creation of job opportunities in the surrounding communities had been the main motivating factors for the removal of the fence. The owners of the private game reserves would continue to own and manage the reserves.

(The fence had been erected in 1962 to control the spread of diseases such as foot-and-mouth disease, but according to the statement, it had had the disadvantages of restricting the free movement of animals and cutting off migration routes.)¹²⁴ [¹²⁴ *The Citizen* 8 July 1993]

Elephant Conservation

The Endangered Species Protection Unit branch of the South African Police discovered 60kg of ivory worth over R100 000 in a house near Kempton Park (northeast Rand) in March 1993. Two arrests were subsequently made in connection with the find.¹²⁵ [¹²⁵ *The Star* 26 March 1993]

During 1991 the Rhino and Elephant Foundation proposed the removal of two elephants from the Kruger National Park to the Knysna forest (southern Cape) to try to save the elephants in the forest from extinction. Although the plan had been approved by the Department of Environment Affairs two years previously, the foundation had not been able to implement it because of government demands for insurance. The Department of Water Affairs and Forestry said that attacks by elephants in the forest had resulted in the loss of human life, and the government, therefore, wanted a guarantee from the foundation exempting the government from any claims arising from the relocation.¹²⁶ [¹²⁶ *The Argus* 8 May 1993]

Mining Land Recovery

Since 1984 the Department of Mineral and Energy Affairs has embarked on a programme to rehabilitate defunct asbestos mine dumps in South Africa, this project being funded mainly by the sale of crude oil stocks. Since 1986 the department has worked in conjunction with the Research Institute for Reclamation Ecology at Potchefstroom University. Rehabilitation efforts are concentrated mainly in the northern Transvaal, but there are also projects in operation in the eastern Transvaal (mainly in the Barberton area) and the northwestern Cape (in the Prieska and Kuruman areas). The reclamation process involves flattening the dumps and covering them with gravel and rocky topsoil, which has a low potential for erosion. A seed mixture harvested from vegetation in the surrounding area is then sown on top.¹²⁷ [¹²⁷ *South African Policy Review* May 1993]

Recycling

The executive president of the Packaging Association of South Africa, Mr Piet Neethling, said in January 1993 that although there were environmental, employment and economic advantages to be obtained from recycling, local and overseas experience showed that many factors mitigated against obtaining optimum recycling rates. He said that there were, for example, cost constraints in the production of recycled material and limited uses for recycled products. He also warned against short-cut legislative solutions. He argued that these could raise the inflation rate by compelling expensive alterations (for example the replacement of conventional plastics by biodegradable plastics).¹²⁸ [¹²⁸ *Business Day* 29 January 1993]

The minister of environment affairs, Mr Japie van Wyk, said in response to a question in Parliament in March 1993 that the government was not planning to introduce legislation to promote recycling. He said that national and international experience had shown legislation in this regard not to be effective. The government, therefore, advocated regulation through market forces. He added that direct incentives to promote recycling could also not be considered in the present economic climate.¹²⁹ [¹²⁹ *Hansard* (A) 9 q col 952, 31 March 1993]

Nevertheless, the minister said, the government had committed itself to the concept of recycling in the 1993 white paper entitled *Policy on a National Environmental Management System for South Africa* (see *Policy* above). According to the white paper, the government would be obliged to 'deploy a national strategy for waste management and develop integrated pollution control in which the elements of responsibility, accountability, prevention, treatment and re-use should enjoy priority. Disposal in the atmosphere, land and water environments should be considered as a last option only'.¹³⁰ [¹³⁰ *Ibid*]

Mr van Wyk said that there had been a 73% increase in the volume recycled over the previous five years. He provided the following figures for the proportion of products produced which had been recycled: paper and board, 33%; plastic, 13%; tin-plate, 16%; aluminium, 84%; and glass, 70%.¹³¹ [¹³¹ *Ibid*]

It was reported in March 1993 that between 12% and 14% of South African newspapers used recycled paper. Some 25% of paper used in newspapers was made up of recycled matter, which came from the Mondi recycling plant in Durban, and 75% comprised timber pulp. The Mondi plant had been commissioned in 1991 at a cost of R102m. It had the capacity to process 85 000 tons of used paper a year. It was estimated that this saved chopping down as many as 4m pine trees each year. A sales representative of Mondi, Mr Kevin Staegemann, said that the majority of waste that was used for recycling was domestic rather than commercial waste paper. During 1993 Mondi introduced a free national newspaper collection service in order to capitalise on domestic waste paper.¹³² [¹³² *Daily Dispatch* 19 March 1993]

A joint venture between Iscor, Metal Box of South Africa and Crown Cork was launched in 1993 to

recover and recycle tin cans. The company formed by these organisations, Collect-a-Can, aimed to increase beverage can recovery from 20% in 1993 to 50% in 1996.¹³³ [¹³³ *Business Day* 4 June 1993]

Control of Air Pollution

In May 1993 the minister of national health, Dr Rina Venter, named exhaust emissions from motor cars as a major contributor to air pollution. The chief researcher of Volkswagen of South Africa, Dr Ulrich Sieffert, said that the most obvious way to cut down the effect of exhaust emissions was to reduce fuel consumption. He said that cars manufactured in 1993 used approximately three quarters of the fuel that cars manufactured ten years previously used, and this trend would be likely to continue in the future.¹³⁴ [¹³⁴ *The Argus* 10 May 1993]

Dr Sieffert said that another step that would have to be taken was to encourage greater use of catalytic converters in car engines. The platinum and rhodium in the converter, he said, reacted chemically with the carbon monoxide in exhaust fumes and turned it into carbon dioxide, nitrogen and water, which were harmless waste products. However, Dr Sieffert added that this system required sophisticated electronic ignition and fuel injection systems which were not present in older cars and would be expensive to install. He said that catalytic converters were also easily corrupted by lead, and thus required lead-free fuel.¹³⁵ [¹³⁵ *Ibid*]

It was reported in June 1993 that South Africa was expected to introduce unleaded fuel in 1995. The Department of Mineral and Energy Affairs stated that it would keep the price of unleaded fuel down in order to encourage its use, although it would cost approximately 10c a litre more than existing fuels to produce.¹³⁶ [¹³⁶ *Business Day* 4 June 1993]

Action Taken Against Offenders

Sappi Novobord, Drumcor and Bisonboard were convicted in 1993 for failing to purify effluent as prescribed by the Water Act of 1956.¹³⁷ [¹³⁷ *Ibid* 28 January 1993]

Mr Rupert Lorimer MP (Democratic Party) said in July 1993 that although South Africa had good legislation to limit soil erosion there had been no prosecutions in terms of this legislation. He said that the same situation existed with regard to illegal plantations, where the government turned a blind eye to foresters who had not been issued with permits. Mr Lorimer suggested that the government was pandering to the wishes of certain interest groups to the detriment of the environment.¹³⁸ [¹³⁸ Telephonic interview with R Lorimer MP (DP), 26 July 1993]

A spokesman of the Department of Forestry denied this. He said that if the department became aware of foresters operating without permits they were charged and fined. He added that this applied also to foresters who planted an area greater than that allocated to them.¹³⁹ [¹³⁹ Telephone interview with a spokesman of

the forestry department, 29 October 1993]

Green Organisations

A self-funding, nonprofitmaking organisation with a membership of scientists and engineers concerned with environmental issues was launched in March 1993. The organisation, known as the Environmental Scientific Association, stated that its objectives were to 'present scientific opinions on issues relating to national and global environmental concerns, with particular reference to industry', and to provide a balanced, scientifically based opinion to counter 'emotional opinions' from interest groups. According to the chairman, Dr Dan Walmsley, it would also act as an advisory group to the Industrial Environmental Forum and identify areas of concern through ongoing environmental review.¹⁴⁰ [¹⁴⁰ *Engineering News* 12 March 1993]

In July 1993 the Southern African Nature Foundation (SANF) published its final report on its planned African Wildlife College. The college, which would be one of only three in Africa and seven in the world, would be situated near the Kruger National Park and would provide training to middle-level management on the particular management problems of African wildlife. Course topics would include fire control, the introduction and rotation of water supplies, fence maintenance, culling and the eradication of invasive alien plants. According to the chief executive of the SANF, Dr John Hanks, the college would probably be running by the beginning of 1994.¹⁴¹ [¹⁴¹ *The Citizen* 6 July 1993]

Key Projections

- The Water Research Committee said in March 1993 that South Africa would run out of water between 2020 and 2030 unless measures to combat the shortage were taken.
- According to Mr Rupert Lorimer MP (Democratic Party), if the present rate of soil erosion continued the area of land in South Africa covered by desert would increase from 50% in 1993 to 70% by 2000.
- In May 1992 the Industrial Development Corporation announced plans to increase the area of land used for ecotourism by 800000ha over the following five years.

SECURITY

Key Points

- According to the South African Institute of Race Relations, 17 636 people died in political violence

between 1 September 1984 and 30 September 1993.

- According to the minister of law and order, Mr Hernus Kriel, more than 20 000 people were killed in South Africa in political and criminal violence in 1992.
- In the ten years from 1983 to 1992 the murder rate in South Africa (excluding the ten homelands) increased by 135%, robbery by 109%, housebreaking by 71%, and rape by 62%. Over the same period the population increased by 25%.
- Mr Kriel said in May 1993 that in a bid to improve the security situation on farms, the government would spend millions of rands in subsidies to help farmers install radio communications, burglar alarms and fencing.
- At a church-brokered meeting in June 1993 the president of the African National Congress, Mr Nelson Mandela, and the chief minister of KwaZulu and the leader of the Inkatha Freedom Party, Chief Mangosuthu Buthelezi, agreed to make a fresh effort to end the violence between their supporters.
- In April 1993 the Goldstone commission proposed a draft bill to address the civil liability of organisers of gatherings, the prevention and prohibition of gatherings, and demonstrations near courts, Parliament and the Union Buildings (Pretoria). The commission said that legislation was desirable even before the completion of the transition period because mass demonstrations and marches were matters of urgency.
- In March 1993 the state president, Mr F W de Klerk, announced a ten-point plan costing an estimated R10m and involving 22 500 police reservists in combating violence and crime.
- In June 1993 Parliament voted by 125 votes to 54 in favour of the reinstatement of the death sentence. However, the minister of justice, Mr Kobie Coetsee, said that the vote did not mean a 'summary lifting of the moratorium on the death sentence'.
- In March 1993 Mr de Klerk announced that South Africa had abandoned its nuclear armaments programme in view of the normalisation of its international relations.
- The defence budget declined from 4,3% of state expenditure in 1989/90 to 2,6% in 1993/94.

Initiatives Against Political Violence

In February 1993 a commuter train equipped with high-tech security devices worth R1,4m was introduced by the South African Rail Commuter Corporation (SARCC) on the Johannesburg/Soweto railway line. The head of security of the SARCC, Mr François van Eden, said that the train, which had violence-proof windows and doors, a video monitoring system, a public address system and radio communication between drivers and guards, would cut down on the time it took to arrest those involved

in violence as guards could react immediately to incidents shown on closed circuit television.¹ [¹ *Business Day* 10 February 1993]

In April 1993 the government published a draft amendment to the Arms and Ammunition Act of 1969, which sought to provide for a compulsory five-year minimum prison sentence for the illegal possession of explosives and military firearms, including AK-47 assault rifles. The amendment made provision for a 60-day amnesty period in which people could hand in such weapons and explosive devices to the police. Warning that the security forces were planning an extensive clampdown on the illegal possession of firearms, the deputy minister of law and order, Mr Gert Meyer, said that he had asked the attorneys general not to prosecute people who handed in arms and explosives voluntarily.² [² *The Star* 2 April 1993] By June 1993 only eight AK-47 assault rifles had been handed in as a result of the amnesty on illegal weapons.³ [³ *Ibid* 30 June 1993]

In May 1993 Mr Justice Richard Goldstone handed a proposed draft bill on regulating public gatherings to the state president, Mr F W de Klerk. The bill had been drafted by the Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (the Goldstone commission). Judge Goldstone subsequently explained that the proposed legislation emphasised the civil liability of groups organising public gatherings and also outlined suggested procedures for planning such gatherings. In terms of the provisions of the draft bill conveners would no longer have to seek permission for public gatherings or demonstrations. Instead, they would be required only to give notice to the necessary authorities (see also *Legislation* below).⁴ [⁴ *Ibid* 5 May 1993]

The minister of law and order, Mr Hernus Kriel, said in East London (eastern Cape) in May 1993 that the government was to spend millions of rands in assistance to farmers in the form of subsidies for installing radio communications, burglar alarms, fencing and other unspecified security measures. He added that a slow-flying aircraft with police radio contact would be sent to East London to provide an effective patrol in the eastern Cape. Mr Kriel made the announcement after attacks on whites at the Highgate Hotel (King William's Town) and at Fort Beaufort, both in the eastern Cape, in which nine people died (see also chapter on *Political Developments*). He also said that 250 additional policemen would be sent to the area, more police bases would be established and police would begin patrolling highways in the area.⁵ [⁵ *The Citizen*, *The Star* 11 May 1993]

In June 1993 the president of the African National Congress (ANC), Mr Nelson Mandela, and the chief minister of KwaZulu and leader of the Inkatha Freedom Party (IFP), Chief Mangosuthu Buthelezi, agreed at a church-brokered meeting, chaired by both the Anglican archbishop of Cape Town, the Most Reverend Desmond Tutu, and the presiding bishop of the Methodist Church, the Reverend Dr Stanley Mogoba, to forge a fresh commitment to end the violence between their supporters.⁶ [⁶ *Ibid* 24 June 1993] The two leaders also agreed to:

- address joint rallies in various strife-torn areas;

- share joint platforms where the leadership of the ANC and the IFP would urge their respective supporters to lay down arms;
- prohibit the carrying of dangerous weapons in public; and
- call for a tighter control of illegal arms.

The two leaders agreed on the legitimate right of both the ANC and the IFP to exist. They also said that a meeting of the signatories of the *National Peace Accord* should be convened as soon as possible.⁷ [7 Ibid]

In reaction, Archbishop Tutu said that ‘a great deal of progress has been made, although not all the barriers and obstacles have been overcome’, while Bishop Mogoba commented, ‘The meeting has brought about hope and the atmosphere [during the meeting] has been excellent.’ However, the two leaders failed to agree on an election date for a constituent assembly which had been proposed for 27 April 1994 at the Negotiating Forum at the World Trade Centre near Johannesburg (see also chapter on *Constitutional Change*).⁸ [8 Ibid]

See also chapter on *Political Developments* for details of deaths in political violence.

National Peace Accord

In February 1993 the government recommended that political parties or movements which contravened the *National Peace Accord* should be penalised (see 1991/92 *Survey* plvxii). Mr de Klerk also called for the peace accord to be strengthened. Among the improvements which the government felt should be considered were:

- a more expeditious adjudicating procedure for dealing with alleged contraventions of the accord;
- the involvement of non-signatory parties at local and regional levels; and
- provision for effective sanctions which could be imposed on transgressors.⁹ [9 *The Star* 11 February 1993]

The chairman of the national peace committee, Mr John Hall, said in March 1993 that 159 complaints about breaches of the accord’s code of conduct for political parties and organisations had been received. He added that a committee looking into the strengthening of the peace accord had called for submissions from political organisations, as well as from the United Nations, the European Community, the

Organisation of African Unity and Commonwealth monitors.¹⁰ [¹⁰ *Business Day* 3 March 1993]

Mr Hall added, 'Many avenues are being explored and even, for example, the paying of a bond—say a sum of R1m—to guarantee that the parties uphold the peace accord and focus their minds more closely. There is a fine line between robust politicking and making inflammatory statements. We need greater dedication from signatories to the peace accord to push its provisions and obligations down to the grassroots level.'¹¹ [¹¹ *Ibid*]

Mr Hall went on to say that greater dedication from peace accord signatories and hundreds of millions of rands in funding for development projects were needed if the accord was to be made more effective. A new national fund which could co-ordinate the funding of socio-economic development projects in strife-torn areas was needed if violence was to be dealt with effectively.¹² [¹² *Ibid*]

In March 1993 the government approved an appropriation of R10m for the *National Peace Accord* trust for urgent reconstruction initiatives. The deputy minister of justice, Mr Danie Schutte, said that half the amount would be a direct allocation while the rest would be made available on a rand-for-rand basis to encourage contributions from the private sector.¹³ [¹³ *Ibid* 19 March 1993]

Mr Schutte said in April 1993 that the government had called for an urgent meeting of the national peace committee to look at measures to stem politically inspired lawlessness, strengthen the accord and convene a meeting of all its signatories.¹⁴ [¹⁴ *Ibid* 16 April 1993]

Dispute Resolution Committees

Regional

The chairman of the National Peace Secretariat, Dr Antonie Gildenhuys, said in May 1993 that it had been impossible to create peace structures in some areas. He added that 11 regional dispute resolution committees had been established. According to the office of the National Peace Secretariat, the regional committees are: Border/Ciskei, Eastern Cape, Eastern Transvaal, Far Northern Transvaal, KwaZulu/Natal, Northern Cape, Northern Transvaal, Orange Free State, Western Cape, Western Transvaal and Witwatersrand/Vaal.

Local

A total of 123 local dispute resolution committees had been established by May 1993, according to Dr Gildenhuys. Eight had been established in the Border/Ciskei region, seven in the eastern Cape, 11 in the eastern Transvaal, nine in the far northern Transvaal, nine in the KwaZulu/Natal region, nine in the northern Cape, eight in the northern Transvaal, 38 in the Orange Free State, 11 in the western Cape and

13 in the Witwatersrand/Vaal Triangle area. Six local dispute resolution committees were still to be formed in the western Transvaal.

Legislation

At the end of April 1993 the Goldstone commission proposed a draft bill to address the issues of the civil liability of organisers of gatherings and demonstrations; the prevention and prohibition of a gathering or demonstration near courts, Parliament and the Union Buildings (Pretoria); and the appointment of conveners, authorised members and responsible officials. The bill would also prohibit participants in a procession, demonstration or gathering from uttering words likely to cause violence or incite hatred of other groups based on differences of culture, race, gender, language or religion.¹⁵ [¹⁵ *Ibid* 30 April 1993]

The commission recommended that as mass demonstrations and marches were matters of such urgency, these issues should not be deferred and that it was desirable for legislation to be passed even before the completion of the period of transition to a new government.

The African National Congress (ANC) said that the draft bill was inconsistent in its approach to the right to demonstrate and that it failed to establish simple procedures for demonstrations, but imposed wide-ranging civil liabilities on demonstration organisers. It also did not provide a simple and inexpensive appeal procedure against decisions by the police and public authorities and severely restricted the right to demonstrate near courts, Parliament and the Union Buildings.¹⁶ [¹⁶ *The Star* 5 May 1993]

Deployment of Troops

In June 1993, 66 people were arrested when members of the South African Defence Force (SADF) and the police raided the Mandela and Holomisa shack settlements (east Rand). A large quantity of arms was confiscated during the raid. Police said that the raid was intended to bring violence in the area under control.¹⁷ [¹⁷ *Sowetan* 8 June 1993]

The liaison officer of the Natal Command of the SADF, Colonel F Verfuss, said in July 1993 that 121 Battalion had been deployed in Vulindlela (Natal) since 24 June 1993 to control violence.¹⁸ [¹⁸ *The Citizen* 6 July 1993]

In July 1993 the SADF deployed a 'unit of soldiers' at Koppies in the northern Orange Free State to help local police contain an ANC-sponsored march to protest against the barricading of Kwakwatse township by residents of Koppies.¹⁹ [¹⁹ *The Star* 8 July 1993]

Kwakwatse residents, supported by journalists, complained that the troops were biased towards right-

wing whites who had barricaded the township, trapping nearly 2 000 marchers. It was said that the soldiers had had a 'braai' with the right-wing whites at their makeshift headquarters at Koppies. Denying the allegations, an SADF spokesman, Major Merle Meyer, said that the 'braai' had been prearranged and that the soldiers had 'supplied their own meat'.²⁰ [²⁰ Ibid]

Early in August 1993, 1 500 extra police and soldiers were deployed in townships on the east Rand in a move to stop the violence in the area. Members of the internal stability unit cleared barricades from the main roads in the townships. A spokesman for the police, Captain Wicus Weber, said, 'It is not a house raid, not a raid against people. We hope residents will understand this is an attempt to make their lives safer.'²¹ [²¹ *The Weekly Mail* 6 August 1993]

A spokesman for the SADF said that it was providing back-up forces for the police from other areas of the country which were 'quiet' and that the cabinet was discussing the deployment of additional troops. Observers were quoted as saying that further reinforcements totalling 7 000 to 12 000 men would be needed to stabilise the situation in the east Rand townships (see also chapter on *Political Developments*).²² [²² Ibid]

Crime

Statistics

According to the 1992 annual report of the South African Police (SAP), which was tabled in Parliament in May 1993, murder and armed robbery, as well as attacks on the elderly and on policemen, had increased dramatically, while white-collar fraud had also risen sharply during 1992.

The minister of law and order, Mr Henus Kriel, said in Parliament in May 1993 that more than 20 000 people had been murdered in South Africa in political and criminal violence in 1992.²³ [²³ *The Star* 12 May 1993] According to the National Institute for Crime Prevention and the Rehabilitation of Offenders, there were 380 000 rape cases in South Africa every year and 95% of the victims were African.²⁴ [²⁴ *The Citizen* 12 May 1993]

According to the South African Institute of Race Relations, reported crime in South Africa was growing much more rapidly than the population. In the ten years from 1983 to 1992 the murder rate increased by 135%, robbery by 109%, housebreaking by 71%, car theft by 64%, rape by 62% and serious assault by 13%. Over the same period the population increased by approximately 25%. (These figures exclude the ten homelands.)²⁵ [²⁵ *Fast Facts* no 5, 1993]

The Institute said that the number of reported murders had increased steadily between 1985 and 1992, except between 1990 and 1991 (when the number declined by 3%). The murder rate had increased most

rapidly between 1991 and 1992—by 37%—and far exceeded the rate of increase of all other crimes.

However, many crimes were unreported. In a study of 1 000 people living in the Johannesburg magisterial district, Professor Beaty Naudé of the Department of Criminology at the University of South Africa found that only 34% of crimes were reported. The survey covered crimes such as assault, burglary, car theft and other types of theft, robbery and sexual assault. Car theft had the highest reported rate (89%), while sexual assault had the lowest reported rate (27%).²⁶ [²⁶ Ibid]

According to the Institute, analysis of figures for reported crime by police district suggested that township residents tended to be the victims of more violent crimes against the person (such as assault, rape and murder). Residents of formerly white areas suffered most from crimes involving theft of property (such as housebreaking and car theft).²⁷ [²⁷ Ibid]

In the police districts of the Cape Peninsula (Athlone, Bellville, Cape Town and Wynberg) in 1992, the Athlone district (which included the townships of Guguletu, Khayelitsha, Langa and Nyanga) accounted for 61% of murders reported, 49% of rapes and 49% of serious assaults. The districts of Cape Town and Wynberg accounted for most of the reported car thefts (55%) and housebreakings (53%).²⁸ [²⁸ Ibid]

In 1992 in Durban (including the police districts of Chatsworth, Durban, Durban West, Durban North and Pinetown), 20% of reported murders occurred in the single township of Inanda, while 11% of incidents of serious assault occurred in Phoenix, and 8% in KwaDabeka and in Inanda.²⁹ [²⁹ Ibid]

Some 61% of all serious assaults reported in Alexandra, Johannesburg and Soweto in 1992 occurred in Soweto, together with 65% of rapes and 57% of all murders.³⁰ [³⁰ Information supplied by the South African Police, 6 September 1993]

According to the Institute, international comparisons showed crime per capita in South Africa to be higher than in other countries for which figures were available. In 1990 the murder rate in France was four per 100 000 people; in Italy, five per 100 000; in Germany, four per 100 000; and in the Netherlands, 15 per 100 000. In the United States (US) the murder rate was ten per 100 000 in 1991, the rate of rape was 42 per 100 000 and the rate of serious assault was 433 per 100 000 people. In South Africa, by comparison, the murder rate in 1992 was 98 per 100 000 people, the rate of rape, 120 per 100 000 and the rate of assault, 668 per 100 000.³¹ [³¹ *Fast Facts* no 5, 1993]

An analysis of reported crime in 11 cities worldwide between 1982 and 1992 by the Institute showed that Johannesburg (excluding Soweto, but including Alexandra) rated as one of the most crime-ridden cities in the world. Johannesburg had the highest murder rate (97 per 100 000 people), the highest rate of rape (98 per 100 000) and the highest burglary rate (2298 per 100 000). While Los Angeles had the highest rate of car theft (2138 per 100 000), Johannesburg had the second highest (1 676 per 100 000).³² [³² Ibid]

In South Africa (excluding the ten homelands) between 1987 and 1992 the number of cases of armed robbery increased by 70%, murder by 64%, fraud by 80% and malicious damage to property by 37%. According to the SAP, the number of people killed in political violence as a proportion of the total number of people murdered was 15% in 1991 and 13% in 1992.³³ [³³ *The Citizen* 15 May 1993]

In 1992 the number of people attacked in their own homes was 49% higher than in 1991, and represented an increase of 310% on 1987 figures. In 1991 there were 1 133 cases of people attacked in their homes, involving 1 463 victims, compared with 1 688 attacks in which there were 2 022 victims in 1992. Of the attacks on the elderly in 1992, 70% were accompanied by robbery, 18% by murder, 12% by serious assault and 5% by rape. The number of attacks on the elderly per 100 000 of the population was 12 on the Witwatersrand, 12 in the eastern Transvaal, ten in Natal, eight in the Orange Free State and nine in the eastern Cape. Serious crime (excluding political violence) was highest in Natal, followed by the Witwatersrand and Soweto.³⁴ [³⁴ *Ibid*]

In the period 1 January to 31 May 1993, a total of 125 attacks on farms and smallholdings claiming the lives of 24 people occurred countrywide, according to the SAP's Crime Information, Analysis and Interpretation Centre. In addition, 246 attacks on the elderly nationwide included 184 robberies, 47 murders, 38 serious assaults and ten rapes in the period 1 January to 30 April 1993. In the comparable period in 1992, 361 attacks on the elderly nationwide had included 61 murders and 41 serious assaults. (The number of murders and robberies was not available.)³⁵ [³⁵ *Ibid* 3 June 1993]

Most of the attacks on farms and smallholdings together took place in the eastern Transvaal (37), followed by the northern Transvaal (21), the Witwatersrand (18) and the Orange Free State (13). The highest number of attacks on farms was in the eastern Transvaal (33), Orange Free State (11) and Natal (nine), while most attacks on smallholdings occurred on the Witwatersrand (17) and in the northern Transvaal (eight). The highest incidence of deaths was reported in the eastern Transvaal (six), followed by Natal (five) and the northern Transvaal (four).

Between 1 January and 31 May 1993, 84 policemen were murdered. Of this number, 40 were killed while on duty and 44 while off duty.³⁶ [³⁶ *Ibid*]

According to the 1992 annual report of the commissioner of the SAP, 224 policemen were murdered in 1992. The report gives no indication of the number of suicides by policemen in that year.³⁷ [³⁷ Annual report of the commissioner of the South African Police, 1992]

The public relations office of the SAP said in February 1993 that police had arrested 67 622 people for serious crimes during January 1993, of whom 24 741 had previous convictions. The commercial crime unit had charged 448 people for fraud and related offences involving R36m during the same period. In addition, the child protection unit had arrested 524 people; the diamond and gold unit, 251; the vehicle theft unit, 614; and the narcotics bureau, 1628.³⁸ [³⁸ *Business Day* 26 February 1993]

In response to questions in Parliament in March 1993, the government provided the following figures showing the extent of crime in each province (excluding the ten homelands).³⁹ [³⁹ *Hansard* (A) 7 q cols 555-556, 16 March 1993]

Reported crime in 1992

Cape

Natal

OraTransvaal

Total

Car theft

12 056

11 747

2 270

47 546

73 619

Common assault

51 551

21 340

14 052

58 697

145 640

Culpable homicide

2 434

2 022

834

4 583

9 873

Damage to property

31 690

15 923

7 657

42 983

98 253

Murder

4 509

5 290

1 052

9 284

20 135

Possession of drugs

18 060

10 557

3 574

11 998

44 189

Rape

7 972

3 614

2 096

11 130

24 812

Robbery

16 683

13 645

3 239

46 360

79 927

The greatest proportion of murders (46%) in 1992 occurred in the Transvaal. However, Natal had the highest murder rate in the country—213 per 100 000 people, compared with 95 per 100 000 in the Transvaal, 72 per 100 000 in the Cape and 47 per 100 000 in the Orange Free State.⁴⁰ [⁴⁰ *Fast Facts* no 5, 1993]

The greatest proportion of reported cases of common assault (40%) also occurred in the Transvaal. However, Natal had the highest rate of common assault in the country—808 per 100 000 people, compared with 780 per 100 000 in the Cape, 659 per 100 000 in the Orange Free State and 550 per 100 000 in the Transvaal.⁴¹ [⁴¹ *Ibid*]

The number of cases of reported crime in South Africa (excluding the ten homelands) from 1983 to 1992 is given below:⁴² [⁴² *Ibid*]

Reported crime in South Africa (excluding the ten homelands): 1983–1992

Year

Car theft

House breaking

Murder

Rape

Robbery

Serious assault

1983

44 771

148 766

8 573

15 342

38 229

121 716

1984

44 372

153 440

9 462

15 785

37 755

125 002

1985

48 584

166 812

8 959

16 085

39 302

123 100

1986

59 436

197 400

9 665

14 975

45 935

110 365

1987

59 936

194 286

9 800

18 145

46 294

120 779

1988

57 851

182 754

10 631

19 638

45 847

125 571

1990

68 649

225 152

15 109

20 321

61 132

124 030

1991

71 120

260 661

14 693

22 765

68 936

129 626

1992

73 619

254 941

20 135

24 812

79 927

Government Initiatives

In March 1993 the state president, Mr F W de Klerk, announced in Parliament a ten-point plan, which was to cost an estimated R10m and to involve 22 500 reservists, and which was aimed at combating violence and crime. In terms of the plan there would be:

- an increase in the public visibility of the police and the South African Defence Force (SADF);
- new initiatives to utilise the manpower resources of the community in assisting the police;
- more utilisation of the security forces for community protection and the combating of crime;
- additional support to farmers for farm protection;
- a clampdown on the distribution, importation and possession of firearms, ammunition and explosive devices;
- better co-ordination by the police with the departments of Justice and Correctional Services;
- more effective functioning of law enforcement and better administration of justice;

- more effective application of the *National Peace Accord* mechanisms;
- sophisticated crime information management; and
- formalised co-operation by the South African Police (SAP) with organised trade and industry.⁴³ [⁴³ *The Citizen*, *Sowetan* 26 March 1993]

At the beginning of April 1993 about 400 policemen arrived in Johannesburg from other areas of the Transvaal as part of an intensive crime prevention programme on the Reef. The head of media liaison of the SAP on the Witwatersrand, Lieutenant Colonel Dave Bruce, told a meeting called by the South African Restaurant Guild to address the issue of security in restaurants, that the policemen would remain in the city for two months. He added that the Reef had been 'saturated' with policemen over the previous two years as part of an increase in visible policing, and that 1800 arrests had been made in four days in March 1993 in the Vaal Triangle (southern Transvaal) alone.⁴⁴ [⁴⁴ *The Citizen* 1 April 1993] Col Bruce also said that there was no 'blanket advice' that he could give to restaurant owners to prevent crime as specific areas demanded specific strategies. One strategy he suggested was for restaurants to form crime forums where ideas and strategies about combating crime could be pooled.

The co-ordinator of Business Watch, Mr Gerald Heine, explained to the meeting that Business Watch had begun as a joint venture between business and the police in the Johannesburg central business district in 1987 and that a crime reduction of 70% had been experienced in most areas where it had been implemented. Although the watch operated only during business hours, Mr Heine said that an extension of the service outside of working hours was being considered.⁴⁵ [⁴⁵ *Ibid*]

A new satellite police station, which police hoped would reduce the time taken to react to emergency calls, was established at Walkerville in the Vaal Triangle in April 1993. It was expected to serve a community of about 100 000 in 3 500 smallholdings and houses.⁴⁶ [⁴⁶ *The Star* 16 April 1993]

In May 1993 police stepped up security in the eastern Transvaal, the Orange Free State and the Border region in the eastern Cape, after a spate of murders on farms in the eastern Transvaal. An immediate call-up of all police reservists in these areas was also implemented. The minister of law and order, Mr Hernus Kriel, announced that the government would grant millions of rands on a subsidy basis to farmers to improve their security arrangements. The regional commissioner of police in the eastern Transvaal, Major General Chris Smith, said that all trained reservists in the region had been called up, regular visits to farms and plots by police were to be increased and additional aircraft and helicopters would be used by the police to provide better security. In addition, all policemen from the eastern Transvaal on duty elsewhere would be returned to the area and more roadblocks would be set up in the area.⁴⁷ [⁴⁷ *Ibid* 13 May 1993]

Arms Smuggling and Caches

In January 1993 police discovered an arms cache containing arms, ammunition and explosives hidden in the false bottom of a car allegedly belonging to a member of the African National Congress (ANC) at the Golela border post on the south eastern Transvaal/Swaziland border. The vehicle was on its way from Swaziland to Natal. A committee of the Goldstone commission, which had been established to inquire into the illegal importation of automatic weapons and explosives into the country, was asked to include the Golela border post incident in its inquiry. The ANC said that it would co-operate fully with the Goldstone commission.⁴⁸ [⁴⁸ *The Citizen* 6 February 1993]

Five alleged members of Umkhonto we Sizwe, the armed wing of the ANC, were arrested in the same month in connection with arms smuggling, bringing to ten the number of alleged ANC members held by the police for arms smuggling into Natal. The southern Natal regional chairman of the ANC, Mr Jeff Radebe, confirmed that at least two of the arrested men were members of the organisation.⁴⁹ [⁴⁹ *Business Day* 10 February 1993]

Four members of the Inkatha Freedom Party (IFP)—Messrs Isaac Ntsele, Mgadi Ntsele and Harry Zikhali, all of KwaNgwanasi (northern KwaZulu), and Mr Peter Ntuli of Umlazi (Durban)—were sentenced to 12 years' imprisonment in the Durban regional court in April 1993 for possession and smuggling of arms and ammunition from Mozambique into South Africa. Two Mozambicans were sentenced with them. The six men had been arrested early in February 1993 in the Ingwavuma area in northern KwaZulu, near the South African border with Mozambique.⁵⁰ [⁵⁰ *Sowetan* 7 April 1993]

In April 1993 a legal representative of the police, Mr Luther Wepener, told a committee of the Goldstone commission investigating the illegal importation, distribution and use of firearms that a police covert operation to infiltrate arms smuggling networks had been exposed and thus rendered useless. Mr Wepener said that a close corporation named Honeybadger had been established as a front for a South African Police (SAP) covert operation to track down gun smugglers, but that it had been exposed by the press before it had begun to function effectively.⁵¹ [⁵¹ *Business Day* 16 April 1993]

In the same month the government established an unspecified additional number of specialist arms investigation units to combat the 'serious increase' of illegal arms smuggling into the country. There were then four such units in the Witwatersrand: one each for Johannesburg, the east Rand, the Vaal Triangle and the west Rand. The first two units in the Johannesburg area had been formed three years previously when arms smuggling in the area had escalated dramatically.⁵² [⁵² *The Citizen* 22 April 1993]

According to the police, the functions of the special units were to receive, follow up and distribute information about the movements of arms smugglers, illegal weapons and ammunition, and to trace arms, irrespective of whether or not such actions led to arrests. More than 7 000 firearms, including 891 AK-47 assault rifles, were seized by the police in 1992 and nearly R4m paid out in reward money. Up to R6 000 was paid out for each AK-47 assault rifle handed in. In addition, 25 arms caches were uncovered during the course of 1992.⁵³ [⁵³ *Ibid*]

The head of the public relations division of the SAP, Major General Leon Mellet, said in May 1993 that the SAP was ready to clamp down on the illegal possession of AK-47 assault rifles as soon as the Arms and Ammunition Amendment Bill became law. 'As soon as the legislation is passed, a 60-day amnesty will be implemented whereby those in illegal possession of the weapons will be allowed to hand them over without prosecution. [Thereafter] a major campaign will be launched to seek information on those in possession of AK-47s who have failed to hand them over. Rewards of up to R6 000 will be offered for information leading to the apprehension of these people.'⁵⁴ [⁵⁴ Ibid 7 May 1993] The bill became law on 1 June 1993.

Police Matters

Retraining and Restructuring of the Police

The South African Police (SAP) established a community relations division in January 1993 to be responsible for 'upgrading relations between the police and the community' in order to 'obtain greater community involvement in crime prevention'. The move was one of the initiatives taken to restore the acceptability of the SAP, increase its effectiveness, improve relations between the community and the police, and ensure 'just law enforcement'. The minister of law and order, Mr Hernus Kriel, said that the object of the new division would be to restore the relationship between the police and the public. 'The hand of the police is extended. We hope the community will accept it,' he said.⁵⁵ [⁵⁵ *The Citizen* 25 January 1993]

Speaking about the new community relations division, the chief of efficiency services of the SAP, Major General George Fivaz, said that a new, 'state-of-the-art' approach to policing was necessary in South Africa and that this included a decentralisation of authority and the fullest use of skills at lower levels. He added that there had to be more interaction between the police and the public, joint identification of problems and joint decision making to solve problems. Gen Fivaz said, 'To accommodate this new policing style, the newly established community relations division will have a major role to play. It will be responsible for sensitising policemen and members of the public to a new policing philosophy, in which the public and the police are jointly responsible for the maintenance of law and order.'⁵⁶ [⁵⁶ Ibid]

Outlining important structural changes, Gen Fivaz said that the number of top police management posts had been reduced and that there needed to be a change of emphasis from head office to local level, especially in respect of posts for generals.⁵⁷ [⁵⁷ Ibid]

The former personnel manager of Amalgamated Banks of South Africa, Mr Neels Steenkamp, was appointed deputy director general of human resources of the SAP in February 1993 in an attempt to create a more community-oriented police force. Mr Steenkamp said that he would institute change in the police by taking responsibility for recruitment, selection and training. He pointed out that 68 000 police officers underwent training from basic instruction to management skills each year. Mr Steenkamp's

appointment was the first in 80 years of a civilian to such a senior police job, according to the head of the public relations division of the SAP, General Leon Mellet. Mr Steenkamp would retain his civilian status, with his position being on a par with that of a lieutenant general.⁵⁸ [⁵⁸ *Business Day* 5 February 1993]

The police creativity section officer, Lieutenant Colonel Johan du Randt, said in February 1993 that a programme aimed at helping policemen cope with socio-economic change and equip them with problem-solving skills was under way and that 15 000 policemen had already received 'awareness lessons. We teach policemen to realise that things are changing and they must handle it. But they must not only cope with change, they must become part of the change', he said.⁵⁹ [⁵⁹ *Ibid* 24 February 1993]

Inquiries into Police Misconduct

In March 1993 the minister of law and order, Mr Hernus Kriel, said in reply to questions in Parliament that in 1992, 876 policemen had been convicted of crimes committed while on duty and that 6 865 complaints of assaults by the police had been received. The complaints had led to 1 041 prosecutions and 306 convictions, he added.⁶⁰ [⁶⁰ *The Star* 17 March 1993]

A Johannesburg regional magistrate, Mr F Roets, said in January 1993, in sentencing a former policeman, Constable André van Jaarsveld, and suspending Lance Sergeant Johan Breydenbach, that they had abused their position of trust. The two policemen were found guilty of abducting a woman from an informal settlement, attempting to rape her and indecently assaulting her. Const van Jaarsveld, who had pleaded guilty, was sentenced to an effective 12 years in jail and Sgt Breydenbach to ten years. Both men had been stationed at the Cleveland police station in Johannesburg.⁶¹ [⁶¹ *The Citizen* 9 January 1993]

A former special police constable, Constable Rodney Matlotse, who had stabbed to death Mr Legwai Pitje, an advocate and member of the Goldstone commission, during an argument in July 1992, was sentenced to death in the Rand Supreme Court in February 1993. Sitting with two assessors, Mr Justice T D Cloete found that Const Matlotse had 'formed the direct intention of killing Pitje' when he stabbed him on 12 July 1992. Describing the murder as 'cruel, vicious and brutal', the judge said that the death penalty was an appropriate sentence.⁶² [⁶² *Business Day* 23 February 1993]

In February 1993 police authorities held top-level meetings to discuss criticism by Mr Justice C J Botha in the Witwatersrand Local Division of the Supreme Court in Johannesburg of the police investigation into the killing of 28 people at Swanieville (west Rand) in 1991. In acquitting five men charged with the killings, Judge Botha criticised the police for 'failing to bring the culprits to justice'. Police said in a subsequent statement that they had taken note of the judge's criticism and had already implemented measures which would result in a great improvement in their response to outbreaks of violence. The measures undertaken included increased police presence at trouble spots, contingency planning to cover a wide range of unrest-related scenarios, a review of the management structure of the internal stability division in the Witwatersrand, and the permanent transfer of 900 members of the internal stability

division to the Witwatersrand.⁶³ [⁶³ *The Star* 18 February 1993]

The deputy minister of law and order, Mr Gert Myburgh, said in April 1993 that the conduct of the police during an incident at the Protea police station (Soweto) which had resulted in the killing of five demonstrators would be the subject of an intensive investigation (see also chapter on *Political Developments*). A 13-member police investigative team headed by a deputy regional commissioner of the SAP on the Witwatersrand, Major General Braam Strauss, was appointed to investigate the incident.⁶⁴ [⁶⁴ *Business Day* 16 April 1993]

In May 1993 the Goldstone commission's preliminary inquiry into various incidents of violence at Tokoza (east Rand) in late 1992 in which 13 people had died and 61 others had been injured found that the police had acted responsibly and sensitively and that allegations about police misconduct were based on incorrect information.⁶⁵ [⁶⁵ *The Citizen* 29 May 1993]

See also *Attacks on Police* in the chapter on *Political Developments*.

Trade Unionism in the Police Force

Members of the Police and Prisons Civil Rights Union (Popcru) marched through the streets of Cape Town and Johannesburg on 21 August 1993 to protest against 'apartheid policies' in the SAP.⁶⁶ [⁶⁶ *Ibid* 23 August 1993] Some officials of Popcru subsequently claimed that the SAP 'still practised apartheid policies'. They also alleged that the SAP took sides in clashes between rival political groups in areas affected by violence and that the majority of senior officers in the police force were white. Popcru demanded that white policemen be removed from duty in African townships owing to their political bias.⁶⁷ [⁶⁷ *Sowetan* 26 August 1993]

The commissioner of police, General Johan van der Merwe, said that a team of investigators would examine all aspects of the march in Johannesburg and the allegation that the marchers had chanted, 'Kill the boer, kill the farmer' during the march. 'I wish to state quite categorically that I will not tolerate any action by any SAP member which may compromise our integrity,' the commissioner said.⁶⁸ [⁶⁸ *The Star* 24 August 1993]

The African National Congress (ANC) said that it applauded Popcru and the actions of 'those courageous members of the SAP' who had 'demonstrated their mettle' by taking to the streets in public demonstrations, adding that it was crucial that all 'democrats' expressed their support for a democratic police force that 'cares for and protects all South Africans—black and white'.⁶⁹ [⁶⁹ *Business Day* 26 August 1993] A spokesman for the Inkatha Freedom Party (IFP), Mr Humphrey Ndlovu, said that the IFP viewed participation by policemen in the Popcru march with 'furious concern' and that the march was a manifestation of a much larger problem—collusion between the SAP and the ANC which, he alleged,

had led to the arrest and assault of IFP members.⁷⁰ [⁷⁰ *The Citizen* 25 August 1993]

A spokesman for the ministry of law and order, Captain Craig Kotzé, said in September 1993 that police had identified 116 policemen who had broken police disciplinary codes by participating in the Popcru marches in August and that 45 cases involving disciplinary charges and one involving criminal charges had been opened. The 116 policemen identified included 74 assistant constables, 23 permanent members of the SAP and 19 municipal policemen, he added.⁷¹ [⁷¹ *Sowetan* 15 September 1993]

Justice

Sentencing Policy and the Judiciary

The state president, Mr F W de Klerk, announced in February 1993 that the cabinet had decided to phase out the present judicial system whereby prisoners could have their sentences reduced. He added that a new system, in terms of which prisoners would serve their full sentences either in prison or through community service, would be introduced. It was the government's view, he said, that serious crimes, especially those involving violence, should be subject to severe bail restrictions, severe penalties at sentencing and strict norms in terms of releases. The possibility of sentencing a dangerous criminal to an indeterminate term of imprisonment with a minimum period to be stipulated by the court was also receiving consideration, Mr de Klerk said.⁷² [⁷² *Business Day* 1 February 1993]

In February 1993 the minister of correctional services, Mr Adriaan Vlok, said that extensive measures were being considered to increase the efficiency and capacity of his department. The measures included abandoning remissions of sentence, setting up an infrastructure for more effective correctional supervision, increasing prison accommodation and creating a more comprehensive parole system.⁷³ [⁷³ *Ibid* 3 February 1993]

In the same month, officially opening the first regional conference of the International Bar Association to be held in South Africa, Mr de Klerk said that the legal profession could help ensure that the concept of a bill of rights for the country was not misused by politicians. He said further that there was already a broad consensus that the South African judiciary, both in a transitional dispensation and in the longer term, had to be completely independent and free from political manipulation.⁷⁴ [⁷⁴ *The Citizen* 9 February 1993]

In March 1993 the government proposed an entirely new release and disciplinary policy for prisoners and suggested that the early release system and dietary and corporal punishment in prisons be abolished. The proposals were contained in a white paper on amendments to the release policy of the Department of Correctional Services and on an entirely new disciplinary system.⁷⁵ [⁷⁵ *Business Day* 12 March 1993]

The white paper noted that the current policy on releases had given rise to the perception that prisoners

were released after serving small portions of their sentences. The early release system would be replaced by a system of credits, in terms of which the date could be advanced on which a parole board would consider placement in a scheme outside prison. The white paper said that currently, hardened prisoners were usually not paroled but remission of sentence was granted on evidence of good behaviour. Under the new system, the prisoner would serve the entire sentence but, mainly for financial reasons, the new prison-based parole boards could allow part of the sentence to be served in the community.⁷⁶ [⁷⁶ Ibid]

According to the white paper, the functions of the existing prison-based institutional committees would be confined to conduct and training in prisons and the new parole boards would consider the mode of prisoners' rehabilitation. In principle all prisoners would qualify to be considered for parole after completion of half of the sentence imposed, but the date could be advanced by the credits earned through behaviour, diligence and productivity in prison. As far as the disciplinary system was concerned, prisoners could currently be reprimanded, deprived of meals, given dietary restrictions, or given corporal punishment of up to six lashes. Under the new system, prisoners could be reprimanded, secondary privileges (which included privileges such as the use of the prison library and participation in sport) could be revoked and primary privileges (which included writing letters and receiving visits) curtailed.⁷⁷ [⁷⁷ Ibid]

Prison Population Reduction and Releases

Mr Vlok announced in January 1993 that about 8 000 convicts were to be released from prison because of overcrowding. He explained that there were 26 000 more criminals behind bars than the country's prisons could accommodate. In an effort to reduce the convict population, he added, 'The cabinet decided to introduce a restricted programme of advanced release of selected prisoners.'⁷⁸ [⁷⁸ *The Citizen* 7 January 1993]

Mr Vlok said that release dates would be advanced by between 15 days and ten months and that first offenders would be treated differently from those with previous convictions. 'Prisoners who are serving sentences of six months and who have already been selected for release will have their release advanced by only 14 days; if no previous convictions are recorded against them, the release date will be advanced by one month,' he said. In the six-week period from 18 January 1993, Mr Vlok added, about 4 500 prisoners were scheduled to be freed. Another 3 000 would be released in the subsequent four to ten months, 'mainly under supervision and [under] specific conditions'.⁷⁹ [⁷⁹ Ibid]

Mr Vlok said that the government was aware of its responsibility to promote community order and security. It was planning new prisons 'to improve detention conditions'. A new prison with accommodation for 2245 convicts would shortly be opened in Boksburg (east Rand). However, 'the overpopulation of prisons will still be a reality with as many as 23 000 prisoners too many' despite the early release programme, he added. Prisoners sentenced to life imprisonment, debtors, child molesters whose crimes involved sexual assault and assault with the intention of causing serious injury, and those imprisoned for rape and attempted rape, would not qualify for early release.⁸⁰ [⁸⁰ Ibid]

The deputy minister of national housing, Mr Glen Carelse, said in mid January 1993 that 61 children aged 14 years and younger had been released from prisons and police cells countrywide in late 1992 and had been placed in alternative care over the Christmas season. However, he pointed out that a hundred other prisoners under the age of 14 years still remained in custody for serious offences such as murder. He added that the releases were part of the government's commitment to place awaiting-trial children, wherever possible, in the care of their parents or guardians, or alternatively, to place them in places of safety, industrial schools and reformatories (see also chapter on *Health and Welfare*).⁸¹ [⁸¹ *The Star* 14 January 1993]

Death Sentence

Mandatory death sentences were abolished in 1990, so that the courts would now be able to impose death sentences at their discretion.

In his opening speech to Parliament in February 1993 the state president, Mr F W de Klerk, said that the delays in negotiations, as well as the 'wave of cruel murders and manslaughter, and the prevailing disrespect for human life', had made it difficult for the government to allow the moratorium on the death penalty to continue indefinitely. He said that Parliament would review the moratorium during the current parliamentary session.⁸² [⁸² *Business Day* 1 February 1993]

No executions have been carried out in South Africa since 1989. The minister of justice, Mr Kobie Coetsee, said in Parliament in mid February 1993 there was a strong demand for the death penalty to be reintroduced and that he was not going to apologise for a clause in the government's proposed bill of rights which retained it for specified crimes.⁸³ [⁸³ *The Star* 18 February 1993]

In April 1993 the chairman of the parliamentary joint committee on justice, Mr Ray Radue, called for the restoration of the death penalty, and for an end to amnesty and indemnity for 'those who commit violent acts for political reasons'. Cold-blooded murderers, he added, had to understand that they could not plan political killings and slaughter people with impunity.⁸⁴ [⁸⁴ *The Citizen* 12 April 1993]

In June 1993 Parliament voted by 125 votes to 54 in favour of restoring the death penalty. In the National Party-controlled House of Delegates, the vote went against the motion introduced by Mr Coetsee by 14 votes to eight. The House of Assembly voted 97 in favour and 24 against, and the House of Representatives 20 votes in favour to 16 against the restoration of the death penalty.⁸⁵ [⁸⁵ *The Citizen*, *Sowetan* 18 June 1993]

However, Mr Coetsee explained that acceptance by Parliament of the motion to lift the moratorium on the death sentence 'will not mean the summary lifting of the moratorium'. He said that the result of the motion showed that a significant percentage of the country's representatives supported the use of the death penalty. Mr Coetsee added that the vote had been an expression of censure of the 'hideous

murders' in the country.⁸⁶ [⁸⁶ *The Citizen* 18 June 1993]

The African National Congress warned that any attempt by the government to reintroduce the death penalty would be opposed. A spokesman for the organisation, Mr Carl Niehaus, said that the questions of penal reform and rehabilitation of prisoners warranted far more attention than it was given.

The chairman of the Johannesburg Bar Council, Mr Wim Trengove, also attacked the ending of the moratorium on the death sentence. He added that the council believed that the time had come to abolish the death sentence as it had never been proved to be an effective deterrent against crime.⁸⁷ [⁸⁷ *Business Day* 1 February 1993]

Internal Security Act and Other Matters Affecting Civil Liberties

The minister of law and order, Mr Hernus Kriel, said in reply to a question in Parliament in June 1993 that 86 people had been detained in 1992 under section 29 of the Internal Security Act (ISA) of 1982 (in comparison with 93 in 1991 and 273 in 1990).⁸⁸ [⁸⁸ *Hansard* (A) 21 q cols 2027-2031, 15 June 1993]

The minister of justice, Mr Kobie Coetsee, said in February 1993 that the government would spend millions of rands publicising a variety of proposed bills of rights in order to foster a human rights culture. The government regarded the development of a human rights culture as 'extremely important' and in line with the recommendations of the South African Law Commission, he added.⁸⁹ [⁸⁹ *Business Day* 19 February 1993]

In February 1993 the Appellate Division of the Supreme Court in Bloemfontein ruled that the authorities should allow access to 'personal information' about people detained in terms of section 29 of the ISA. Sitting with a full bench, Mr Justice M E Kumbleben ruled that while he agreed that security information should remain secret, there could be 'no sound reason why access to personal information should be banned'. The applicants in the case were two Port Elizabeth (eastern Cape) residents—Ms Nomsa Nkoyi and Mr Jim Msizi—and the respondents were the head of the security branch of the South African Police, the divisional commander of the security branch and the minister of law and order.⁹⁰ [⁹⁰ *New Nation* 26 February 1993]

Judge Kumbleben said that directives relating to detention reflected the attitude of the legislature when it ordered that detainees shall at 'all times be treated humanely' and not 'in any way be assaulted or subjected to any form of torture'. He added that appropriate access to personal information arising from visits by a magistrate or district surgeon provided 'the most effective assurance that this instruction is obeyed'.⁹¹ [⁹¹ *Ibid*]

The South African Institute of Race Relations subsequently called for the immediate repeal of the provision in the ISA permitting ten-day periods of detention without trial. The Institute said that a full

and complete return by South Africa's security legislation to the principle of habeas corpus was long overdue. The Institute's statement continued, 'No matter whether a judge does or does not extend periods of detention without trial, no person should be held without being charged for longer than 48 hours. If the police are unable to make a prima facie case and charge a detainee within 48 hours, they can have no justification for continuing to deny him his liberty.'⁹² [⁹² *The Citizen* 1 May 1993]

The General Council of the Bar of South Africa called in May 1993 for the introduction of an interim bill of rights enforceable by the courts, including the Appellate Division of the Supreme Court. The chairman of the council, Mr Brian Southwood, said, 'Experience in countries such as Namibia has shown that the early introduction of an interim bill of rights greatly facilitates and enhances the process of creating such a rights culture.' He added that such a bill of rights should be accompanied by adequate state-provided resources to give all citizens inexpensive and expeditious access to the courts to enforce their rights. Mr Southwood also said that the council was opposed unconditionally to detention without trial even in a state of emergency and that the experience of the past had demonstrated beyond doubt that the executive could not be trusted with the power to detain without trial.⁹³ [⁹³ *Business Day* 3 May 1993]

After the release of 43 of 75 members of the Pan-Africanist Congress arrested in a police swoop on the organisation in May 1993, police disclosed that a further 28 were to remain in detention under section 29, while four others had been charged with illegal possession of firearms.⁹⁴ [⁹⁴ *Sowetan* 28 May 1993] Except for Mr Enoch Zulu, all the section 29 detainees were subsequently released.

South African Defence Force

In a speech in March 1993 the state president, Mr F W de Klerk, announced that South Africa had abandoned its nuclear armaments programme in view of the normalisation of its international relations and a changed global political situation in which 'a nuclear deterrent has become not only superfluous, but in fact an obstacle to the development of South Africa's international relations'.⁹⁵ [⁹⁵ *Hansard* (joint sitting) 8 cols 3465-3471, 24 March 1993]

Mr de Klerk said that the steps South Africa had taken with this objective in mind included accession in July 1991 to the Nuclear Nonproliferation Treaty, in terms of which countries undertake not to manufacture or otherwise acquire nuclear weapons (see 1992/93 *Survey* p153). He said that South Africa had adhered to this treaty strictly, and had maintained a policy of professional co-operation with the International Atomic Energy Agency.⁹⁶ [⁹⁶ *Ibid*]

In August 1993 the minister of defence, Mr Kobie Coetsee, announced the end of the system of compulsory military service for white South African men. He added, however, that members of the Citizen Force and the commandos would continue to be liable for military service until a new system was implemented. According to Mr Coetsee, compulsory national service would be replaced by a voluntary system. If there were insufficient volunteers for military service, a restricted form of national service for all races would be introduced, possibly by 1995.⁹⁷ [⁹⁷ *The Citizen* 25 August 1993]

Later in the same month it was announced that the Defence Second Amendment Bill was to be tabled in Parliament in September. The bill provided for:⁹⁸ [⁹⁸ Ibid 31 August 1993]

- the voluntary entry of people of all races (including women) to the Citizen Force. Previously only white men had been eligible to serve in the Citizen Force;
- people of all races to be eligible for conscription; and
- a new registration and ballot system for military service to be introduced.

Scaling Down the Defence Force

Commenting on the reduction in defence expenditure in 1993/94 by R370m, the chief of staff of finance of the South African Defence Force (SADF), Vice Admiral Paul Murray, said that further cuts in the SADF budget would make it difficult to deploy more than the 10 000 men a day needed to support the police in combating crime and violence.⁹⁹ [⁹⁹ Ibid 18 March 1993]

Adm Murray said that the reduction in the 1993/94 defence budget compared with the 1992/93 budget was 4% in nominal terms, or 14% in real terms. The defence budget had declined from 4,3% of state expenditure in 1989/90 to 2,6% in 1993/94. He said that the reduction in the defence budget had led to a scaling down of the SADF so that it would not be able to deploy more men in the field to combat internal unrest should there be an increase in political violence.¹⁰⁰ [¹⁰⁰ Ibid]

Almost 6 000 SADF permanent force and civilian personnel were retrenched in 1993 in order to cut staff to a size compatible with the 1993/94 defence budget. The allocation in respect of the special defence account, from which fighters, ships, tanks and other heavy military equipment were bought, declined between 1992/93 and 1993/94 by nearly 15% (or 24% in real terms).¹⁰¹ [¹⁰¹ Ibid]

Mr Derek Christophers MP (National Party) warned in June 1993 that the South African Air Force (SAAF) was down to its minimum level of capability and that, if subjected to further cutbacks, it would not be able to execute its tasks and functions. He pointed out that the SAAF had closed five bases, disbanded ten squadrons and withdrawn 380 aircraft from duty. Defence spending was being brought in line with international norms, 'meaning that the SAAF would have to be down-scaled even more'. Although South Africa was not in conflict with its neighbours, air superiority had to be striven for continuously, he said.¹⁰² [¹⁰² *The Star* 2 June 1993]

Conscientious Objection

A spokesman for the SADF, Colonel Les Weyer, warned in January 1993 that SADF units throughout the country would begin shortly investigating all cases of national servicemen who had not reported for duty and that prosecutions would be instituted if they were found to have contravened the Defence Act of 1957.

The SADF did not publish the number of servicemen who had failed to obey their call-up instructions for the January 1993 intake. However, a spokesman for the End Conscription Campaign (ECC), Mr Chris de Villiers, said that the organisation estimated that about 70% of those who had been called up had not reported for duty. He pointed out that about 50% of the intake of 20 000 men had been granted deferment and alleged that the remaining 20% (4 000 men) had simply stayed away.¹⁰³ [¹⁰³ *The Citizen*, *The Star* 13 January 1993]

In March 1993 charges against a conscientious objector, Mr Luis Mitras, for refusing to complete a period of community service, were withdrawn by a Johannesburg magistrate after the attorney general of the Witwatersrand, Mr Klaus von Lieres und Wilkau, had failed to take a decision on whether or not to proceed with the prosecution. Mr Mitras had appeared in court at least seven times since his arrest in July 1992.¹⁰⁴ [¹⁰⁴ *Business Day* 19 March 1993]

A group of 12 members of the Citizen Force arrived at the Witwatersrand Command in April 1993 to hand in their army kits 'for once and for all'. The men, who were members of the ECC, publicly refused to do any further military service.¹⁰⁵ [¹⁰⁵ *The Weekly Mail* 30 April 1993]

Troops in the Townships

See Deployment of troops above.

Security in the Homelands

Bophuthatswana

In March 1993 international observer missions to South Africa called on the administration of Bophuthatswana to repeal its Internal Security Act of 1982 and to allow all political parties, as well as other interest groups, to express themselves freely, especially during 'this time of transition to a democratic South Africa'. The missions, representing the United Nations (UN), the Organisation of African Unity, the Commonwealth and the European Community, said in a joint statement that the act was 'at the root of consistent and flagrant violation of human rights in the territory'. The statement said that international observers should be assured of 'unimpeded access throughout Bophuthatswana in pursuance of their mandate under the UN Security Council resolution 772 of 1992'.¹⁰⁶ [¹⁰⁶ *The Citizen* 17 March 1993]

The statement added that the observer missions were gravely concerned at the recent escalation of violence and confrontation between authorities and the residents of Bophuthatswana. They listed the following incidents as cause for concern:

- the detention of two international observers from the Ecumenical Monitoring Programme in South Africa in March 1993 when they had tried to attend a funeral at Dinokana near Zeerust;
- attempts by the Bophuthatswana police in March 1993 to disrupt a church workshop in Tlhabane on education for democracy, including threats and intimidation in the presence of international observers;
- the refusal in March 1993 by the Bophuthatswana authorities to grant permission for international observers to visit sites of recent forced removals in Hammanskraal, and subsequent harassment and detention of several representatives of the aggrieved community;
- the death of at least one person and injuries of several others in action taken by the Bophuthatswana police in March 1993 in response to a protest against alleged harassment by the police and the Bophuthatswana Defence Force at Maboloka near Brits; and
- threatened forced removals in Unit S (Mabopane).¹⁰⁷ [¹⁰⁷ Ibid]

The Bophuthatswana minister of justice, Mr Godfrey Mothibe, said in response to the allegations by the international observer missions that conflict in the territory could neither be blamed on the administration nor on the Internal Security Act. He said that the act 'enabled democratic processes to proceed in a climate of stability and law and order'. He also denied that party-political activity in the territory was suppressed.¹⁰⁸ [¹⁰⁸ Ibid 18 March 1993]

Earlier, in October 1992, the president of Bophuthatswana, Chief Lucas Mangope, had said that it should be 'crystal clear to any observer ... that mass action is being used by unscrupulous elements to achieve objectives which cannot by any stretch of the imagination be described as democratic'. He asserted that 'top leaders' of the African National Congress (ANC) alliance are 'on record ... stating categorically that the primary aim of mass action is to topple by force and violence' homeland administrations such as that of Bophuthatswana.¹⁰⁹ [¹⁰⁹ Jeffery A J, *Conflict at the Crossroads in Bophuthatswana*, South African Institute of Race Relations, Johannesburg, 1993]

Ciskei

The chairman of the Ciskei Council of State, Brigadier Joshua 'Oupa' Gqozo, said in January 1993 that the military wings of the ANC and the Pan-Africanist Congress (PAC), with the assistance of the

Transkei Defence Force, were plotting to attack both the Ciskei and KwaZulu administrations.¹¹⁰ [¹¹⁰ *The Citizen* 12 January 1993] However, the ANC, the PAC and the head of the Transkei Military Council, Major General Bantu Holomisa, denied the allegations.

According to Brig Gqozo, recruits of the Azanian People's Liberation Army (Apla), the military wing of the PAC, and of Umkhonto we Sizwe (Umkhonto), the ANC's military wing who were allegedly receiving training in the Transkei, were to be used in the planned attacks. He claimed that the South African Communist Party had instructed Umkhonto cadres in the Ciskei to launch attacks in the territory. The ANC said in reaction that Brig Gqozo's claims were a 'mixture of outright lies and pure invention'. The PAC described the claims as 'ludicrous' and 'full of professional lies'. Gen Holomisa accused Brig Gqozo of conducting 'a propaganda campaign against the Transkei in collaboration with South Africa's security forces'.¹¹¹ [¹¹¹ *Ibid*]

In January 1993 section 43 of the Ciskei National Security Act of 1982, which prohibited the holding of meetings and protest marches in the territory without permission from local magistrates and headmen, was declared by the Bisho Supreme Court to be invalid. In his application to the court to have section 43 declared invalid, Mr Zinakile Kedama cited as respondents the chairman of the council of state, the council itself, the minister of police and the commissioner of police. He said that the section was in conflict with the Ciskei bill of rights which had allowed for freedom of association and freedom of speech. Mr Kedama said that the Ciskei police had detained him and other members of the ANC when they had held meetings at Kolomana near Alice. Police had said the ANC members had not obtained a permit from the magistrate to hold the meetings.¹¹² [¹¹² *Daily Dispatch* 29 January 1993]

Mr Justice Roger Claassen granted Mr Kedama's application, thereby making it illegal for security forces to disrupt future meetings and marches in the Ciskei.¹¹³ [¹¹³ *Ibid*]

The Ciskei council of state said in February 1993 that a 'comprehensive and detailed report' of a plan to overthrow Brig Gqozo had been forwarded to the Goldstone commission. The plan had allegedly been drawn up jointly by Umkhonto and Apla.¹¹⁴ [¹¹⁴ *Business Day* 18 February 1993]

In May 1993 the Ciskei administration granted 'unconditional indemnity' to all those who had been involved in the killing of 29 people at Bisho in September 1992 by Ciskei soldiers (see 1992/93 *Survey* pp440-441) and so frustrated attempts to have 70 Ciskei soldiers prosecuted.¹¹⁵ [¹¹⁵ *Ibid* 19 May 1993]

Gazankulu

No security incidents were reported during the period under review.

Kangwane

No security incidents were reported during the period under review.

Kwandebele

In January 1993 an attempt by a group described as former vigilantes to overthrow the KwaNdebele administration ended in disarray. The group was said to have stopped people on their way to work and forced buses to proceed to the administration offices at KwaMhlanga. Residents said the individuals who had caused the disruption were former members of Imbokotho, the vigilante organisation which was known to be opposed to the administration of the chief minister of KwaNdebele, Mr James Mahlangu. It was suspected that the group had wanted to use the presence of the crowds at the administration's office to stage a coup.¹¹⁶ [116 *The Citizen*, *The Natal Witness* 26 January 1993]

Kwazulu

See chapter on *Political Developments*.

Lebowa

In March 1993 the chief minister of Lebowa, Mr Nelson Ramodike, produced a 'bugging device' at a press conference and announced that there was a plot to assassinate him. Amid rumours of spying, Mr Ramodike dismissed the chief director of the chief minister's department, Mr N H Fick, and suspended the minister of finance, Mr Chris Mothiba. Mr Ramodike stated, 'My attention has been drawn to the fact that eight members of Parliament are behind a plot for my assassination after having failed to overthrow my administration with the help of a group of white people. The aim is to overthrow my administration and substitute me with a puppet, who would facilitate the recruitment of the people of Lebowa into an anti-patriotic front.'

He also called on the state president, Mr F W de Klerk, to recall white technicians seconded by the central government to Lebowa's Department of Public Works and Transport who, he said, had been placed in his administration without the approval of the cabinet. Mr Ramodike implied that these technicians were linked to the alleged attempts to overthrow him.¹¹⁷ [117 *Sowetan*, *The Citizen* 31 March 1993]

Qwaqwa

In June 1993 police in QwaQwa said that they had uncovered 'massive arms caches' near the Monotsha border post with Lesotho earlier in the month. About 10 000 AK-47 rounds as well as mortars, pipe bombs, hand grenades, detonators and explosives were dug out from the site, which lay between the homeland and Lesotho. Police said that most of the ammunition was old and rusted but that some of it,

which had been sealed, was still usable. The police said that they suspected the ammunition had been hidden in the area years previously by the Lesotho Liberation Army. The ammunition was to be destroyed.¹¹⁸ [¹¹⁸ *The Citizen* 18 June 1993]

Transkei

Early in 1993 a committee of the Goldstone commission, which had been set up to investigate the location of the Azanian People's Liberation Army (Apla) camps, arms, ammunition, personnel and operational activities, was told by counsel for the South African Police (SAP) that the Transkei was being used by Apla as a base for 'terrorist campaigns against the Republic' and that at least 41 such attacks had been carried out in 1991 and 1992. The information had been obtained by police from arrested members of Apla, the commission was told. The SAP said that the Transkei should hand over to the commission all 9mm firearms 'loaned' to Apla since April 1992 to determine whether they had been used in attacks on whites.¹¹⁹ [¹¹⁹ *Sowetan* 5 January 1993]

The head of the Transkei Military Council, Major General Bantu Holomisa, who had been called upon to respond to the police allegations, said that the Transkei administration would not give evidence before the Goldstone commission, but would hold its own judicial inquiry into Apla activities in the territory. 'If Mr Justice Goldstone's investigation indicates that Transkei is being used as a training ground and launching pad for attacks against South Africa,' Gen Holomisa said, 'the Goldstone commission and the South African government officials are welcome to lead and present evidence to the proposed Transkei commission of inquiry.'¹²⁰ [¹²⁰ *Cape Times* 6 January 1993]

In March 1993 Gen Holomisa leaked information to the press stating that the South African security police had ordered 'the permanent removal from society' of Mr Matthew Goniwe, an eastern Cape activist who had been murdered on a roadside together with three other men, in June 1985 (see 1985 *Survey* pp547-548).¹²¹ [¹²¹ *The Star* 9 March 1993]

At the end of March 1993 the SAP and the South African Defence Force sealed off the Transkei/South African boundary, set up roadblocks on all roads leading into the Transkei to 'protect South African citizens from cross-border attacks' and intensified boundary patrols. According to a statement issued by the South African government, the move was intended to 'improve security of its borders with the Transkei'.¹²² [¹²² *Sowetan* 31 March 1993]

Four people, including two German tourists, Mr Werner and Mrs Ute Karl, were injured in attacks in the Transkei in April 1993. According to the Transkei police, the Germans were driving from Cape Town to Durban when they were attacked near Mount Ayliff in the territory. A Lusikisiki businessman, Mr Richard Pretorius, and another man, who were travelling to Kokstad (eastern Cape), were attacked in a separate incident.¹²³ [¹²³ *The Citizen* 17 April 1993]

After a third South African, Mr Abraham Cilliers, had been killed in attacks on whites in the Transkei in May 1993,¹²⁴ [¹²⁴ *The Star* 11 May 1993] the South African Department of Foreign Affairs warned local motorists to avoid travelling through the Transkei 'as far as possible'.¹²⁵ [¹²⁵ *The Citizen* 12 May 1993] According to the press, there had been nine attacks on whites in the Transkei since 13 April 1993.¹²⁶ [¹²⁶ *Ibid* 11 May 1993]

In May 1993, at the multiparty constitutional negotiations, the minister of law and order, Mr Hernus Kriel, produced documents naming Mr Happy Letlapa as head of Apla operations in the Transkei. According to the documents, several members of Apla who had been arrested had named Mr Letlapa as having given them instructions to kill whites and policemen. Some of the arrested men said that they had been given military training in the Transkei while others said they had been trained in foreign countries.¹²⁷ [¹²⁷ *City Press* 30 May 1993]

In June 1993 Gen Holomisa expressed 'grave concern' at the spate of killings of whites in the Transkei after the killing of two South African businessmen during armed robberies at Coffee Bay and Idutywa.¹²⁸ [¹²⁸ *The Citizen* 18 June 1993] 'The perpetrators of these cowardly acts do not have the interests of Transkei residents at heart. If white investors already operating in the Transkei gain the impression that lawlessness and civil mayhem are reigning supreme in the streets, they are likely to pull out of the Transkei with the resultant loss of scarce job opportunities,' Gen Holomisa said. He added that his administration 'accordingly enjoins political organisations, interest groups, the dispute resolution committee and civic organisations to help us fight this cancerous development in society'.¹²⁹ [¹²⁹ *Ibid*]

Venda

The Venda Military Council asked the national peace committee to help it solve conflict in the territory following attacks and looting of Indian-owned shops in the homeland by mobs in April 1993. During meetings with national and regional peace committee officials, Indian traders alleged that the raid on shops had been carefully planned in response to 'unfounded rumours' that members of the Indian community were involved in ritual child murders.¹³⁰ [¹³⁰ *The Star* 29 April 1993]

A spokesman for the Indian community also said that during the looting they had fled from their homes after threats that their houses would also be attacked. The Indian traders were promised by the officials of the peace committee that consideration would be given to the establishment of a Venda peace committee in consultation with the Venda administration.¹³¹ [¹³¹ *Ibid*]

Developments as a Result of Constitutional Negotiations

Early in May 1993 the African National Congress (ANC) proposed that a combined armed force of

about 5 000 ‘peace soldiers’ should be mobilised to keep the peace during the elections for a constituent assembly in April 1994 and said that the proposal should be placed on the negotiations agenda (see also chapter on *Constitutional Change*). The commander of Umkhonto we Sizwe (Umkhonto), Mr Joe Modise, explained that the ANC had also proposed a brigade of members of Umkhonto, the South African Defence Force (SADF), the South African Police (SAP) and homeland military units be mobilised—after a transitional executive council had been installed—to deal with violence in volatile areas.¹³² [¹³² *Business Day* 4 May 1993]

Addressing the KwaZulu Legislative Assembly in May 1993, the chief minister of KwaZulu and leader of the Inkatha Freedom Party (IFP), Chief Mangosuthu Buthelezi, said that he rejected multiparty control of the country’s security forces and warned that KwaZulu would resist the incorporation of Umkhonto into the army or police, saying that the ‘initiatives being mounted by the ANC/South African Communist Party alliance aimed at bringing the security forces under one central command structure must be rejected out of hand’. Chief Buthelezi also stressed that the KwaZulu administration and the IFP wanted a regional security force.¹³³ [¹³³ *The Star* 21 May 1993]

Mr Robin Carlisle MP (Democratic Party) told a meeting organised by the Independent Mediation Service of South Africa in July 1993 that a multiparty force was being planned in order to keep the peace up to and during the elections planned for April 1994. He said that although no decisions about such a force had yet been taken, broad consensus was emerging that the police should focus on crime prevention and that ‘in the political area there should be a new force, a peace force, aimed at maintaining internal stability’.¹³⁴ [¹³⁴ *Business Day* 15 July 1993]

Mr Carlisle’s comments followed recommendations by the technical committee at the constitutional negotiations that the force should include ‘all uniformed formations’ and be under the control of the transitional executive council. The SADF, the police and the new force would be linked, Mr Carlisle added. He also urged the establishment of a youth services corps.¹³⁵ [¹³⁵ *Ibid*]

Early in August 1993 a spokesman for the ministry of law and order, Captain Craig Kotzé, said that the SAP and the SADF were prepared to make their infrastructure available to a national peacekeeping force but that the force could come into being only through an act of Parliament that would define its composition and role. Capt Kotzé said that the government envisaged the inclusion of members of the SAP’s internal stability unit in such a force. Training for a peacekeeping force would have to be standardised and it would not replace existing law enforcement bodies, he said. Capt Kotzé added that a peacekeeping force should be ‘representative and apolitical’, with its responsibilities limited to specific tasks.¹³⁶ [¹³⁶ *Ibid* 9 August 1993]

The ANC, which had proposed the establishment of a peacekeeping force, indicated that it opposed a proposal by the IFP that the internal stability unit form the core of such a force. A spokesman for the ANC, Mr Ronnie Mamoepa, said that the ANC questioned the credibility of the internal stability unit. However, the ANC envisaged that the force would include members of all armed formations, including

the SAP and the SADF. 'It should be national in character. We will offer some sections of Umkhonto for the force,' Mr Mamoepa said.¹³⁷ [¹³⁷ Ibid]

Chief Buthelezi told a rally at Tokoza (east Rand) that he was 'bitterly opposed' to the inclusion of Umkhonto in a national peacekeeping force. Chief Buthelezi called for the disbanding of Umkhonto, saying that its inclusion in a peacekeeping force would exacerbate violence.¹³⁸ [¹³⁸ Ibid 12 August 1993]

HOUSING AND INFRASTRUCTURE

Key Points

- The Building Industries Federation of South Africa said that some 27 234 formal houses were built in 1992 by the private sector, compared with 32 039 units built in 1991. In 1992, 5 355 units were built for Africans, 4 951 for coloured people, 1 860 for Indians and 15 068 for whites.
- Estimates of the housing backlog in 1992 in South Africa (including the ten homelands) ranged from 1,4m to 3m units.
- During 1993 the National Housing Forum and the Department of Local Government and National Housing established a joint housing initiative. The initiative was granted R500m by the government for the provision of low-cost housing.
- During 1993 the forum and the government established joint control over the government-funded hostels upgrading programme.
- Estimates of the number of people living in shacks in South Africa (including the ten homelands) in 1993 ranged from 5m to 7,7m.
- The allocation by the government to housing and related infrastructure in 1993/94 was R2,7bn (representing 1,3% of total budgeted expenditure), in comparison with R3bn in 1992/93.
- The Human Sciences Research Council said that in 1993 there were 411 hostels and more than 1m hostel residents countrywide.
- The National Electrification Forum was launched in May 1993. It aimed to develop and implement a strategy to provide domestic electricity to the 23m people without household electricity (60% of the population of South Africa, including the ten homelands).
- According to the standing committee on water supply and sanitation, in 1990, 16m people in South Africa (including the ten homelands) lacked an adequate water supply and 22m people did not have

access to adequate sanitation.

- The National Transport Policy Forum and the Department of Transport agreed in June 1993 to formulate jointly a new national transport policy which would aim to provide affordable public transport for all South Africans.
- An amount of R2,1bn was set aside for roads in the 1993/94 budget, despite the Department of Transport's estimate that R10bn was required.

Statistics

Supply

The Development Action Group, an urban development service organisation based in Cape Town, said that during 1992 fewer than 20 000 affordable housing units (costing less than R65 000) had been built in South Africa (excluding the 'independent' homelands).¹ [¹ Development Action Group (Dag), annual report 1992] Estimates by the building research strategy consulting unit of Business and Marketing Intelligence (BMI) and Medium Term Forecasting Associates were that 68 000 formal houses were built in South Africa (excluding the 'independent' homelands) in 1992. It added that 47% (31 800 units) were built for Africans, 17% (11 750 units) for coloured people, 7% (4 500 units) for Indians and 29% (19 950 units) for whites. The unit said that conventional houses (50 to 70 square metres) comprised 29% (19 720 units) and starter/incremental houses (35 to 50 square metres) comprised 25% (17 000 units) of the total number of houses built.² [² *Housing in Southern Africa* February 1993]

The Building Industries Federation of South Africa (Bifsa) said that some 27 234 formal houses were completed in 1992 by the private sector, compared with 32 039 units completed in 1991. Bifsa noted that 5 355 housing units at an average price of R36 375 were built for Africans, 4 951 units at an average price of R34 261 for coloured people, 1 860 units at an average price of R91 178 for Indians and 15 068 units at an average price of R141 950 for whites.³ [³ Building Industries Federation of South Africa (Bifsa), *Statistical Yearbook 1992*, p14]

The table below shows the number of formal houses completed in the largest urban areas of the country in 1991 and 1992:⁴ [⁴ *Ibid*, p13]

Formal houses built: 1991 and 1992

Area

Number

Average price

1991

1992

199199Bloemfontein

826

1 157

52 334

71 070

Cape Town

7 114

5 879

61 319

83 178

Durban

2 137

2 413

90 578

112 091

East London

109

227

52 633

92 705

Kimberley

305

217

34 125

46 101

OFS^a Goldfields

725

14

39 048

23 286

Pietermaritzburg

420

601

71 369

90 203

Port Elizabeth

902

1 527

49 918

42 078

Pretoria

2 877

3 093

114 112

135 558

Vaal Triangle

1 530

715

40 224

65 241

Witwatersrand

11 302

9 134

96 570

116 950

Total

28 247

24 977

80 459

101 121

a

Orange Free S

Research undertaken by Real Estate Surveys between January and May 1992 revealed that different races had unequal access to formal housing owing to unequal access to housing finance. Of 11 500 formal houses built in South Africa (excluding the 'independent' homelands) during that period, 2 617 units (23%) were built for Africans, 1 958 units (17%) for coloured people, 685 units (6%) for Indians and 6 240 units (54%) for whites. Research showed that over the same period the average cost of building a formal house (excluding the cost of the land) was R36 290 for Africans, R33661 for coloured people, R83 882 for Indians and R138 613 for whites. Furthermore, the average size of houses built for Africans was 58 square metres; for coloured people, 65 square metres; for Indians, 136 square metres; and for whites, 182 square metres.⁵ [⁵ *The Natal Mercury* 9 February 1993; *Business Day, Cape Times* 10 February 1993]

According to the Central Statistical Service (CSS), 14 556 formal houses were built between January and June 1992 in South Africa (excluding the 'independent' homelands), which represented a decrease of 8% on the number of formal houses built in the same period in 1991 (15 831 units). The CSS reported a 45% decrease in the number of formal houses built for Africans over the same period (5 815 units in 1991 in comparison with 3 175 units in 1992), while it noted a 31% increase in the number of dwellings built for whites (6 066 units in 1991 compared to 7 938 units in 1992).⁶ [⁶ *Housing in Southern Africa* September 1992]

The following table shows the numbers and types of formal houses built in 1992 in South Africa (excluding the 'independent' homelands) according to estimates by the building research strategy consulting unit of BMI and Medium Term Forecasting Associates:⁷ [⁷ *Ibid* February 1993]

Formal houses built and house sizes: 1992^a

House type (size)

African

Coloured

Indian

White

Total

Lux350

560

460

3 030

4 400

Sta610

1 130

1 650

9 850

13 240

Standard (70-99m2)

5 060

3 200

1 010

4 220

13 490

Con11 000

4 800

1 010

2 850

19 660

Starter (35-49m2)

14 780

2 060

370

-

17 210

Total

31 800

11 750

4 500

19 950

68 000

a

Figures exclude informal incremental houses and serviced sites

Research undertaken by the unit and published in February 1993 on the attitudes of 120 homebuilders and building contractors countrywide revealed that 52% of respondents had experienced 'worse' conditions in building activity between January and September 1992 compared to the same period in 1991. Most respondents expected the 12-month period from October 1992 to September 1993 to be 'worse' than the same period in 1991/92. The Transvaal respondents were the most pessimistic, while the western Cape and Natal respondents expected conditions to remain 'unchanged'. The majority of respondents said that political stability and confidence in the economy were required before economic growth (which was expected to lead to an upturn in activity in the building industry) would be possible.⁸

[⁸ *Ibid*]

Stock

According to the 1991 population census, the following number of people lived in the following types of shelter in South Africa (excluding the 'independent' homelands):⁹ [⁹ *Central Statistical Service, Population Census 1991, Summarised results after adjustment for undercount*, Pretoria, December 1992]

Population per shelter type: 1991

African

Coloured

Indian

White

Total^a

Formal

Detached

8 339 730

2 113 104

595 065

3 897 935

14 945 835

Flat

139 615

254 329

128 135

515 737

1 037 815

Flat on same erf as house

102 929

69 485

30 660

45 531

248 605

Town-/cluster- or semidetached house

742 421

550 957

192 331

243 681

1 729 389

Retirement unit

34 023

2 906

2 442

34 919

74 290

Room in old-age home

40 023

5 459

683

44 271

90 436

Hotel/boarding house/hostel

1 551 943

52 222

5 850

188 945

1 798 961

Informal

Traditional dwelling (hut)

7 270 534

37 786

1 034

6 433

7 315 787

Shack

2 727 825

95 122

6 048

3 047

2 832 041

Total

20 949 043

3 181 370

962 248

4 980 499

30 073 159

a

Figures may not add up owing to rounding because of the statistical model used to produce the

Shortages

According to the minister for national housing, Mr Louis Shill, in 1993 there was a housing backlog of some 1,4m formal houses and a shortage of 1 085 581 serviced sites in South Africa (excluding the ten homelands).¹⁰ [¹⁰ *Business Day* 24 June 1993] There was a shortage of 259 662 serviced sites in the Cape, 144 307 in Natal, 180 000 in the Orange Free State and 501 612 in the Transvaal.¹¹ [¹¹ *Cape Times* 21 April 1993] Mr Shill said that some 330 000 houses needed to be built every year for the next ten years to overcome the backlog and to meet the growing demand for housing.¹² [¹² *Saturday Star* 5 June 1993, *The Star* 24 June 1993]

The Building Industries Federation of South Africa said in March 1993 that the housing backlog in South Africa (including the ten homelands) was 1,4m units.¹³ [¹³ *The Star* 8 March 1993] The Urban Foundation said in the same month that the back- log was some 1,45m units, of which the backlog for

African households was approximately 1,22m units, representing 84% of the total backlog in South Africa (including the ten homelands).¹⁴ [¹⁴ *Business Day* 29 March 1993]

A lecturer in the Department of Economics at the University of Natal (Durban), Mr Charles Meth, said in September 1992 that the low-income housing shortage was 'well over' 2m units.¹⁵ [¹⁵ Institute for Futures Research, *Scan*, September 1992] Planact, an urban development service organisation based in Johannesburg, said in October 1992 that estimates of the housing backlog in South Africa (including the ten homelands) were between 2m and 3m units. Planact said that some R41bn would be required to meet both urban and rural housing needs if everyone was to be accommodated in formal housing.¹⁶ [¹⁶ *Work in Progress* October 1992]

The divisional general manager of the home loan division of Standard Bank, Mr Duncan Reekie, said in November 1992 that an estimated 275 000 houses a year would have to be built for the next ten years to meet the country's housing needs.¹⁷ [¹⁷ *New Nation* 13 November 1992] According to the National Housing Forum, 'conservative estimates' indicated the need to provide 200 000 units each year if South Africa was to overcome the housing shortage by 2010.¹⁸ [¹⁸ *Engineering News* 26 February 1993]

Mr Scott McRae, the managing director of the Camdons Group (an estate agency), said in December 1992 that by 2000 there would be a shortage of 3,1m housing units in South Africa (excluding the 'independent' homelands). Mr McRae said that in 1992 whites had an oversupply of houses but that by 1995 there could be a shortage of 95 000 units for whites. He added that by 2000 there would be a shortage of 3m housing units for Africans in South Africa (including the ten homelands), 176 000 units for coloured people, 87 000 units for Indians and 181 000 units for whites.¹⁹ [¹⁹ *The Natal Witness* 12 December 1992]

Policy

The director general of local government and national housing, Mr Duggie de Beer, said in January 1993 that the proposals contained in the report of the De Loor task group, published in April 1992, represented the government's current housing policy. The De Loor task group suggested the government play an enabling and facilitating role in the provision of housing, and that a key role should be played by the private sector and by communities in the provision of housing. It was also recommended that a single national housing department, a national finance corporation and a single subsidy scheme (graduated according to income and aimed at lower-income groups) be established (see 1992/93 *Survey* pp212–213). Mr de Beer added that the World Bank had found the task group's proposals to be in line with present international thought on housing provision.²⁰ [²⁰ *The Star* 6 January 1993]

The minister for national housing, Mr Louis Shill, said in June 1993 that his first priority was to negotiate a new national housing policy 'as a matter of urgency'. Mr Shill said that the National Housing

Forum (NHF), launched formally in August 1992, had made ‘significant headway’ on policy issues and that a number of joint projects between the NHF and the Department of Local Government and National Housing were under way (see also 1992/93 *Survey* p213).²¹ [²¹ *Business Day* 16 June 1993] The chairman of the South African Housing Advisory Council, Dr Joop de Loor, said in May 1993 that the involvement of foreign donor agencies was ‘crucial’ in solving the country’s housing problems. Dr de Loor said that once South Africa had formulated a coherent national housing policy with the backing of the main role players in housing, the World Bank would allocate some R2,9bn a year for housing loans in South Africa.²² [²² *Ibid* 12 May 1993]

In October 1992 the managing director of the building research strategy consulting unit of Business and Marketing Intelligence, Dr Llewellyn Lewis, argued that in order to reduce high unemployment and political conflict, building industry associations should support a strategy to stimulate the economy via the building industry, particularly in the provision of low-cost houses.²³ [²³ *Housing in Southern Africa* October 1992] This view was supported by the senior portfolio manager of the Board of Executors, Mr Rob Lee. Mr Lee maintained that critics of the ‘kick-start’ concept of housing and electrification programmes did not understand that it was necessary to adopt a ‘wider socio-economic perspective and not see the issue from a purely economic perspective’. (The ‘kick-start’ concept suggested that considerable investment in the provision of infrastructure would stimulate growth in the economy.)²⁴ [²⁴ *Business Day* 10 November 1992]

The World Bank said in April 1993 that developing countries should increase investment in housing to some 8% of gross domestic product and direct government resources to the poorest of the poor.²⁵ [²⁵ *The Citizen* 26 April 1993] The bank added that housing and urban policy should be viewed as an integral part of national economic development. Furthermore, subsidies needed to be targeted at the poor and all decisions pertaining to the administration of subsidies needed to be ‘transparent’, ie open to public scrutiny. It said that a housing strategy was required that ensured a ‘self-sustainable’ flow of funds through an accessible network of financial institutions.²⁶ [²⁶ *Business Day* 26 March 1993] An executive member of the urban development division of the World Bank, Dr Stephen Mayo, said in May 1993 that a ‘modest’ reallocation of mortgage-bond facilities from whites to Africans could have a ‘substantial and immediate’ impact on the ‘distorted’ housing conditions created by apartheid. Dr Mayo added that some of the ‘considerable resources’ being spent on white residential areas could be diverted to servicing new and existing black townships.²⁷ [²⁷ *Ibid* 11 May 1993]

According to the Urban Foundation (UF), the implementation of the proposals contained in the De Loor task group’s report would undermine progress in resolving South Africa’s housing crisis (see 1992/93 *Survey* p46). The UF said that it found the report’s approach to poor communities paternalistic and that the report’s proposals, if implemented, would fail to stimulate upward socio-economic mobility or to protect the interests of poor communities. The proposals contained in the report would also undermine the potential for the ‘consolidation’ (ie upgrading) of new communities, it argued. The UF said that the proposals meant that public authorities would become the dominant player in the provision of housing, rather than the ‘regulator and leader’ in housing development.²⁸ [²⁸ *Ibid* 16 March 1993] The UF argued for

the private sector, nongovernmental organisations, nonprofit companies and community-based organisations to be the prime providers of housing, with government providing ‘key interventions’ only (such as subsidies) which, the UF said, were critical for securing access to housing for the urban poor.²⁹ [²⁹ The Urban Foundation (UF), annual review 1992, p16]

According to the South African National Civic Organisation, the government’s role in housing delivery should be redefined to ensure efficiency, accountability and transparency. Housing delivery should be responsive to ‘community needs’, which would include:³⁰ [³⁰ *Business Day* 18 May 1993; *Housing in Southern Africa* January 1993]

- appropriate land allocation;
- streamlined legal and administrative procedures;
- affordable housing construction, using labour-intensive methods and focusing on providing housing at low rentals;
- the establishment of community-controlled financial institutions;
- accessible mortgage finance; and
- equitable distribution of government subsidies.

National Housing Forum

The National Housing Forum (NHF) was launched formally in August 1992 and described itself as the ‘biggest and most democratic’ negotiations forum ever established to consider housing in South Africa. Interest groups represented in the NHF included political parties, civic organisations, building material supply companies, the construction industry, financial institutions, pension funds, life insurance offices, employer organisations, trade unions and development organisations.³¹ [³¹ *National Housing Forum News* summer 1992] In January 1992 the government had withdrawn from the NHF, saying that its participation in the forum would imply ‘interim government by stealth’. However, it subsequently decided to maintain contact with the NHF (see 1992/93 *Survey* p213). In May 1993 the minister of national housing, Mr Sam de Beer, said that the Department of Local Government and National Housing had a ‘sound negotiating relationship’ with the NHF.³² [³² *Housing in Southern Africa* May 1993]

The long-term aim of the NHF was to formulate a strategy through negotiation which would redress imbalances in the supply of houses and meet future demands for shelter.³³ [³³ *National Housing Forum News*

spring 1992] The NHF divided its work into three phases. The first phase was to involve research into seven issues relating to housing, which were land and services, end-user finance and subsidies, housing delivery systems and types, institutional structures for housing delivery and fund mobilisation, integration of racially fragmented cities, hostels, and enabling disadvantaged communities to participate in formulating housing policy.³⁴ [³⁴ Ibid summer 1992]

In March 1993 the NHF began the second phase of its work, which involved creating a single housing strategy and structure in South Africa through which all housing funds could be channelled.³⁵ [³⁵ Ibid autumn 1993] The final phase was to involve the approval of final plans and recommendations for a housing strategy.³⁶ [³⁶ *Business Day* 26 March 1993]

Towards the end of 1992 the NHF identified several issues which it said needed urgent government attention. These included access to land for the poor, emergency provision of services, inequitable services and service charges, inappropriate bulk service investment (ie municipal bulk service investment within the framework of the segregated city, rather than an integrated city framework), nonavailability of mortgage finance to lowincome groups, the lack of upgrading associated with certain types of housing, the disposal of government-owned houses, consumer exploitation and education, unilateral restructuring of government bodies associated with housing, international involvement in housing, and the inadequacy of programmes designed to enhance disadvantaged communities' participation in policy formulation and the development of housing.³⁷ [³⁷ *Housing in Southern Africa* January 1993]

The NHF identified four issues which it said required immediate and urgent attention:³⁸ [³⁸ *National Housing Forum News* autumn 1993]

- the way in which funds provided in the 1993/94 budget for housing were to be spent (see *Government expenditure* below);
- the use of the R326m set aside by the government for hostel upgrading and conversion (see *Hostels* below);
- the sale of government-owned land in urban areas (see chapter on *Population*); and
- the 'unilateral' restructuring of the housing sector and of housing policy by the government.

Legislation

The **Housing Amendment Bill**, published in June 1993, authorised the National Housing Commission to provide finance for housing to individuals, institutions, trusts and other organisations involved in the

provision of housing. Previously only government bodies could obtain funds from the commission for such purposes.³⁹ [³⁹ *The Citizen* 8 June 1993] The bill had not been passed at the time of writing.

The **Abolition of Racially Based Land Measures Amendment Bill** was published in the same month. The bill sought to broaden the scope of existing legislation (which dealt only with undeveloped rural land and government-owned land) to include property in urban areas that had been owned by people who had lost their property through removals in terms of the Group Areas Act of 1966. The bill also sought to extend the period of time during which an occupier of property could apply to the courts for ownership of such property to be transferred from a nominee owner to the occupier from six to 30 months.⁴⁰ [⁴⁰ *Ibid* 11 June 1993] Also in terms of the bill, the Advisory Commission on Land Allocation would be empowered to investigate claims by people to land that was no longer owned by the government but where the claimants had been prejudiced by apartheid legislation (see also chapter on *Land, Agriculture and Rural Areas*).⁴¹ [⁴¹ *Business Day, The Star* 11 June 1993] The bill had not been passed at the time of writing.

Housing Provision and Constraints

The 1993 South African Township Annual estimated the extent of informal and formal housing in townships in the major urban areas to be as follows:⁴² [⁴² IR Information Surveys, *The 1993 South African Township Annual*, Rivonia, April 1993]

Informal and formal housing in metropolitan areas: 1993

Area

Shacks

Average occupancy rate

Formal housing units

Average occupancy rate

Eastern Cape

Gompo Town (East London)

10 000

6

3 051

15

KwaNobuhle (Uitenhage)

9 000

7

9 133

7

KwaZakhele (Algoa Bay)

7 757

5

11 727

6

Langa (Uitenhage)

840

6

1 032

6

Mdantsane (Ciskei)

16 000

6

28 000

14

Motherwell (Port Elizabeth)

6 000

9

12 500

7

New Brighton (Algoa Bay)

4 850

6,5

8 140

6,5

Natal

Bruntville (Mooi River)

N/A

N/A

1 000

9

Chatsworth (Durban)

600

3

24 000

7

Edendale Valley (Pmba)

9 700

8

12 741

8

eSikhawini (Richards Bay)

N/A

N/A

4 039

11

Inanda (Durban)

54 575

8

7 000

8

KwaMashu (Durban)

N/A

N/A

17 000

20

Lindelani (Durban)

9 500

10

450

10

Mpumalanga (Cato Ridge)

10 000

7

10 600

9

oSizweni (Newcastle)

N/A

N/A

9 600

10

Umlazi (Durban)

22 000

8

29 576

13

Orange Free State

Botshabelo (Bloemfontein)

6 000

5

35 000

6

Mangaung (Bloemfontein)

9 000

4

18 198

6

Thabong (Welkom)

15 000

7

11 000

6

Zamdela (Sasolburg)

3 200

8

2 400

5

Pretoria/Witwatersrand/Vereeniging

Alexandra (Sandton)

18 576

7

16 854

7

Atteridgeville (Pretoria)

4 200

4

11 685

13

Bekkersdal (Westonaria)

8 000

8

1 600

9

Daveyton (Benoni)

18 000

7

17 500

7

Duduza (Nigel)

6 500

10

4 800

10

Evaton (Vereeniging)

17 500

6

7 000

7

Greater Soweto

122 000

10

160 959

11

Ivory Park (Midrand)

14 000

6

N/A

N/A

Kagiso (Krugersdorp)

5 795

8

17 294

7

Katlehong (Germiston)

30 000

10

26 000

7

Khutsong (Carletonville)

9 550

8

4 034

6

KwaGuqa (Witbank)

7 200

7

12 434

7

KwaThema (Springs)

11 500

7

13 350

10

Mamelodi (Pretoria)

16 000

7

18 000

10

Orange Farm (Vaal Triangle)

11 000

7

3 500

5

Phola Park (Alberton)

3 200

7

—

—

Sebokeng (Vereeniging)

6 103

6

30 362

10

Sharpeville (Vereeniging)

3 502

6

6 730

9

Tembisa (Kempton Park)

2 500

6

23 500

10

Tsakane (Brakpan)

5 000

6

12 406

10

Vosloorus (Boksburg)

150

5

17 400

9

Wattville (Benoni)

463

9

2 664

7

Western Cape

Atlantis (Mamre)

—

—

8 000

N/A

Blue Downs (Cape Town)

200

4

18 227

6

Guguletu (Cape Town)

37 000

4

14 000

10

Kaya Mandi (Stellenbosch)

1 000

5

400

6

Khayelitsha (Cape Town)

50 000

8

16 659

10

Langa (Cape Town)

7 000

5

3 824

10

Mitchell's Plain (Cape Town)

Informal Housing

The Urban Foundation said that in 1993 there were some 7,7m people living in informal settlements in South Africa (including the ten homelands).⁴³ [⁴³ Information supplied by the housing policy unit of the UF, 30 June 1993] The minister of national housing, Mr Sam de Beer, said in May 1993 that by January 1993 there were 2 710 658 'squatters' in informal settlements and 2 239 649 people living in backyard shacks in South Africa (excluding the 'independent' homelands).⁴⁴ [⁴⁴ *Housing in Southern Africa* May 1993] Mr de Beer said that in 1992, 143 875 shacks had been erected by informal settlers in South Africa (excluding the 'independent' homelands), in comparison with 111 202 shacks erected in 1991 and 97 552 in 1990.⁴⁵ [⁴⁵ *Hansard* (A) 4 q cols 165-166, 22 February 1993] It was reported in October 1992 that there were some 8,2m people living in traditional dwellings (huts) and shacks in South Africa (excluding the 'independent' homelands).⁴⁶ [⁴⁶ *Caret* 1 October 1992]

According to the report of the De Loor task group, which was published in April 1992 (see 1992/93 *Survey* pp212–213), the number of informal houses in South Africa (including the ten homelands) in 1990 was as follows:⁴⁷ [⁴⁷ Walker N and Merrifield A, *Overview of Housing Delivery Systems in South Africa: Summary Status Report*, prepared for Working Group 3, National Housing Forum (NHF), February 1993]

Number of informal houses: 1990

Free-standing shacks

Backyard shacks

African

177 000

346 000

Coloured

6 700

30 000

Indian

200

1 800

White

400

100

Total

184 300

377

Eastern Cape

According to the Cape Provincial Administration (CPA), in April 1993 there were some 400 000 informal settlers in the eastern Cape and Border area. The CPA noted that there were some 1 500 informally housed people in Bathurst, 12 350 in Cradock, 3 795 in Graaff-Reinet, 57 764 in Ibhayi (Port Elizabeth), 236 in Jeffrey's Bay, 14 886 in KwaNobuhle and MacNaughton (both near Uitenhage), 57 836 in Motherwell (Port Elizabeth), 5 130 in Nkwenkweni (Port Alfred), 19 626 in Rini (Grahamstown) and 4 927 in Somerset East.⁴⁸ [⁴⁸ *Daily Dispatch* 7 April 1993]

In February 1993 the director of housing for the Port Elizabeth City Council, Mr Andrew Gibbon, said that 100 new families entered the city each week and required housing.⁴⁹ [⁴⁹ *Eastern Province Herald* 17 February 1993]

Homelands

It was reported in March 1993 that the Bophuthatswana administration had demolished shacks at

Mabopane, Marokolong, Moretele and Odi in an attempt to end informal settlement in the homeland.⁵⁰ [⁵⁰ *Land Update* January/February 1993, *Business Day* 12 March 1993, *City Press* 14 March 1993] In June it was reported that 97 homeless people from Modderspruit were to be charged in the Garankuwa magistrate's court with illegal squatting.⁵¹ [⁵¹ *New Nation* 18 June 1993]

The military ruler of the Ciskei, Brigadier Joshua 'Oupa' Gqozo, said in January 1993 that 'squatting is causing bad administration' and that 'squatters must go back to where they came from'. A spokesman for the Mdantsane branch of the South African National Civic Organisation (Sanco), Mr Mzwandile Buzani, said that Sanco would 'protect' informal settlements in the Ciskei from forced removals. According to the Ciskei authorities, in 1991 some 10 000 families lived in shack settlements in the Ciskei.⁵² [⁵² *The Weekly Mail* 22 January 1993]

The Transkei Military Council said in February 1993 that towns in the homeland were becoming 'inundated with squatters' who illegally demarcated sites in urban areas. The head of the council, Major General Bantu Holomisa, said that in order to prevent certain people paying large sums of money to acquire sites and others receiving sites for free, informal settlers were to be given the opportunity to buy land.⁵³ [⁵³ *Daily Dispatch* 25 February 1993]

Natal

It was reported in October 1992 that there were some 2,6m informal settlers in Natal, of whom 1,8m were concentrated in the Durban functional region.⁵⁴ [⁵⁴ *The Natal Mercury* 9 October 1992] The dean of the Faculty of Architecture and Allied Disciplines at the University of Natal (Durban), Professor Errol Haarhoff, said that by 2000 Durban would have some 3m informal dwellers in a city of some 6m to 7m people.⁵⁵ [⁵⁵ Information supplied by the dean of the Faculty of Architecture and Allied Disciplines at the University of Natal (Durban), Professor Errol Haarhoff, 19 April 1993]

Research undertaken by the Built Environment Support Group, an urban development service organisation based in Durban, and published in October 1992, found that some 60% of Durban's population lived in informal settlements. Furthermore, the research found that 'most' women and households headed by women in informal settlements had been compelled by poverty to live in such circumstances which, it said, imposed 'enormous' social costs on women in particular, owing to their lack of access to services.⁵⁶ [⁵⁶ *Work in Progress* October 1992]

In August 1992 it was reported that there were some 20 whites living in informal houses at Richards Bay (Natal north coast) and some 25 whites living in shacks near Palm Beach (Natal south coast).⁵⁷ [⁵⁷ *Sunday Tribune* 30 August 1992]

In March 1993 it was reported that some 30 families living in shacks at the Parlock informal settlement (north of Durban) had been left homeless when a security firm had demolished their shacks. The

families had previously been served with an eviction order by the landowner, Mr Essa Paruk, in November 1992.⁵⁸ [⁵⁸ *The Natal Witness* 10 March 1993] In April 1993 some 200 people at Embo (Hillcrest) built shacks on a private farm in the area as part of the Embo Civic Association's *asinandawo* ('we have no land') campaign. The civic association demanded that the Natal Provincial Administration provide its members with land for houses.⁵⁹ [⁵⁹ *The Natal Mercury* 9 April 1993]

A survey undertaken by the Pietermaritzburg City Council towards the end of 1992 identified 12 informal settlements around Pietermaritzburg with a total of 3 000 inhabitants. The report said that there was an average of four people per shack.⁶⁰ [⁶⁰ *The Natal Witness* 18 January 1993] Almost all the people living in informal settlements around Pietermaritzburg were reported to be refugees who had fled from political violence at Table Mountain.⁶¹ [⁶¹ *Ibid* 26 May 1993]

Pretoria/Witwatersrand/Vereeniging

According to the Transvaal Provincial Administration (TPA), in 1992 there were some 2m people living in some 100 informal settlements on the central Witwatersrand.⁶² [⁶² *Sunday Times* 28 June 1992] It was reported in June 1993 that there were some 100 000 people living in informal settlements in townships in the Vaal Triangle (southern Transvaal).⁶³ [⁶³ *Sowetan* 25 June 1993]

A survey undertaken by the Johannesburg City Council towards the end of 1992 revealed that there were 2 500 homeless people in central Johannesburg. The majority of the respondents slept in empty buildings or yards, while some 40% slept at Park Station. The survey found that there was less sub-economic accommodation for women than for men, with no shelter being provided for women between 16 and 24 years of age.⁶⁴ [⁶⁴ *The Weekly Mail* 28 August 1992, *Saturday Star* 17 October 1992]

In November 1992 it was reported that 'dozens' of homeless people were living in shacks on a plot at Honeydew (north of Johannesburg) and paying R120 per person per month for such accommodation. No lavatories were provided and water was available for only one hour a day. The landlord, Mr Barry Nilsson, said that he 'liked helping blacks' and claimed that he charged between R40 and R60 a person per month for accommodation. Mr Nilsson said that he had introduced water restrictions because water was being wasted by the shackdwellers.⁶⁵ [⁶⁵ *City Press* 1 November 1992]

In December 1992 some 25 people living in shacks on a plot some 50km north of Johannesburg were arrested for trespassing. The landlord, Mr G Smalberger, said that he told the shackdwellers to leave the plot after he had bought it a month earlier.⁶⁶ [⁶⁶ *Sunday Star* 13 December 1992] *The Weekly Mail* reported in the same month that the South African Police had demolished some 60 shacks erected in the Extension 9 area of Lenasia on the orders of the TPA. A TPA spokeswoman, Ms Yvette Engelbrecht, said the shacks had been demolished because they were built in a 'transit area' and on unstable dolomite.⁶⁷ [⁶⁷ *The Weekly Mail* 4 December 1992]

In the same month the Transvaal Provincial Division of the Supreme Court in Pretoria rejected an application by the Diepsloot Residents' and Landowners' Association (DRLA) to prevent the TPA from settling the Zevenfontein informal settlers (north of Johannesburg) at Diepsloot (see 1992/93 *Survey* pp47, 221–222).⁶⁸ [⁶⁸ *The Star* 6 January 1993] In March 1993 the Pretoria Supreme Court dismissed an application for leave to appeal against the decision.⁶⁹ [⁶⁹ *Sowetan* 5 March 1993] The supreme court's ruling was rejected by the DRLA and welcomed by the TPA, which said it would move the shackdwellers to Diepsloot by the end of March 1993.⁷⁰ [⁷⁰ *Business Day* 8 March 1993] In the same month residents of the Zevenfontein informal settlement and members of the African National Congress marched to the Randburg offices of the TPA to protest against 'unilateral plans' to move the residents.⁷¹ [⁷¹ *The Citizen* 22 March 1993] In May the Appellate Division of the Supreme Court in Bloemfontein granted the DRLA leave to appeal against the Pretoria Supreme Court's decision. The TPA announced subsequently that it had suspended the planning of the move pending the hearing of the appeal.⁷² [⁷² *Ibid* 2 June 1993, *The Star* 18 June 1993] In August the TPA said it would oppose in court any action which effectively prevented it from providing a permanent residential area for the Zevenfontein informal settlers.⁷³ [⁷³ *The Citizen* 2 August 1993]

In April 1993 some 15 shacks at the Weiler's Farm shack settlement (south of Johannesburg) were demolished by the TPA.⁷⁴ [⁷⁴ *Sowetan* 1 April 1993] Three days after the demolitions, the TPA agreed to suspend any further action following an agreement reached between the TPA and the Weiler's Farm Civic Association to determine jointly the future of the community.⁷⁵ [⁷⁵ *The Citizen* 3 April 1993]

It was reported in May 1993 that more than 650 families were living in 'slum' conditions at the Alexandra Town Council's offices a year after they fled their homes owing to political violence. It was reported that there were as many as ten family members sharing each room.⁷⁶ [⁷⁶ *New Nation* 14 May 1993]

In June 1993 the Chartwell North action group sought a supreme court order to evict informally housed residents at Zevenfontein (north of Johannesburg).⁷⁷ [⁷⁷ *The Star* 18 June 1993] In the same month the TPA demolished some 300 shacks in the 'Babylon' section of Ivory Park (Midrand) which had been zoned for light industry.⁷⁸ [⁷⁸ *Business Day* 23 June 1993] It was reported that some 1 000 people had been left homeless.⁷⁹ [⁷⁹ *Ibid* 25 June 1993]

Western Cape

According to the Cape Provincial Administration, in 1993 some 62 500 families in the western Cape lived in informal settlements, while 30 000 African families lived in formal housing and 76 000 families lived on site- and-service schemes.⁸⁰ [⁸⁰ *Argus* 6 April 1993] The Cape Town City Council noted that in 1993 some 20 000 families lived in backyard shacks in the city.⁸¹ [⁸¹ *Ibid* 6 August 1993] The Surplus People's Project estimated that in 1993 some 80% of the black population in greater Cape Town lived in informal

housing.⁸² [⁸² *Surplus People's Project, annual report 1992/93*]

In August 1992 it was reported that 'hundreds' of whites were sleeping on beaches, under bridges and in fields in Cape Town.⁸³ [⁸³ *Sunday Tribune* 30 August 1992]

A group calling itself the concerned residents of Steenberg and Retreat announced in May 1993 that it intended to launch a campaign to 'squat on available land nearer Cape Town' so as to 'highlight our demand for decent housing and a racially integrated city'.⁸⁴ [⁸⁴ *Cape Times* 21 May 1993]

Provision by the Government

Formal Housing

According to the Department of Local Government and National Housing, R1,2bn was spent by the government in the 1992/93 financial year on building 12 600 formal houses and providing 82 368 serviced sites.⁸⁵ [⁸⁵ *Business Day* 24 June 1993] However, the minister of national housing, Mr Sam de Beer, said in May 1993 that the South African government had not built any houses in the non-independent homelands since 1984.⁸⁶ [⁸⁶ *Hansard* (A) 17 q cols 1607-1608, 18 May 1993]

The Department of Local Government, Housing and Agriculture (House of Delegates) built 2 623 houses and provided 4 466 serviced sites in 1992. (It had built 7 074 houses and provided 4 764 serviced sites in 1991.)⁸⁷ [⁸⁷ *Hansard* (D) 11 q cols 1223-1224, 23 April 1993] Between 1985 and the end of 1992 the Department of Local Government, Housing and Agriculture (House of Representatives) provided serviced sites for 16 000 families (housing some 80 000 people).⁸⁸ [⁸⁸ *Housing in Southern Africa* May 1993]

The minister of housing and works (House of Assembly), Mr Adriaan Vlok, said in February 1993 that various local authorities and welfare organisations were to build the following number of formal low-cost houses for whites with loans granted by the government and administered by the Department of Local Government, Housing and Works (House of Assembly):⁸⁹ [⁸⁹ *Hansard* (A) 4 q col 251, 24 February 1993]

Houses to be provided by white own affairs: 1993

Region

No of units

Eastern Cape

313

Natal

579

Northern Cape

24

Northern Transvaal

901

Orange Free State

227

Southern Transvaal

1 170

Western Cape

964

Total

In October 1992 Mr Vlok said that some R74m would be spent by the Department of Local Government, Housing and Works (House of Assembly) within the next three years on building 1 850 low-cost houses.⁹⁰ [⁹⁰ *Sowetan* 30 October 1992]

According to the Building Industries Federation of South Africa (Bifsa), the level of investment in housing by the government had decreased from R1bn in 1983/84 to R0,6bn in 1993 (both at 1985 prices), owing to a change in government policy in the mid-1980s. It said that the change in policy had resulted in less direct expenditure by the government on building houses and increased subsidies for housing (for example, first-time home buyers' subsidies and capital subsidies).⁹¹ [⁹¹ Bifsa, *Statistical Yearbook 1992*]

Government Expenditure

Budgeted spending by the government on housing and related infrastructure was R2,7bn in 1993/94, in comparison with R3bn in 1992/93. The amount budgeted for housing and related infrastructure in 1993/94 represented 1,3% of total budgeted expenditure. The figure for 1993/94 included R1,66bn set aside from the budget, R236m from the sale of strategic oil reserves (the unspent amount of R500m made available in 1992/93) and R800m given to the Development Bank of Southern Africa, the Independent Development Trust, the South African Housing Trust and the administrations of the non-independent homelands.⁹² [⁹² *Housing in Southern Africa* April 1993, *Business Day* 18 March 1993]

In March 1993 the chairman of the National Housing Forum (NHF), Mr Eric Molobi, said that negotiations between the NHF and the Department of Local Government and National Housing (House of Assembly) had proceeded well in respect of a joint housing initiative to be funded through the budget. Mr Molobi said that the initiative would be managed jointly by the NHF and the department and would 'facilitate better the delivery of housing, as well as mobilise significant investment for low-cost housing from the private sector'.⁹³ [⁹³ *Housing in Southern Africa* March 1993]

It was reported that prior to the budget the NHF had asked the minister of finance, Mr Derek Keys, for an amount of R1bn for the initiative. However, Mr Keys allocated R200m to the initiative from the 1993/94 budget and said that a further R200m could be made available in bridging finance to the initiative during 1993/94.⁹⁴ [⁹⁴ *Business Day* 23 April 1993] A further R300m was made available by the Department of Local Government and National Housing to the initiative.⁹⁵ [⁹⁵ Information supplied by the secretary of the NHF, Ms Kecia Rust, 8 July 1993] The bulk of the funds were to be used to fund the upgrading of existing and new residential areas, and the provision of new houses and infrastructure, once agreement was reached on the manner in which funds were to be spent.⁹⁶ [⁹⁶ *National Housing Forum News* autumn 1993]

The executive director of Bifsa, Mr Ian Robinson, said the amount allocated by the government to housing and related infrastructure was 'totally inadequate' given the housing backlog in the country. He added, however, that he was 'encouraged' by the funds made available to the joint housing initiative.⁹⁷ [⁹⁷ *Business Day* 26 March 1993] The executive director of the National Association of Home Builders, Mr Daan Roelvert, said funds made available to the initiative were 'a welcome move to create transparency and acceptability regarding allocations for housing projects'.⁹⁸ [⁹⁸ *Housing in Southern Africa* April 1993] The chief executive officer of the Urban Foundation, Mr Les van Coller, said that an offer by Mr Keys to involve the NHF in formulating the 1994/95 housing budget was of 'fundamental importance' and he welcomed the 'co-operative approach' intended in the 1993/94 budget.⁹⁹ [⁹⁹ *Ibid*] The allocation of funds to the initiative was also welcomed by the Congress of South African Trade Unions.¹⁰⁰ [¹⁰⁰ *Business Day* 18 March 1993]

The following table illustrates trends in government spending on housing as a proportion of the total budget:¹⁰¹ [¹⁰¹ *Housing in Southern Africa* April 1993; 1992/93 *Survey* p219]

Budgeted expenditure on housing: 1987/88–1993/94

Financial year

Rm

Proportion of budget

1987/88

745

1,6%

1988/89

934

1,7%

1989/90

959

1,5%

1990/91

1 208

1,6%

1991/92

1 356

1,6%

1992/93

1 653

1,6%

1993/94

1 659

1,3%

In April 1993 Mr de Beer said that the interest subsidy of 33,3% on mortgage bonds for first-time African home-owners would also apply from 1 May 1993 to Africans who had already acquired property. An amount of R99m was set aside during the 1993/94 financial year for the scheme. Mr de Beer said that in 1993 some 29 000 Africans and 49 000 coloured people, Indians and whites participated in the scheme.¹⁰² [¹⁰² *Business Day* 27 April 1993] However, a survey conducted in informal settlements in the Pretoria/Witwatersrand/Vereeniging region by the *Sowetan* in May 1993 found that 'most' Africans living in shacks were unemployed or had earnings of below R1 000 a month and thus had little chance of benefiting from the amendments to the first-time home-owners' scheme.¹⁰³ [¹⁰³ *Sowetan* 28 May 1993]

The table below shows financial assistance to first-time home buyers in the form of interest subsidies on mortgage loans from 1989/90 to 1993/94:¹⁰⁴ [¹⁰⁴ Information supplied by the director of Medium-Term Forecasting Associates, Dr Johan Snyman, 8 July 1993]

Financial assistance to first-time home buyers: 1989/90–1993/94

Year

AfrColIndWhiTot1989/90

8

8

7

29

52

1990/91

40

15

9

46

110

1991/92

61

30

14

36

141

1992/93

69

38

19

29

155

1993/94

69

38

21

23

151

Provincial Administrations

According to Mr de Beer, during 1992 the four provincial administrations granted property rights to 337 078 informal settlers in townships supplied with essential services.¹⁰⁵ [¹⁰⁵ *Housing in Southern Africa* May 1993] Mr de Beer said that a total of 77 939 serviced sites had been provided in the same year in the following areas:¹⁰⁶ [¹⁰⁶ Department of Local Government and National Housing, annual report 1992]

Serviced sites provided by the provincial administrations in 1992

Administration

Sites provided

Sites under construction

Sites planned

Total

Cape

13 962

16 856

31 727

62 545

Natal

5 790

3 220

25 171

34 181

Orange Free State

9 881

5 986

8 588

24 455

Transvaal

48 306

25 505

49 138

122 949

Total

77 939

51 567

114 624

244 130

Planact, an urban development service organisation based in Johannesburg, said that during 1992 the Transvaal Provincial Administration (TPA) had purchased land for low-income housing in the Rietfontein and Orange Farm areas (both south of Johannesburg), which were some 40km from existing sources of employment. Planact said that the TPA had done this despite having committed itself to implementing the recommendations of the Central Witwatersrand Metropolitan Chamber's *Land Availability Study*, which had identified land for low-cost housing development closer to Johannesburg

(see also chapter on *Population*). Planact also remarked that the TPA had begun planning on the use of the land at Knopjeslaagte (between Johannesburg and Pretoria) for low-income housing development and argued that if developed it would perpetuate ‘old-style apartheid planning’. Similarly, it noted that all new low-income developments near Pretoria were occurring far from the city—to the east of Mamelodi and to the west of Atteridgevill

Private Sector

In September 1992 it was reported that the Perm and the South African National Civic Organisation had reached provisional agreement on ‘community-oriented banking’. The agreement also made provision for the establishment of home-loan centres in townships ‘to make bond applications and consumer education more accessible’.¹⁰⁸ [¹⁰⁸ *Business Day* 7 September 1992]

Future Bank announced in the same month that it would channel R30m into the low-cost housing market over the following five years. The Independent Development Trust would initially provide about 70% of the R30m for the venture. Future Bank said that the scheme was tailored to enable employers to assist with the provision of housing for poorer employees without having to provide large financial guarantees for loans.¹⁰⁹ [¹⁰⁹ *Ibid* 29 October 1992]

It was reported in February 1993 that the Life Offices Association (LOA) had established an investment development unit to explore ways of ‘rechannelling savings into areas of need such as housing and electricity’.¹¹⁰ [¹¹⁰ *Finance Week* 18 February 1993, *New Nation* 16 April 1993] In May 1993 the LOA invested R500m in Eskom’s electrification participation notes, which allowed Eskom to raise funds to electrify some 1m households (9m people) by 1998 (see also *Energy* below). The unit was also investigating ways of making finance available for low-cost housing and education.¹¹¹ [¹¹¹ Information supplied by a spokesman (who wished to remain anonymous) for the investment development unit of the Life Offices Association, 9 September 1993]

Also in February 1993, the Building Industries Federation of South Africa (Bifsa) proposed that the government use funds set aside from the budget for housing as collateral for financial institutions. Bifsa estimated that every R1m pledged by government guarantees would generate R15m from the private sector if housing investments were protected from high risk. Government housing funds should also be used to provide capital subsidies to the poorest homeless families and for a redesigned first-time home buyers’ scheme, Bifsa said. It argued that the strategy could ‘kickstart’ the economy, as it would enable some 300 000 low-cost houses a year to be built and 800 000 new jobs to be created, and the rest of the economy would also benefit.¹¹² [¹¹² *The Star* 8, 11 March 1993; *Housing in Southern Africa* January 1993] It was reported in June 1993 that Bifsa had commissioned the Federated Group and Investec Bank to establish a plan that could help channel private sector finance to low-cost housing.¹¹³ [¹¹³ *The Citizen* 21 June 1993]

The chief executive of HouseSure, Mr Peter Veal, said in March 1993 that the building industry’s failure

to protect ‘unsophisticated’ home buyers in the lower-income housing market against ‘shoddy’ workmanship had cost the economy ‘millions’ of rands. Mr Veal said that the root of the problem lay with institutions which exploited black clients and did not inform them of their rights.¹¹⁴ [¹¹⁴ *Business Day* 3 March 1993]

It was reported in April 1993 that the United States (US) government was examining the use of US pension and endowment funds to invest in mortgage bonds for housing, electrification and small business development in South Africa.¹¹⁵ [¹¹⁵ *Ibid* 28 April 1993] No further details were available at the time of writing.

The Old Mutual Homefunder initiative was launched in the same month by the Old Mutual and the Urban Foundation. According to the general manager (employee benefits) of the Old Mutual, Mr Henk Beets, the initiative would allow retirement fund members immediate access to accumulated funds rather than compelling them to wait until retirement. A member would be able to use accumulated funds as a deposit for a mortgage bond and/or to increase monthly mortgage bond repayments. He said the initiative was aimed at encouraging financial institutions to lend to people in the low-income housing market.¹¹⁶ [¹¹⁶ *Sowetan* 20 April 1993, *Enterprise* April 1993, *Finance Week* 26 November 1992]

An economist in the division of building technology at the Council for Scientific and Industrial Research, Dr Tobie de Vos, estimated in September 1992 that some 60% of African households in South Africa (excluding the ‘independent’ homelands) were unable to make any contribution towards the cost of their homes in 1991, compared with some 50% in 1990. In 1991 some 31% of coloured people (28% in 1990), 10% of Indians (14% in 1990) and 4% of whites (5% in 1990) were in the same predicament. Dr de Vos added that it was likely that since 1991 the ability of all households to afford accommodation had deteriorated further, as indicated by the increase in the number of informally housed people and the large number of vacant flats available for rental.¹¹⁷ [¹¹⁷ *Housing in Southern Africa* September 1992]

Employer Provision

The chairman of the Western Province Masonry Manufacturing Association, Mr Guenther Koch, said in March 1993 that employers should take the lead in providing houses for their employees. He added that employees earning R1 200 a month or less should be given housing by their employers, and that this measure alone would improve their efficiency and productivity.¹¹⁸ [¹¹⁸ *Ibid* March 1993]

The Perm’s 1993 survey on employer-provided housing assistance schemes, which was conducted by International Compensation Management Consultants, and published in August 1993, revealed that most organisations which had participated in the survey provided some form of housing assistance to employees. (Organisations from both the private and the public sectors participated in the survey.) The survey found that more than half the total number of respondents’ housing assistance schemes were applicable to all their employees while a tenth were applicable to senior employees only, and a third were available to low-income employees only. In comparison with a similar survey undertaken in 1988,

there had been an increase in the number of schemes applicable to all employees, while the number of schemes applicable only to low-income employees remained the same. The survey found that reasons stated by organisations for introducing housing assistance were related to the type of assistance scheme offered. The main reason for schemes available to all employees included 'economic necessity' and 'improving productivity by attracting loyal staff'. Schemes applicable to low-income employees only were motivated primarily by 'economic or functional necessity' and the 'enhancement of industrial relations'.¹¹⁹ [¹¹⁹ International Compensation Management Consultants, *The Perm's Annual Survey on Employer Provided Housing Assistance Schemes*, Randburg, August 1993]

Provision by Farmers

The De Loor task group, which had been established by the government to advise it on a national housing policy, published its report in April 1992 and noted that no quantitative information existed regarding housing provided by farmers for their employees (see 1992/93 *Survey* p223).

The Farmworkers' Research and Resource Project (FRRP), a rural development service organisation based in Johannesburg, said in April 1993 that the accommodation of farmworkers on farms was usually linked to their employment. The FRRP noted that until recently most housing for farmworkers had taken the form of mud huts with no running water or electricity. It said that while housing standards for farmworkers in certain areas of the country might have improved, farmworkers' access to basic services was still the exception rather than the rule. The FRRP argued that workers were assured of accommodation only if they continued working on the farm. This system led to abuse of farmworkers as they had few alternatives regarding employment and accommodation, the FRRP argued. It also pointed out that if a male farmworker and breadwinner died, his widow and family were often turned out of the house and compelled to seek shelter elsewhere. Farmworkers who were too old to work faced a similar fate, the FRRP said (see also chapter on *Land, Agriculture and Rural Areas*).¹²⁰ [¹²⁰ *Association for Rural Advancement News* April 1993]

Nonprofit Organisations

Independent Development Trust

In March 1991 an amount of R750m was set aside by the Independent Development Trust (IDT) to provide 100 000 serviced sites for first-time home owners earning less than R1 000 a month (see 1991/92 *Survey* p351). An additional sum of R95m was set aside for the capital subsidy scheme, which increased the number of serviced sites which were to be provided to 112 690, with some 800 000 people expected to benefit from the scheme. By June 1993 an amount of R334m had been paid out to 92 projects which were being implemented or had been completed. The IDT anticipated that the balance of R511m would be paid by June 1994. The following table indicates progress made with the IDT capital subsidy scheme by June 1993:¹²¹ [¹²¹ Information supplied by the communications director of the Independent

Development Trust (IDT), Mr Jolyon Nuttall, 1 July 1993]

IDT capital subsidy scheme: June 1993

Area

Sites under construction or completed

Subsidies granted

Sites occupied

Total number of sites to be provided

Eastern Cape

10 874

8 228

6 746

20 520

Eastern Transvaal

4 548

2 949

3 035

4 941

Natal

11 033

2 531

5 008

25 293

Northern Cape

1 669

1 634

1 584

1 669

Northern Transvaal

3 309

2 891

2 340

5 536

Orange Free State

5 335

4 960

4 067

7 662

PWVa

23 209

14 916

13 630

33 417

Western Cape

7 988

5 446

4 586

9 300

Western Transvaal

3 862

2 637

3 055

4 002

Total

71 827

46 192

44 051

112 340

a

Pretoria/Witwatersrand/Ve

In response to criticism of the capital subsidy programme by the South African National Civic Organisation (Sanco), which said that it regarded the scheme as ‘imposing its own view on communities of how black people should live by insisting on standard sites and individual ownership’, the manager of the IDT’s capital subsidy programme, Mr Ian Palmer, said in February 1993 that the IDT accepted that the original document, which explained the conditions of the scheme, was too prescriptive regarding the

level of service provided at serviced sites. He added that the IDT had not been flexible about individual ownership of sites. Mr Palmer said that the IDT had not been able to spend its funds as quickly as it might have liked, owing to the lack of experience and training in communities benefiting from the IDT schemes. He said that as a result, the IDT had started to encourage training and job-creation programmes to enhance the skills of communities and to ensure the social and economic upgrading of such communities by the beneficiaries themselves.¹²² [¹²² *Work in Progress* February 1993]

In July 1993 the communications director of the IDT, Mr Jolyon Nuttall, said that new funding of the capital subsidy programme would depend 'largely' on decisions made by the National Housing Forum (NHF) (see *National Housing Forum* above). He said there had been a debate within the NHF over the extent to which site-and-service schemes should be part of NHF projects. He added that some participants in the NHF believed that a higher standard of housing than the serviced-site option should be provided.¹²³ [¹²³ *Business Day* 5 July 1993]

Twelve retail-lending institutions with loan finance supplied by the IDT Finance Corporation were operating or about to begin operating in the housing market during the period under review. These were the Amatola Finance Corporation, Bochabela Finance Corporation, Eastern Transvaal Group Credit Company, Fabfin Development Foundation, Future Bank, Get Ahead Foundation, Great North Credit Company, King Finance Company, Masakhane Loan Services, Metropolitan Housing Finance Cooperative, Natal Credit Corporation and The Group Credit Company. These institutions aimed to provide small loans (mainly up to R10 000) to poor households (earning approximately R1 500 a month) for loans linked to specific building projects, personal lending, group lending, credit to materials suppliers and employer housing schemes.¹²⁴ [¹²⁴ *Housing in Southern Africa* April 1993]

South African Housing Trust

During 1992 some 9 500 starter or incremental houses, each between 35 and 50 square metres in area, were provided through the South African Housing Trust (SAHT), which represented 63% of the total number of such houses provided, according to the managing director of the SAHT, Mr Wallie Conradie. The number of houses provided by the SAHT in 1992 represented a decrease of 21% on the 12 000 provided in 1991. During 1992 the SAHT also sold 6 400 serviced sites of the 23 000 it had available for sale.¹²⁵ [¹²⁵ South African Housing Trust, annual report 1992]

Khayaletu Home Loans, a subsidiary of the SAHT, granted 6 500 new home loans during 1992, which was a decrease of 2 000 on figures for 1991.¹²⁶ [¹²⁶ *Ibid*] Since its inception in 1987 the SAHT had provided some 47 320 houses, 43 700 serviced sites and 27 000 home loans.¹²⁷ [¹²⁷ *Housing in Southern Africa* May 1993] The SAHT noted that during 1992 there had been an increase in the number of people defaulting on home loans granted by the SAHT, mainly owing to rising unemployment and an increase in the number of bond boycotts of financial institutions in certain areas. The economic recession and the smaller number of mortgage bonds granted by financial institutions during 1992 were reported to

account for the SAHT's lower level of performance.¹²⁸ [¹²⁸ *Financial Mail* 27 November 1992]

Urban Foundation

During 1992 work continued on three major informal settlement upgrading projects in which the Urban Foundation (UF) acted as project manager on behalf of community-based trusts responsible for the developments. The informal settlements were at Bester's Camp (Durban), Freedom Square (Bloemfontein) and Soweto-on-Sea (Port Elizabeth). The projects involved expenditure of R165m on upgrading the living conditions of some 22 000 families.¹²⁹ [¹²⁹ UF, annual review 1992]

The New Housing Company Holdings, a nonprofit organisation, was linked to the UF and comprised two subsidiary nonprofit divisions, The New Housing Company (Newhco) and the Land Investment Trust. Newhco, the housing delivery division, comprised the former utility companies of the UF, namely Blomanda Housing in the Orange Free State, FHA Homes in the Transvaal, Innova in Natal and Unifound Housing in the eastern Cape. During 1992 Newhco provided 8 000 serviced sites and 3 500 starter and incremental houses financed by the IDT's capital subsidy scheme and National Housing Commission funds.¹³⁰ [¹³⁰ Ibid]

The chief executive of Newhco, Mr Rod MacGillivray, said in June 1993 that the company had started building low-cost, high-density housing on land in formerly white residential areas of Johannesburg, Pietermaritzburg (Natal) and Port Elizabeth (eastern Cape). Newhco was also examining the possibility of upgrading existing central business district office space into affordable residential accommodation, developing affordable housing on vacant mining land and creating financial mechanisms to allow for the redevelopment of inner city areas.¹³¹ [¹³¹ *Business Day* 15 June 1993]

The Land Investment Trust was funded by a R120m debenture issue in April 1992. It provided capital loans to development agencies which provided low-income housing (including those outside Newhco).¹³² [¹³² UF, annual review 1992] During 1992 it was responsible for financing 80 urban housing projects worth some R82m.¹³³ [¹³³ *Sunday Star* 7 March 1993]

During 1992 the UF initiated an informal settlement support programme to support 'community capacity building' (ie to develop the ability of communities to participate effectively in the housing process). Similarly, the UF investigated ways in which the gradual upgrading (consolidation) of informal settlements could be facilitated. The IDT set aside funds for the UF to train consolidation co-ordinators and trustees of community-based development trusts.¹³⁴ [¹³⁴ UF, annual review 1992]

The Home Loan Guarantee Company was launched in July 1990 by the UF and the Mortgage Lenders' Association. It aimed to release finance for mortgage bonds from R12 500 to R43 000 for starter housing. During 1992, 5 906 loans totalling R172m were granted by banks and building societies on property valued at R197m and were insured by the Home Loan Guarantee Company. Between its inception in July 1990 and June 1992 a total of 7 473 loans totalling R213m on property worth R243m

had been insured by the company.¹³⁵ [¹³⁵ Ibid] From July 1991 to June 1992 the company provided an average of 486 home loans a month while from July 1992 to February 1993 it provided an average of 345 loans a month.¹³⁶ [¹³⁶ *Housing in Southern Africa* April 1993]

Service Organisations

During 1992 Planact, an urban development service organisation based in Johannesburg, was involved in 20 township development and upgrading projects, three informal settlement upgrading projects and four projects where technical assistance was provided to clients with problems regarding low-cost housing construction. Planact aims to devise planning methodologies which assist community-based organisations so as to increase 'ordinary people's control of development'.¹³⁷ [¹³⁷ Planact, annual report 1991/92]

During 1991 the Built Environment Support Group, an urban development service organisation based in Durban, provided advice, information, training and support to some 23 residents' associations in Natal regarding the planning, funding, negotiation and implementation of housing projects. The group said that it also assisted community organisations to exercise control over development projects.¹³⁸ [¹³⁸ Built Environment Support Group, annual report 1990/91]

The Development Action Group (Dag), an urban development service organisation based in Cape Town, provided planning advice and skills, and training programmes to 20 residents' associations; advice on rates, rentals and service provision to 12 organisations; advice on the technicalities of local government restructuring to six organisations; advice regarding building designs to five organisations; and advice regarding the sale of houses and the conversion of hostels into family units to four organisations. Dag aimed to empower community organisations to be active participants in development forums and the development process.¹³⁹ [¹³⁹ Dag, annual report 1992]

The Housing Consumer Protection Trust was launched in Johannesburg in March 1993 with the aim of preventing exploitation and corruption in the low-income housing market. The chairman of the trust, Mr Humphrey Khoza, said that some 90% of home buyers in this market were subject to some form of exploitation from unscrupulous developers, contractors, landlords, land speculators, government officials, estate agents or financial brokers.¹⁴⁰ [¹⁴⁰ *Business Day* 25 March 1993] The objectives of the trust included informing lowincome consumers of their housing rights and creating legal mechanisms and other initiatives (for example, consumer awareness programmes and advice networks) in the field of housing to eradicate corruption and exploitation.¹⁴¹ [¹⁴¹ *New Nation* 26 March 1993, *Housing in Southern Africa* April 1993]

Boycotts and Redlining

Rent and Service Charge and Bond Boycotts

See chapter on *Political Developments*.

Redlining

According to the general manager of home loans at Standard Bank, Mr Duncan Reekie, 'redlining' is the term used for the process whereby an area is designated by financial institutions as being problematic in terms of urban decay or the security of home loans on properties in the area. Financial institutions then decline to issue mortgage bonds on such properties.¹⁴² [¹⁴² *Business Day* 3 March 1993]

The Human Sciences Research Council found in a survey conducted in 1991 that financial institutions were not providing mortgage bonds on properties in Hillbrow, Joubert Park and parts of Berea (all in Johannesburg) because these areas were perceived as 'high risk' (see 1992/93 *Survey* p230).

In March 1993 Standard Bank and First National Bank denied allegations that they had redlined Bellevue or Yeoville (both in Johannesburg). The deputy chief executive of Amalgamated Banks of South Africa (Absa), Mr Mike de Blanche, said in the same month, however, that certain suburbs, such as Bellevue, Berea and Yeoville, were 'potentially problematic' as there were areas in them that reflected urban decay.¹⁴³ [¹⁴³ *Ibid*]

Mr Lester Fuchs MP (Democratic Party) said in April 1993 that areas which had been redlined in Johannesburg included Bellevue, Berea, Hillbrow, Johannesburg Central, Joubert Park and Yeoville. Mr Fuchs said that redlining had the consequence, whether intended or not, of being racially discriminatory (in that blacks were usually denied mortgage bonds) and that it 'destabilised' communities because it led to urban decay which 'inevitably spread like a cancer to surrounding suburbs'. He added that redlining also resulted in the suppression of market forces and a decline in property prices. Mr Fuchs called on the government to consider withdrawing its funds from institutions which practised redlining.¹⁴⁴ [¹⁴⁴ *Hansard* 13 (A) cols 6028-6029, 26 April 1993]

In the same month the minister of national housing, Mr Sam de Beer, said that redlining was 'undesirable' and that he believed that the extension of the interest subsidy for first-time home buyers to people in existing houses would help alleviate the problem.¹⁴⁵ [¹⁴⁵ *Business Day* 27 April 1993]

In June 1993 the Central Johannesburg Partnership (CJP), an alliance of the Johannesburg City Council, the business sector and community-based organisations, was officially launched. The CJP established the Inner City Housing Upgrading Trust, which aimed to halt and reverse the degradation of the Johannesburg inner city and overcome redlining by providing collateral for private-sector investment and the upgrading of certain housing stock (see also *Residential Segregation and Desegregation* below).¹⁴⁶ [¹⁴⁶ *Contact, Newsletter of the Central Johannesburg Partnership* April 1993]

In January 1993 the *Sunday Star* quoted a senior banker as saying that owing to 'lawlessness' in the townships the bank was lending 'very selectively' to home owners in such areas. The director general of the Council of South African Banks, Mr Tony Norton, said that while redlining 'caused intense pain', it was one of the elements of 'a sound banking system'. Mr Norton and other bankers interviewed by the *Sunday Star* denied that redlining policies applied anywhere other than in Diepsloot (an area north west of Johannesburg where the Zevenfontein shack residents were to be housed) (see *Informal Housing* above).¹⁴⁷ [¹⁴⁷ *Sunday Star* 24 January 1993]

A spokesman for AfriHome, Mr Pitso Mabena, said in May 1993 that financial institutions did not lend money to Africans in the townships because of violence and the high crime rate in such areas. Mr Mabena added that the housing market in black areas was in 'chaos' owing to redlining.¹⁴⁸ [¹⁴⁸ *Sowetan* 21 May 1993] Planact noted that 1992 had been characterised by 'the undeclared withdrawal' of mortgage-bond finance from townships and inner city areas.¹⁴⁹ [¹⁴⁹ Planact, annual report 1991/92]

Home Ownership

According to the Department of Local Government and National Housing, 2 667 government-owned houses in African townships were sold during 1992, leaving an unsold balance of 206 959 houses. Since the announcement in 1983 of the campaign to sell all government-owned houses to their occupants, 131 282 African housing units had been sold (39% of a stock of 338 241 units). A total of 744 houses were sold in the Cape during 1992, 328 in Natal, 564 in the Orange Free State and 1 031 in the Transvaal. The department said that sales were proceeding slowly for the following reasons:¹⁵⁰ [¹⁵⁰ Department of Local Government and National Housing, annual report 1992]

- there was uncertainty on the part of township residents regarding their ability to meet financial commitments on house purchases owing to the economic recession;
- the quality of houses on offer did not match their expectations;
- tenants believed they had already paid for their houses through the payment of rent over many years; and
- demands had been made by various groups that houses should be transferred free of charge to their occupants.

In November 1992 the government announced a discount to tenants of as much as R7 500 on the purchase price of houses which had not been sold or houses which had been sold but not fully paid for. The Department of Local Government and National Housing said the initiative was aimed at stimulating house sales and increasing home ownership.¹⁵¹ [¹⁵¹ *Ibid*]

The Development Action Group, an urban development service organisation based in Cape Town, said in response to the initiative that the government was unwilling to formulate a housing policy yet continued with ad-hoc housing strategies which were meant to 'bolster its political standing'.¹⁵² [¹⁵² Dag, annual report 1992, p17]

The Professional Economic Panel (consisting of economists, politicians and representatives of business and sponsored by Nedcor and Old Mutual) published a report in February 1993 which argued for the transfer of government-owned houses and land in formerly African residential areas to existing occupiers free of charge. The panel maintained that this would create a sense of political change and grant new home owners access to capital since they would be able to use their houses as collateral for borrowing.¹⁵³ [¹⁵³ *Housing in Southern Africa* April 1993]

The Commonwealth Observer Mission to South Africa noted in June 1993 that despite 43% of African women and 52% of coloured women being single mothers 'almost all' title deeds in South Africa were in the hands of men.¹⁵⁴ [¹⁵⁴ *Sowetan* 8 June 1993] However, research by the Built Environment Support Group, an urban development service organisation based in Durban, found that 'a surprisingly high proportion' of sales of African houses in Natal between 1987 and 1990 (41% of 454 sales) were to women and that these women were predominantly widows. The group also found that 81% of women interviewed in Chesterville (Durban) felt that owning or renting a house in their own name would give them greater independence and control over their lives. However, the group said that of 1 050 records of developer-built houses in Durban (costing between R50 000 and R90 000), only 15% were owned by (African) women.¹⁵⁵ [¹⁵⁵ *Work in Progress* October 1992]

The general manager of FHA Homes, Mr Len Kline, said in June 1993 that financial institutions had begun granting mortgage bonds on the basis of households' total disposable income where previously the criterion for bonds had been the joint gross income of husband and wife. Mr Kline said the annual disposable income of 'most people' who wanted to own a house was less than 25% of the value of the property, which was the minimum required by financial institutions for the granting of mortgage bonds.¹⁵⁶ [¹⁵⁶ *New Nation* 18 June 1993]

Residential Segregation and Desegregation

The chairwoman of the Law Review Project, Professor Louise Tager, said in June 1993 that despite the repeal in June 1991 of the Group Areas Act of 1966 it would be 'years' before significant desegregation of residential areas occurred, as few blacks could afford to move into formerly white residential areas.¹⁵⁷ [¹⁵⁷ *Business Day* 15 June 1993]

A national survey undertaken by *The Estate Agent* in July 1992 revealed that the number of black people buying property in formerly white residential areas since the repeal of the Group Areas Act had

generally been 'negligible' compared with the number who had moved in while the act was in force. The survey found further that the Durban flatland was 'enormously attractive' to clerical and senior black employees. Furthermore, some 50% of all sales in and around Albert Park (Durban) in the nine months prior to the survey had been to blacks. Estate agents operating in Johannesburg said that sales to black people had been 'very low'. In residential areas in the south of Johannesburg between 10% and 20% of property sales involved blacks, compared to a national average of sales to blacks in formerly white areas of some 5%.¹⁵⁸ [¹⁵⁸ *South African Builder* October 1992]

The survey disclosed that sales to blacks in formerly white areas of Cape Town were 5% of total sales, reflecting a decline in the proportion of sales to blacks since the act had been repealed. The survey found that 'a few disillusioned' black people had resold their properties and moved back to their former residential areas. In the eastern Cape estate agents surveyed said it was 'mostly' middle to upper-class black people who had bought in formerly white areas. Estate agents in Bloemfontein (Orange Free State) said 'far more movement [had] occurred' before the act had been repealed. A few cases of whites objecting to blacks purchasing property in formerly white areas had also been reported.¹⁵⁹ [¹⁵⁹ *Ibid*]

The survey by *The Estate Agent* found the following to be the main reasons for the little interest shown by blacks in buying in formerly white areas:¹⁶⁰ [¹⁶⁰ *Ibid*]

- blacks were often under economic stress;
- most blacks who had wanted to relocate had done so prior to the repeal of the act;
- most blacks could not afford to buy houses in such areas;
- blacks were unable to sell township houses;
- there was often a lack of public transport in formerly white residential areas; and
- blacks were reluctant to sever existing social and family networks by moving to such areas.

A survey by *The Star* in October 1992 found that the properties in the suburban areas to the west and north west of Johannesburg were generally not sought after by African buyers as they were perceived to be conservative, while the south, east and north were more popular residential areas. The survey found that African buyers had settled in areas close to existing townships, for example, in the southern suburbs of Johannesburg. Areas to the south of Boksburg and Benoni (both east Rand), such as Dawn Park, Leondale and Windmill Park, were almost completely inhabited by Africans. An estate agent operating in Midrand (north of Johannesburg) said that African buyers accounted for some 20% of total turnover in the housing market.¹⁶¹ [¹⁶¹ *The Star* 21 October 1992]

The managing director of Real Estate Surveys, Mr Erwin Rode, said in November 1992 that coloured people had moved into Kenwyn, Lansdowne, Ottery, Plumstead, Rondebosch East, Southfield and Wetton (all in the Cape Peninsula). Mr Rode noted that in the central Witwatersrand 'upwardly mobile Africans' were moving into Ennerdale and Lenasia (both close to Soweto) and Kelvin (close to Alexandra). Indians were buying property in Cyrildene and Observatory (both in Johannesburg) because a mosque could be built in Observatory in the near future, he said. Mr Rode said that while these trends could result initially in a decline in property values certain areas could recover their initial property values once 'penetration' by blacks was completed.¹⁶² [¹⁶² *Financial Mail* 6 November 1992]

A survey undertaken in mid-1993 by a lecturer in the Department of Sociology at the University of the Witwatersrand, Mr Alan Morris, found that some 58% of Hillbrow (Johannesburg) residents were African, 16% were coloured people, 6% were Indians and 20% were white. Some 84% of respondents said that the substantial change in the racial composition of the area over the previous two years had contributed to breaking down racism while 2,5% believed that the shift had worsened racist attitudes. A large proportion of respondents had moved to Hillbrow within the previous five years and only 30% intended to stay in the area permanently. The survey revealed that 'most' respondents wanted to move out of the area but could not afford to do so.¹⁶³ [¹⁶³ *The Weekly Mail* 25 June 1993]

A senior social worker at the Johannesburg Association for the Aged, Ms Roz Rosenthal, said in February 1993 that pensioners were being compelled to move out of several buildings in Johannesburg as rentals were raised. Vacant rooms were then let to black tenants who were prepared to pay higher rentals, she said.¹⁶⁴ [¹⁶⁴ *The Star* 10 February 1993]

It was reported in May 1993 that certain rental companies acting on behalf of property owners in Johannesburg had lists of 'multiracial' and 'non-multiracial' accommodation. One such company said that 70% of accommodation on its books was on instruction from property owners 'strictly for whites only'. It was reported, however, that in most of these cases white tenants had put pressure on their landlords to prevent black tenants from obtaining accommodation in their blocks.¹⁶⁵ [¹⁶⁵ *Ibid* 7 May 1993]

The Development Action Group (Dag), an urban development service organisation based in Cape Town, noted that during 1992 several individuals and families in the western Cape who had lost land under the Group Areas Act had presented claims for the return of such land to the Advisory Commission on Land Allocation. The commission comprised seven members and had been established in 1991 in terms of the Abolition of Racially Based Land Measures Act of 1991 to advise the government on claims for restoration of land from which communities had been removed and on the use and reallocation of such land (see also chapter on *Land, Agriculture and Rural Areas*).¹⁶⁶ [¹⁶⁶ *Argus* 26 February 1993]

Research by the Legal Resources Centre in Cape Town showed that some 3 241 properties in Cape Town were registered in the name of the Community Development Board and could thus be defined as properties acquired by the government as a result of removals under the Group Areas Act. Further research by the centre found that the House of Representatives was selling land which it had obtained

from the Community Development Board to private developers.¹⁶⁷ [¹⁶⁷ Surplus People's Project, annual report 1992/93]

It was reported in February 1993 that the commission was investigating the first five claims by Cape Town families to properties from which they had been removed in terms of the Group Areas Act. The families were to give evidence to the commission before it advised the government on appropriate action.¹⁶⁸ [¹⁶⁸ *Argus* 26 February 1993] In the same month it was reported that some 150 properties in Bellair (Durban) were to be returned to their former Indian owners.¹⁶⁹ [¹⁶⁹ *The Natal Mercury* 18 February 1993]

The final obstacles to the redevelopment of District Six (Cape Town) (from which black families had been removed in the 1960s) were overcome in December 1992 with the establishment by the District Six steering committee of a community land trust (see 1992/93 *Survey* p229). The trust comprised four representatives of community-based organisations, two nominees of the Cape Provincial Administration and two representatives of the Cape Town City Council. The redevelopment of the area was to be overseen by the trust which would establish several nonprofit companies to undertake the development.¹⁷⁰ [¹⁷⁰ *The Weekly Mail* 11 December 1992]

Greater Cato Manor (Durban) had been the site of one of South Africa's largest forced removals, when in the late 1950s and early 1960s some 200 000 blacks were removed from the area. In January 1992 the Cato Manor Development Forum, consisting of government and non-governmental bodies, was established to negotiate the development of the area (see 1992/93 *Survey* pp229–230). The Cato Manor Development Association, a nonprofit company with membership consisting of an equal number of statutory and nonstatutory bodies, was in the process of being registered at the time of writing. The forum was also negotiating the pooling of some 1 000ha of land in the area (which had been identified as suitable for development) for various uses by middle to low-income people of all races.¹⁷¹ [¹⁷¹ *Fast Facts* no 6, 1993]

The Central Johannesburg Partnership, a coalition of business, innercity residents and the Johannesburg City Council, established the Inner City Housing Upgrading Trust, which was registered as a nonprofit organisation in January 1993. The trust aimed to facilitate the provision of secure shelter in the form of accommodation which was individually or communally owned or available for rental to residents of the inner city.¹⁷² [¹⁷² *Contact, Newsletter of the Central Johannesburg Partnership* April 1993] By April 1993 the trust had obtained R25m of the R50m needed to provide guarantees to financial institutions to make available mortgage bonds to the inner-city upgrading projects.¹⁷³ [¹⁷³ *Business Day* 19 May 1993]

The first project to be supported by the trust was the 'seven buildings project', a co-operative housing project. This was a joint venture between tenants living in seven buildings in Hillbrow and Joubert Park, and The New Housing Company. The project involved some 400 housing units accommodating more than 2 000 people and aimed to transfer ownership from a single landlord to the tenants themselves, thus keeping the properties off the speculative property market and maintaining affordable prices for

accommodation.¹⁷⁴ [¹⁷⁴ *Contact*, *Newsletter of the Central Johannesburg Partnership* April 1993]

According to the co-ordinator of the inner-city unit of Co-operative Planning and Education, Mr Monty Narsoo, the seven buildings project could also assist in revitalising the Johannesburg inner-city residential market and provide a solution to the redlining practices of financial institutions (see *Redlining* above).¹⁷⁵ [¹⁷⁵ *Business Day* 5 March 1993] In February 1993 financial institutions agreed to lend R8m for the acquisition and renovation of the seven buildings. The trust was to guarantee the loan.¹⁷⁶ [¹⁷⁶ *The Star* 4 February 1993]

Hostels

Statistics

According to the Human Sciences Research Council (HSRC), in 1993 there was a total of 411 hostels (excluding mine hostels) in South Africa (excluding the ten homelands). Of this number, 214 were owned or controlled by local authorities or provincial administrations and 197 were privately owned. Of the total, 162 were located in the Cape, 28 in Natal, 68 in the Orange Free State and 153 in the Transvaal.¹⁷⁷ [¹⁷⁷ *Indicator SA* autumn 1993]

The HSRC said that the number of hostel beds could not be determined with complete accuracy but added that the Department of Local Government and National Housing had recorded a total of 308 345 beds in the 402 hostels it listed—50 158 in the Cape, 26 125 in Natal, 24 904 in the Orange Free State and 207 158 in the Transvaal. The De Loor task group estimated that there were 604 000 hostel beds in 1990. (However, these figures included hostels for all races.)¹⁷⁸ [¹⁷⁸ *Ibid*] The Council for Scientific and Industrial Research estimated that in 1990 in South Africa (excluding the ten homelands) there was a total of 529 784 beds in all hostels and 456 202 beds in hostels for Africans, as illustrated in the following table:¹⁷⁹ [¹⁷⁹ *Information supplied by Mr Devan Naidoo of the Development Bank of Southern Africa (DBSA)*, 6 July 1992]

African hostel beds per development region^a

Region

HosProportion of total^b

A

(Western Cape)

24 572

5%

B

(No7 534

2%

C

(Orange Free State)

16 432

4%

D

(Eastern Cape)

16 825

4%

E

(Natal)

33 092

7%

F

(Eastern Transvaal)

29 350

6%

G

(Northern Transvaal)

2 981

1%

H

(PWV^c)

304 779

67%

J

(Western Transvaal)

20 637

5%

Total

456 202

100%

a

Figures include both private- and public-sector hostels and exclude the ten homelands

b

Proportions do not add up to 100% owing to rounding

c

Pretoria/Witwatersrand/Vereeniging

The HSRC said that the actual number of hostel residents in South Africa could not be determined accurately and noted that most beds were used for sleeping in shifts, ie beds were used by more than one occupant. On this basis the HSRC estimated that the total number of hostel residents in South Africa in 1993 was 'in excess of' 1m.¹⁸⁰ [¹⁸⁰ *Indicator SA* autumn 1993] It was reported in August 1992 that there were between 0,5m and 1,5m hostel residents in South Africa (excluding the ten homelands) including both private and public sector hostels.¹⁸¹ [¹⁸¹ *Sunday Times* 23 August 1992]

Developments

The table below shows progress made by June 1993 with regard to the government's hostel upgrading and conversion programme:¹⁸² [¹⁸² Information supplied by a spokesman for the Department of Local Government and National Housing, Mr J van der Walt, 20 July 1993]

Upgrading and conversion of government-owned hostels: June 1993

<i>Hostels</i>	
	Cape
	Natal
	OFS ^a
	Tv1 ^b
	Total
Number of hostels	
	43
	19
	23
	95

180

Number of beds

50 158

36 351

22 898

192 387

301 794

Negotiations regarding hostel residents' needs

Completed

24

8

15

44

91

In process

6

7

1

42

56

Preparatory negotiations

13

4

7

4

28

Not yet started

0

0

0

5

5

Negotiations regarding planning completed

Project approvals

21

8

11

35

75

Requested

17

12

6

32

67

Granted

16

11

5

31

63

Construction

In progress

10

2

0

15

27

Completed

0

0

0

9

9

a

Orange Free State

b

Transvaal

In September 1992 the Transvaal Hostel Residents' Association (THRA) said that the government's upgrading of the hostel at Tokoza (east Rand) was 'patchwork over damage' and criticised the Transvaal Provincial Administration (TPA) for failing to consult the hostel residents adequately (see 1992/93 *Survey* p233). It was reported that the monthly rent per person for hostel accommodation had increased from R15 to R55.¹⁸³ [¹⁸³ *Business Day* 5 November 1992] The project manager of the Tokoza hostel upgrading project (who wished to remain anonymous) said that the costs of upgrading could have been R50 000 less had the TPA negotiated and reached agreement first with hostel residents rather than involving the project managers and contractors in all the negotiations with the hostel residents. The minister of local government and national housing, Mr Leon Wessels, said, however, that the upgraded hostel was evidence of the seriousness with which the government was approaching the hostel problem.¹⁸⁴ [¹⁸⁴ *Sunday Times* 6 September 1992]

At a meeting in the same month the African National Congress (ANC) and the government agreed to the fencing of 27 hostels that had been affected by violence in the central Witwatersrand and Natal (see also chapter on *Political Developments* and 1992/93 *Survey* p29). However, in November the government said it would not proceed with the fencing of hostels owing to opposition from the Inkatha Freedom Party,¹⁸⁵ [¹⁸⁵ *The Star* 1 December 1992] the South African Hostel Dwellers' Association (Natal) and the THRA.¹⁸⁶ [¹⁸⁶ *New Nation* 27 November 1992] The THRA organised a rent boycott from October 1992 to February 1993 to protest against t

On 30 November 1992 the Pretoria/Witwatersrand/Vereeniging (PWV) regional branch of the ANC and the THRA agreed to the fencing of five hostels in the PWV area in order to 'stabilise' such hostels, and to continue with the upgrading and development programme and the integration of hostels into township communities. It was also agreed that there was an 'urgent' need for an accelerated programme to upgrade all hostels in the PWV region that would involve all affected parties. Agreement was also reached on the need 'for a more accountable and inclusive process' in the spending of the R326m allocated by the government for hostel upgrading and conversion. The parties called for the hostel

initiative to be transferred from the government to the National Housing Forum (NHF).¹⁸⁸ [¹⁸⁸ Joint press statement issued by the ANC (PWV region) and the Transvaal Hostel Residents' Association, 30 November 1992]

Towards the end of 1992 the NHF identified the government's hostel upgrading initiative as requiring 'urgent attention' (see *National Housing Forum* above). Following negotiations between the NHF and the Department of Local Government and National Housing, a detailed plan for the redevelopment of hostels was formulated, which stated that:¹⁸⁹ [¹⁸⁹ *National Housing Forum News*, no 3, autumn 1993]

- migrant labour was likely to continue in the future;
- living conditions in public hostels were unacceptable, dehumanising and based on apartheid policies;
- development principles which were applied to hostels should be in keeping with the broader development of surrounding areas;
- participation of all interested people and groups should be ensured at every level of negotiation and decision making;
- a short-term emergency programme for hostels should be launched with immediate effect;
- a long-term policy to expand the range of accommodation options for single people and migrants should be developed and implemented. Its emphasis should be on affordability; and
- a national hostels co-ordinating committee (NHCC) should be established and controlled jointly by the NHF and the Department of Local Government and National Housing. Its aim should be to oversee hostel restructuring.

In July 1993 the chairman of the NHF, Mr Eric Molobi, and the minister for national housing, Mr Louis Shill, said that they had agreed on joint decision making regarding all aspects of the 'national hostel upgrading initiative'. They agreed that the NHCC would comprise equal numbers of representatives of the government and the NHF. The NHCC would be responsible for formulating a national hostel policy, guiding and monitoring hostel initiatives and apportioning national funds. They also agreed that community participation and decision making were essential to the initiative. Furthermore, an emergency programme was agreed upon to identify and alleviate those conditions that presented an immediate threat to the health and safety of hostel residents.¹⁹⁰ [¹⁹⁰ *Business Day* 19 July 1993]

Infrastructure

Energy

According to the chief executive of Eskom, Dr Ian McRae, more than 60% of South Africa's population (3m households or 23m people) had no access to domestic electricity in 1993.¹⁹¹ [¹⁹¹ *Engineering News* 4 December 1992] The Department of Water Affairs and Forestry said in April 1993 that 30% of the population of South Africa was dependent on firewood as its main energy resource and predicted that within 30 years the country's natural timber resources would be exhausted.¹⁹² [¹⁹² *Business Day* 29 April 1993]

Engineering News reported in February 1993 that Eskom had provided electricity to an additional 28 800 households in 1991 and an additional 157 000 in 1992 and that it planned to provide 158 000 more households with electricity in 1993, which meant some 15 000 connections a month. It was Eskom's aim to have provided 912 000 new households with electricity by 1998.¹⁹³ [¹⁹³ *Engineering News* 19 February 1993]

In May 1993 the Life Offices Association invested R500m in Eskom's electrification participation notes, which allowed Eskom to raise funds to electrify some 1m households (housing 9m people) by 1998. Eskom said this project would cost R3,1bn.¹⁹⁴ [¹⁹⁴ *The Star* 18 May 1993]

Mr Paul Theron, the manager of the energy policy and training project at the Energy for Development Research Centre, based at the University of Cape Town, said that while South Africa produced 50% of the electricity used in Africa, some 25m South Africans did not have access to electricity in their homes and depended on more expensive and less convenient energy sources such as batteries, candles, coal, gas, paraffin and wood. Mr Theron said that virtually all white South Africans, even those in remote rural areas, had access to electricity. In urban areas of the country, including small towns, 20% to 30% of Africans had access to electricity. The level of access for Africans in rural areas was 'very low', while in the homelands electricity was available to between 5% and 10% of the population, he said. On white commercial farms some 15% of farm workers had access to electricity.¹⁹⁵ [¹⁹⁵ *New Ground* spring 1992]

The following table shows the access to electricity in the African townships of South Africa (excluding the ten homelands) as at May 1993:¹⁹⁶ [¹⁹⁶ *Hansard* (A) 21 q cols 2065-2073, 16 June 1993]

African townships with access to electricity: May 1993

Proportion of houses with electricity

Region

0%

1%-26% 51% 76% 100% Eastern Cape

12

27

6

3

1

10

Eastern Transvaal

1

8

8

4

4

3

Natal

4

8

7

11

5

1

Northern Cape

2

11

—

3

3

5

Northern Transvaal

8

1

4

2

1

2

Orange Free State

4

54

10

4

1

—

PWV^a

8

4

6

8

4

18

Western Cape

—

2

3

4

4

6

Western Transvaal

2

9

8

3

1

—

Total

41

124

52

42

24

45

Proportion in each category^b

13%

38%

16%

13%

7%

14%

a

Pretoria/Witwatersrand/Vereeniging

b

Proportions may not add up to 100% owing to rounding.

The minister for national housing, Mr Louis Shill, said that by May 1993 formal houses in 13% of African townships in South Africa (excluding the ten homelands) had no access to electricity, while less than half of the formal houses in 66% (217) of African townships had access to electricity. Electricity

was available to all formal houses in only 14% of African townships by May 1993, he said.¹⁹⁷ [¹⁹⁷ Ibid]

Mr Theron argued that the main cause of the unequal access to domestic electricity was the electricity distribution system in South Africa, which, he said, had been designed according to apartheid ideology. White local authorities generally provided a reliable electricity service to domestic consumers within their municipal boundaries at a rate subsidised by profits derived from the sale of electricity to industry and commerce. However, separate development policies had led to the formation of separate electricity distribution authorities for the homelands and black local authorities (BLAs). He said that BLAs had experienced ‘severe crises’ related to electricity provision owing to both administrative weakness and political unpopularity.¹⁹⁸ [¹⁹⁸ *New Ground* spring 1992]

Mr Theron remarked that Eskom had announced in 1992 that it intended to ‘assist’ in the electrification of 3m households over the following three years. Eskom expected itself to install 700 000 of these new connections in the homelands and informal settlements which had been formally proclaimed, while the remaining 2,3m connections were to be made by various local authorities. Mr Theron argued that the current electricity distribution system (which included more than 400 distribution authorities in South Africa, including the ten homelands) needed to be restructured if electricity was to be made available and affordable to all.¹⁹⁹ [¹⁹⁹ Ibid]

The minister of mineral and energy affairs, Mr George Bartlett, said in September 1992 that South Africa’s electricity distribution system would have to undergo ‘some form of rationalisation’ so as to become cost effective and meet the needs of the country. The African National Congress (ANC) said that it also supported the restructuring and rationalisation of the system.²⁰⁰ [²⁰⁰ *Murphy S, ‘An imbalance of power: the geography of electricity provision in urban areas of South Africa’, in GeoJournal*, vol 30 no 1, 1993, pp53–62]

In December 1992 a senior general manager of Eskom, Mr Jan de Beer, said that Eskom favoured the establishment of five to 15 utilities devoted to electricity distribution.²⁰¹ [²⁰¹ *Business Day* 28 December 1992] He said in June 1993 that the World Bank approved of Eskom’s electrification programme and that electrification was likely to be one of the first areas of development to benefit from World Bank funding once a transitional executive authority was established or an election date was set.²⁰² [²⁰² Ibid 17 June 1993]

Dr McRae said in July 1993 that an important part of Eskom’s plans to provide domestic electricity to more people was to depoliticise electricity provision. He said that Africans were unhappy with the service being provided by local authorities, which were perceived as illegitimate and ineffective. In September 1992 the South African National Civic Organisation (Sanco) said that it wanted Eskom to take over the supply of electricity from African local authorities in all of the country’s townships.²⁰³ [²⁰³ Ibid 8 October 1992] Eskom subsequently started negotiating for electricity supply rights to be transferred from African local authorities to Eskom. Dr McRae said in July 1993 that the proportion of electricity accounts paid had risen since Eskom had started to provide electricity directly to consumers.²⁰⁴ [²⁰⁴ *The Star* 21 July 1993]

In May 1993 nine representatives of trade unions, civic associations, a women's group and African consumer organisations were appointed to Eskom's 19-member governing electricity council. The appointments were made by the minister of mineral and energy affairs.²⁰⁵ [²⁰⁵ Ibid 25 May 1993]

The National Electrification Forum (NELF) was launched in the same month, eight months after the first attempt to convene it had failed owing to disagreements over who should serve on the forum (see also 1992/93 *Survey* p236).²⁰⁶ [²⁰⁶ *Business Day* 22 September 1992] The aim of the NELF was to develop and implement a strategy that would lead to general access to affordable electricity for the population as rapidly as possible. In April 1993 Dr McRae said that the NELF was based on the premise that existing electricity distribution structures were not serving consumers adequately.²⁰⁷ [²⁰⁷ *Finance Week* 1 April 1993]

The NELF was committed to the forum's proceedings being open, to implementing agreements reached, and to involving electricity consumers (particularly women and rural communities) in the forum, as well as in the provision of electricity.²⁰⁸ [²⁰⁸ Information supplied by the secretary of the NELF, Mr Johan du Plessis, 5 July 1993]

The members of the NELF comprised the ANC, the Association of Municipal Electricity Undertakings, the Chamber of Mines of South Africa, the Department of Mineral and Energy Affairs, Eskom, the National Union of Metalworkers of South Africa, the National Union of Mineworkers, Sanco, the South African Chamber of Business and the United Municipal Executive.²⁰⁹ [²⁰⁹ Ibid]

The plenary chairman of the NELF, Dr Johan Kruger, said in May 1993 that it was significant that the government was a fully fledged participant in the forum. It was envisaged that by May 1994 the NELF would make recommendations to the government on strategies for electrification.²¹⁰ [²¹⁰ *Business Day* 29 April 1993] The assistant chief executive of Eskom, Dr Allen Morgan, said that Eskom would not undertake changes to the electricity distribution system without consensus in the forum for such change.²¹¹ [²¹¹ *The Star* 18 May 1993]

Water and Sanitation

The standing committee on water supply and sanitation was established in January 1992 to address problems of inadequate water supply and sanitation in South Africa (see 1992/93 *Survey* p237). It comprises representatives from a wide range of organisations, including government departments, private companies, professional institutions and development organisations. The committee noted that urban water supplies in South Africa were generally well managed and that most urban households were supplied with water, although this was less true of towns in the homelands. The committee said, however, that high population growth and the emergence of informal settlements had put a strain on water supply agencies in recent years. It estimated that in 1990, 18% of the urban population (or 8m people) did not have access to an adequate water supply and 36% of urban residents (or 8m) were without access to adequate sanitation.²¹² [²¹² Information supplied by Mr Barry Jackson of the DBSA and the Water and

Sanitation Group 2000, 30 June 1993] The committee estimated that some 8m rural residents lacked an adequate water supply and some 14m did not have access to adequate sanitation. The committee noted that the water supply in rural areas of the country was managed through a variety of institutional arrangements, while certain areas were totally neglected. In almost all rural areas solid waste disposal was informal, the committee said. The following table, provided by the water committee, shows the proportion of people in rural areas of South Africa (including the ten homelands) with access to adequate water supply and sanitation in 1990.²¹³ [²¹³ Water and Sanitation 2000, *Strategies for Water Supply and Sanitation Provision*, Johannesburg, September 1991] These are rough estimates taken from available records and personal communications.

Access to water and sanitation in rural areas: 1990

TotAccAcc

Area

Number

Proportion

Number

Proportion

Non-homeland area

Commercial farms

3 500 000

2 800 000

80%

70 000

2%

Provincial land

500 000

250 000

50%

50 000

10%

SADT^c land

200 000

120 000

60%

20 000

10%

Sub-total

4 200 000

3 170 000

75%

140 000

3%

Homelands

Bophuthatswana

1 300 000

780 000

60%

260 000

20%

Ciskei

500 000

300 000

60%

100 000

20%

Gazankulu

750 000

712 500

95%

150 000

20%

KaNgwane

350 000

262 500

75%

70 000

20%

KwaNdebele

300 000

270 000

90%

90 000

30%

KwaZulu

3 500 000

875 000

25%

350 000

10%

Lebowa

2 500 000

1 250 000

50%

250 000

10%

QwaQwa

300 000

270 000

90%

60 000

20%

Transkei

2 500 000

625 000

25%

250 000

10%

Venda

400 000

320 000

80%

40 000

10%

Sub-total

12 400 000

5 665 000

46%

1 620 000

13%

Total

16 600 000

8 835 000

53%

1 760 000

11%

a

Acco^b

Includes upgraded pit latrines and flush latrines with on-site disposal

c

South African Development Trust

The committee noted several deficiencies in the current water supply and sanitation systems:²¹⁴ [²¹⁴ Information supplied by Mr B Jackson of the DBSA and the Water and Sanitation Group 2000, 30 June 1993]

- no national organisation existed with the clear authority to determine policies and to set standards;
- there was a lack of co-ordination between different authorities;
- there was an inequitable system of resource allocation between different authorities;
- certain local authorities had inadequate resources, lacked 'legitimacy' and expertise, were unable to operate and maintain water treatment works, could not provide adequate connections to consumers and were unable to manage the collection and disposal of solid waste; and
- the situation in the homelands was aggravated by artificial boundaries, a shortage of trained personnel

to operate and maintain water and sanitation schemes, and the limited accountability of authorities to consumers.

The committee suggested that the following principles be used in designing a new water supply and sanitation sector:²¹⁵ [²¹⁵ *Ibid*]

- it should address the needs of all South Africans and institutional arrangements should cover the entire population;
- national bodies should be responsible for setting and enforcing compliance with minimum standards and ensuring social equity in the provision of basic services;
- appropriate overall water-management systems should be operated on a sustainable basis to ensure efficient use of resources; and
- all institutions should be accountable to consumers and should assist in the empowerment of local communities and organisations through education and training.

The Independent Development Trust (IDT) set aside R55m in 1991 for rural water supply and sanitation programmes for some 2m people.²¹⁶ [²¹⁶ *IDT, The Second Year*, August 1992] In 1993 the IDT, together with the Development Bank of Southern Africa (DBSA) and the Kagiso Trust, launched a co-operative venture known as the Mvula Trust to enhance access to adequate water and sanitation by rural and other 'marginal' communities in South Africa. The IDT and the European Community (through the Kagiso Trust) each granted R48,5m to the venture while the DBSA provided a soft-interest loan of the same amount, making a total of R145,5m.²¹⁷ [²¹⁷ Information supplied by the director of communications of the IDT, Mr J Nuttall, 1 July 1993]

A spokesman for the Pretoria branch of Earthlife Africa, Mr Henk Coetzee, said in June 1993 that the supply of clean water to informal settlements should be a national priority since 'incredibly exploited' shack residents had to buy clean water brought in by taxis at up to R1 for five litres. He added that although many informal settlements were supplied with taps, the supply of taps was 'far below' World Health Organisation standards. In 1991 in informal settlements to the south of Johannesburg two taps per 1 000 people was often the rule, he said.²¹⁸ [²¹⁸ *The Star* 21 June 1993]

The Water Research Commission said in December 1992 that South Africa would run out of water between 2020 and 2030 (see also chapter on *Environment*). The Department of Water Affairs and Forestry estimated that it would cost between R10bn and R12bn to address the problem of supplying water to all South Africans adequately.²¹⁹ [²¹⁹ *Business Day* 9 December 1992]

Public Facilities

Policy

In May 1993 the minister of housing and works (House of Assembly), Mr Adriaan Vlok, said that legislation was to be introduced which would allow for the commercialisation of all public resorts falling under the white own affairs administration. The Board for Public Resorts, a statutory body, would also be commercialised, he said. Mr Vlok added that good progress had already been made with the commercialisation of public resorts.²²⁰ [220 *The Citizen* 11 May 1993]

Despite the repeal of the Reservation of Separate Amenities Act of 1953 by means of the Discriminatory Legislation Regarding Public Amenities Act of 1990, a number of public resorts continued to exclude people on the basis of race during the period under review.

In December 1992 a survey by *The Star* found that three out of five of Pretoria's privately owned holiday resorts barred entry to black people.²²¹ [221 *The Star* 3 December 1992] It was reported in January 1993 that Elandskrans, a holiday and hiking resort owned by the Waterval Boven Town Council (eastern Transvaal), still exercised a whites-only admission policy. The town treasurer of Waterval Boven, Mr Ross Kent, said that there had been many complaints of racial discrimination at the resort and that other holiday resorts in the area also practised racial discrimination. Mr Tony Leon MP (Democratic Party) said that since the repeal of the Reservation of Separate Amenities Act there was no legal justification for such discrimination. However, since there was no legislation outlawing racial discrimination there was little one could do in such cases, he added.²²² [222 *Ibid* 12 January 1993]

It was reported in February 1993 that a private venue and restaurant for homosexuals in Midrand (Johannesburg) had been gutted in a petrol-bomb attack. The owner of the restaurant, Mr Alan Baron, said that he had been constantly harassed by neighbours, police and the Midrand Town Council since the opening of the restaurant in October 1992.²²³ [223 *The Star* 8 February 1993]

In October 1992 the head of the Department of Sociology at the University of Pretoria, Professor Johann Groenewald, published the results of a survey conducted between July and August 1992 on racial discrimination regarding access to facilities in Pretoria. Professor Groenewald found that 57% of old-age homes surveyed said that they would not offer accommodation to black people, while 26% said that they would allow black people entry unconditionally. The remaining 17% of respondents were unwilling to discuss racial issues or 'unable' to answer questions. The survey also found that 3% of medical doctors' receptionists would not make arrangements for a black person to be treated, while 32% were willing to make arrangements for a black person to be treated unconditionally. Some 58% of receptionists surveyed were unwilling to discuss racial issues or 'unable' to answer questions. The survey found that bottle stores and funeral services in Pretoria were almost completely racially desegregated: 96% and 100% of the respondents respectively said they would not turn a black person away.²²⁴ [224 Groenewald J,

Post-apartheid race discrimination practices in Pretoria: first impressions, Department of Sociology, University of Pretoria, October 1992]

Provision

The vice chairman of the Transvaal branch of the Institute for Housing of Southern Africa, Mr Mike Morkel, said in February 1993 that the restructuring of South Africa's cities and towns would involve enhancing access by the poor to improved recreational facilities. Mr Morkel said that as in the past, recreational facilities in poorer neighbourhoods would be likely to 'take a back seat' in terms of budgetary priorities. He argued that a primary strategy to enhance recreational provision for the poor would be to improve, in particular, their proximity to higher-quality recreational facilities.²²⁵ [²²⁵ *Housing in Southern Africa* February 1993]

The journal *Agenda* noted in 1993 that there was a backlog of sports facilities and amenities in the 'disadvantaged' areas of South Africa and that existing facilities were usually overcrowded, overused and illequipped. Furthermore, activities at such centres were geared towards male interests such as boxing, karate and weightlifting. *Agenda* said that popular sports among African women included basketball, netball, softball, swimming, tennis and volleyball. It noted, however, that unsafe transport to and from facilities and the lack of child-care facilities generally discouraged African women's participation in recreation and sport.²²⁶ [²²⁶ *Agenda*, no 17, 1993, pp8-17]

The 1993 edition of *The South African Township Annual* provided the following information on the availability of amenities in the following townships:²²⁷ [²²⁷ IR Information Surveys, *The South African Township Annual*, 1993]

Availability of amenities in selected South African townships: 1993

Township

Population

Sports stadiums

Basket/ netball courts

Soccer fields

Public halls

Libraries

Eastern Cape

Gompo Town (East London)

105 000

1

—

2

1

—

KwaNobuhle (Uitenhage)

120 000

1

2

1

1

1

Langa (Uitenhage)

11 000

1

—

5

—

1

Mdantsane (East London)

550 000

10

6

10

5

—

Motherwell (Port Elizabeth)

150 000

1

—

1

3

—

Natal

Chatsworth (Durban)

163 000

1

23

28

3

5

Edendale Valley (Pmb^a)

247 000

2

—

2

3

2

Inanda (Durban)

500 000

2

—

3

1

1

KwaMashu (Durban)

360 000

2

—

8

4

—

Mpumalanga (Pinetown)

100 000

1

—

5

—

—

Umlazi (Durban)

1 000 000

3

1

9

3

1

Orange Free State

Botshabelo (Bloemfontein)

220 000

1

2

40

—

—

Mangaung (Bloemfontein)

147 000

3

—

32

4

2

Thabong (Welkom)

178 000

2

—

3

1

1

Pretoria/Witwatersrand/Vereeniging

Alexandra (Johannesburg)

360 000

2

2

4

2

1

Atteridgeville (Pretoria)

197 000

2

11

11

3

2

Bekkersdal (Westonaria)

75 000

1

1

1

1

1

Evaton (Vereeniging)

270 000

3

1

3

—

1

Greater Soweto

3 200 000

3

75

90

16

7

Katlehong (Germiston)

500 000

2

2

15

2

1

Orange Farm (Vaal Triangle)

112 000

—

3

7^b

1

—

Phola Park (Alberton)

20 000

—

—

—

—

—

Sebokeng (Vereeniging)

353 000

—

1

3

4

2

Tembisa (Kempton Park)

350 000

2

17

15

6

1

Western Cape

Atlantis (Cape Town)

67 000

—

—

8

3

2

Guguletu (Cape Town)

297 000

2

—

3

3

1

Kaya Mandi (Stellenbosch)

20 000

1

—

—

1

1

Khayelitsha (Cape Town)

580 000

1

—

6

4

1

Langa (Cape Town)

73 000

1

—

1

1

1

Mitchell's Plain (Cape Town)

400 000

1

33

64

9

3

a

Pieterm

Transport

Policy

The National Transport Policy Forum was established in February 1992 with the aim of bringing together a range of transport interest groups which had been excluded from contributing to official transport policy (see 1992/93 *Survey* p240). According to the chairman of the forum, Mr George Negota, the long-term objective of the forum was to draw up a national transport policy based on consensus and formulated in a 'bottom-up' manner, which could tackle discriminatory aspects of present transport policy. By April 1993 commissions had been established by the forum to examine various aspects of the transport industry, including aviation, finance, legislation, road transport and shipping.²²⁸ [228 Telephonic

interview with the chairman of the National Transport Policy Forum, Mr George Negota, 30 April 1993] In July 1993 Mr Negota said that the first task of the forum would be to convene a ‘taxi indaba’ which would make recommendations regarding violence in the taxi industry.²²⁹ [²²⁹ *Business Day* 1 July 1993]

The members of the forum included representatives of the African National Congress, the Azanian People’s Organisation, the Congress of South African Trade Unions, the National African Federated Transport Organisation, the Pan-Africanist Congress, the South African Bus Owners’ Association, the South African National Civic Organisation, the South African Rail Commuter Corporation, the Southern Africa Black Taxi Association, the Southern Africa Road Federation, Spoornet, Tolcon and Transnet. Mr Negota said that the Department of Transport had been initially reluctant to participate in the forum. However, in June 1993 the minister of transport, Dr Piet Welgemoed, said that an agreement had been reached with the forum whereby the Department of Transport was to formulate a new national transport policy jointly with the forum. The new policy would be finalised by 1994, he said. Dr Welgemoed added that the new policy would address all forms of transport and would aim to extend affordable public transport—which he described as a basic human right—to all South Africans.²³⁰ [²³⁰ *Ibid* 29 June 1993]

The professor of transport economics at the Rand Afrikaans University, Professor Wynand Pretorius, said in October 1992 that the right to public transport should become a cornerstone in the transport policy of future governments and that transport planning would thus require a totally new approach. He criticised as ‘elitist’ talk within certain local authorities and the central government of leaving transport to the private sector.²³¹ [²³¹ *Ibid* 16 October 1992]

The head of the division of urban transport studies at the World Bank, Dr Richard Barrett, said at the annual transport convention in Pretoria in June and July 1992 that the overall transport policies of the government were privatisation, deregulation and devolution. He said that while these were desirable goals ‘the dual thrust of privatisation combined with unbridled, selective deregulation is compromising transport efficiency’.²³² [²³² *Enterprise* August 1992] He said that transport subsidies were needed to ease the financial burden on the black population but could be cut if the average distance between home and place of employment was reduced.²³³ [²³³ *South African Transport* September 1992]

At the same conference Ms Jane Barrett of the Transport and General Workers’ Union said that transport policy should be developed within the framework of an overall economic policy ‘which is coherent and consistent with the needs of the majority of citizens’. She said such a policy should aim to develop new transport infrastructure which supported economic development, reduced the cost of transport, ensured the reduction of regional economic inequality, and regulated wages and working conditions in the transport industry.²³⁴ [²³⁴ *Business Day* 30 June 1992, *South African Transport* July 1992]

Roads

An amount of R2,1bn was set aside for roads in the 1993/94 budget, compared to R2,27bn allocated in

1992/93. The minister of transport, Dr Piet Welgemoed, said that R10bn would be required to restore the country's primary and secondary road network to 1988 standards. He said that the amount allocated in 1993/94 represented no more than half that required for essential maintenance work alone. There were no funds for new road construction and roads were deteriorating at a rate of R2bn a year, he added.²³⁵ [235 *The Star* 23 April, 7 May 1993]

The executive director of the South African Bitumen and Tar Association (Sabita), Mr Piet Myburgh, said in March 1993 that funds allocated from the budget for roads constituted less than half the funds required for rural roads alone. He said that Sabita had for years argued for taxation which could be collected from fuel levies for the upkeep of roads, as in Bolivia, Iceland, Switzerland and the United States of America. Funds for road construction and maintenance had been curtailed following the withdrawal of the dedicated fuel levy for roads in 1988, he said. Mr Myburgh added that the country's road network (which was worth R100bn) had been neglected. He said the implication of such neglect was that economic recovery could be affected as good roads were crucial for a good transportation system which underpinned economic activity.²³⁶ [236 *Ibid* 18 March 1993, *South African Transport* November 1992]

The introduction of a fuel levy for road maintenance was also supported by the Automobile Association of South Africa, the South African Chamber of Business and the Southern Africa Road Federation.²³⁷ [237 *The Star* 7 May 1993]

In June 1993 Dr Welgemoed said that the expansion of the country's toll-road system would improve the country's deteriorating road network. He said that the policy of providing alternative 'free' routes should also be reconsidered.²³⁸ [238 *Business Day* 29 June 1993] In the same month a government-appointed task group, consisting of representatives of the government and the private sector, recommended that the management of South Africa's road network be commercialised and that national roads become the responsibility of a body independent of the government. The task group also recommended that the National Roads Board be disbanded.²³⁹ [239 *Ibid* 16 June 1993]

Taxi Industry

The 1992 National Passenger Panel survey conducted by Transportation Research and Consultancy for the Department of Transport found that the taxi industry had increased its share of the African commuter market from 42% in 1991 to 46% in 1992. The market shares of the bus and train industries among Africans declined over the same period from 21,5% to 20% and from 15% to 13% respectively. The survey found that during 1992 some 8% of coloured people and Indians (but virtually no whites) in the metropolitan areas of South Africa had used taxis. The choices of mode of transport according to race in 1992 are illustrated in the following table:²⁴⁰ [240 *Information supplied by a director of Transportation Research and Consultancy (Pretoria), Mr Klaas van Zyl, 2 August 1993]*

Modes of transport of metropolitan commuters: 1992

Mode

African

Coloured

Indian

White

Bus

20%

10%

22%

4%

Car (driver)

4%

21%

32%

77%

Car (passenger)

5%

15%

25%

10%

Taxi

46%

8%

8%

0%

Train

13%

35%

3%

3%

Walking

11%

7%

4%

2%

Other

1%

4%

6%

4%

South African Transport noted in September 1992 that some 40% of the African urban population were

commuters and some 80% of their trips were made by public transport. More than 60% of commuter trips from former white urban areas by whites were by private car. Furthermore, it was noted that most white workers in the major urban areas lived no more than 7km from their place of work. African workers, however, lived on average more than 15km from their place of work, with many travelling 100km and more. Almost 63% of African workers travelled at least 16km between home and workplace—24% by train, 27% by bus and almost 12% by taxi. *South African Transport* said that taxis were used over shorter routes and that 60% of short-distance commuters chose that mode. The average distance travelled by commuters by rail was 21km, while by bus it was 37km.²⁴¹ [²⁴¹ *South African Transport* September 1992] Dr Barrett said in August 1992 that the World Bank supported the unification of the taxi industry under one association which could speak for all the industry's members. He said the deregulation of the taxi industry had led to a distortion in the supply of taxi services which had resulted in taxi wars. Dr Barrett added that the total abandonment of controls in favour of free-market forces would mean chaos in the urban transport sector. Co-ordination of urban transport services was impossible without some form of regulation, he said.²⁴² [²⁴² *Enterprise* August 1992, *South African Transport* July 1992]

In November 1992, 30 western Cape taxi associations, each with some 250 members, broke away from the Southern Africa Black Taxi Association (Sabta), saying that the national organisation did not cater for its members in the region. The 30 associations said the taxi industry should be run on a regional basis.²⁴³ [²⁴³ *Business Day* 9 November 1992]

In the same month more than 80 taxis blocked off parts of the Cape Town central business district (CBD). The drivers demanded the release of three men whom they said had been arrested 'unfairly' for traffic offen

The third interim report on the violence in the taxi and minibus industry of the Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (the Goldstone commission), published in December 1992, found that violence in Alexandra (Johannesburg) had occurred owing primarily to the 'sheer number of operators plying their trade'. It found that the 'immediate and root causes of the violence lay with the taxi operators themselves'. The commission said that there was an underlying power struggle for control of the taxi industry in Alexandra. The report went on to say that commercial competition was aggravated by the high cost of vehicles, their maintenance and insurance. Unbridled commercial rivalry, intolerance of each other by members of the taxi associations, and the inability of the associations to work together all compounded the problem of taxi violence in Alexandra, the commission said. The investigation also revealed that a lack of business skills hampered operators in understanding the 'nature of competition and the economic forces involved'. It recommended that the private sector, especially the automobile-related industries, assist in providing training in business, marketing and entrepreneurial skills to the taxi industry.²⁴⁵ [²⁴⁵ *Third Interim Report to the Commission by the Committee Inquiring into Public Violence and Intimidation in the Taxi Industry*, 4 December 1992]

Taximax was formed in late 1992 by two former Sabta executives, Messrs James Chapman and Enos Makena. Its declared purpose was to address the problems of the taxi industry which, it said, included

lack of safety, lack of discipline and the need to develop a profit motive in the industry (see chapter on *Business* for further details).²⁴⁶ [²⁴⁶ Interview with the marketing manager of Taximax Pretoria, Mr Shadrack Mthethwa, Pretoria, 27 January 1993]

Dr Welgemoed said in January 1993 that it was unfair to exclude taxis from wider public transport subsidies and proposed the introduction of the 'corridor principle' (whereby the consumer would buy one subsidised ticket which would grant access to buses, taxis and trains) as the basis for extending subsidies to taxi operators. The public affairs manager of Sabta, Mr Mike Ntlatleng, said that subsidies were not the final solution to the taxi industry's problems. However, subsidies could be used to make the industry economically viable, he said.²⁴⁷ [²⁴⁷ *Finance Week* 4 February 1993]

In late January 1993 taxidriviers organised by the South African Taxi Drivers' Union (Satdu), blockaded Bloed Street in Pretoria in protest against heavy traffic fines and the lack of sufficient ranking facilities in the city.²⁴⁸ [²⁴⁸ *Sowetan* 28 January 1993] After negotiations the Pretoria City Council and Satdu resolved their differences. They agreed to the following: only false or illegal documentation (ie roadworthy certificates, transportation permits, certificates of fitness and public vehicle licences) would be confiscated by traffic police; only taxidriviers who were also vehicle owners would be arrested if their vehicles' documents were found by police to be false; taxis would not be stopped during peak hours; and irregular conduct by traffic officials would be reported immediately to the traffic department or to the police and such complaints would be substantiated. The traffic department also agreed in principle to the establishment of a taxi hotline.²⁴⁹ [²⁴⁹ *The Citizen* 10 February 1993] Furthermore, the provision of more loading zones would be put to the council's management committee.²⁵⁰ [²⁵⁰ *Business Day* 10 February 1993]

The following week (in February) taxidriviers blockaded streets and suspended services in central Johannesburg for three days, making similar demands of the traffic authorities (see also chapter on *Political Developments*).²⁵¹ [²⁵¹ Council for Scientific and Industrial Research, *Taxi Media*, no 3, February 1993] Many violent incidents occurred in Eldorado Park, Johannesburg and Soweto. Taxidriviers parked taxis to form barricades and overturned concrete dustbins in the streets of central Johannesburg in response to what was perceived as heavy-handedness on the part of traffic officials in their dealings with taxidriviers. Police fired teargas and rubber bullets at taxidriviers. Taxidriviers and their supporters responded by returning fire and threw rocks and bottles at the police. It was reported that Johannesburg had become a 'battleground'.²⁵² [²⁵² *The Pretoria News* 2 February 1993] Johannesburg was declared an unrest area on 2 February.²⁵³ [²⁵³ *The Star* 4 February 1993]

Satdu proposed a four-point plan to resolve the crisis, including the following:²⁵⁴ [²⁵⁴ *Ibid* 8 February 1993]

- specific demarcations of loading zones or stopping bays in the city centre for taxis should be agreed upon by the union and the city council;

- a forum of taxidrivers, taxi owners' associations and city councillors should be established to guarantee the safety of commuters and road users;
- the relationship between Satdu and the various taxi associations should be formalised, so as to protect the rights of drivers; and
- taxi owners should ensure the roadworthiness of their vehicles and provide proof of ownership of vehicles when required to do so.

An agreement based on Satdu's proposals was reached by the African National Congress, the Congress of South African Trade Unions, the Johannesburg City Council, Sabta, Satdu, the Southern African Long Distance Taxi Association (Saldta), the South African Police and the Johannesburg Traffic Department a week later. The parties agreed that taxis would not be stopped during peak hours; that traffic officers would not stop more than one taxi at a time; that taxis would be allowed to use the Booysens bus lane, a main arterial route for traffic from Soweto to the CBD; that the traffic department would help with the loading and offloading of passengers in the CBD where no stopping facilities for taxis existed; that training for traffic officers in African languages would also be investigated; and that a 24-hour hotline would be established to deal with taxidrivers' grievances. It was also agreed that a multiparty forum would be convened by the Johannesburg local dispute resolution committee to deal with matters involving infrastructure, policing, parking and facilities.²⁵⁵ [²⁵⁵ *Business Day*, *The Citizen*, *Sowetan* 9 February 1993]

It was reported that the protests had drawn attention to the underlying problem of a saturated market which had been compounded by the alleged issuing of fake taxi permits by officials of the Local Road Transportation Board.²⁵⁶ [²⁵⁶ *The Citizen*, *The Star* 8 February 1993] The economic recession and the saturated market were reported to have caused an increase in the costs of running a taxi service without a concomitant rise in taxi fares. According to a transportation planner at Stanway Edwards and Associates, Ms Colleen McCaul, taxi fares were only 40% of what they should have been if all the costs of running a taxi service were taken into account.²⁵⁷ [²⁵⁷ *Finance Week* 11 February 1993] She added that owners were compelling drivers to make more trips which meant driving faster. Furthermore, to cut costs maintenance was reduced to a minimum. According to a report in *Financial Mail* in February 1993, only one in four taxis was insured comprehensively and most did not carry third-party, fire or theft insurance.²⁵⁸ [²⁵⁸ *Financial Mail* 5 February 1993]

A transport consultant, Mr Paul Browning, announced in February 1993 that a scheme backed by the private sector would be launched to improve the taxi industry's profitability and standards. Under this scheme taxi associations would be helped to form co-operatives to manage members' operations. Mr Browning said that the aim of the scheme was to develop practical methods by which the taxi industry could improve its professionalism, business skills and profitability.²⁵⁹ [²⁵⁹ Browning P, letter to the editor of *Business Day* 9 February 1993; *Business Day* 16 February 1993]

In March 1993 the National African Federated Transport Organisation (Nafto), Sabta and Saldta announced the formation of a working group to represent the taxi industry officially. The group was authorised to provide information regarding the progress and problems faced by the industry.²⁶⁰ [²⁶⁰ *The Citizen* 4 March 1993] Furthermore, the working group would be the only body to engage in talks with the government on the taxi industry.²⁶¹ [²⁶¹ *Business Day* 15 March 1993]

The fourth interim report of the Goldstone commission on the violence in the taxi and minibus industry, which was published in March 1993, found that intolerance, selfishness and the greed of certain taxi operators were partly responsible for the violence in the industry in Groblersdal (north eastern Transvaal).²⁶² [²⁶² *Ibid* 18 March 1993] Other factors which had contributed to tensions included the overcrowding of taxis, the readiness with which permits were granted to taxi operators, the high cost of running a taxi service and the failure of the town council of Groblersdal to provide basic transport facilities for passengers and operators.²⁶³ [²⁶³ *The Pretoria News* 19 March 1993, *Business Day* 20 August 1993]

In June 1993 Mr Ntlatleng called for a taxi control board to be established to curb the indiscriminate issuing of permits. He said that if such a board were to be established, every taxi owner should have to register with it, all members should have to follow a code of conduct and information on passenger volumes, and the needs for ranking facilities should be made known to local authorities.²⁶⁴ [²⁶⁴ *Business Day* 7 June 1993]

In the same month it was reported that taxidriviers had blocked access routes to Isipingo (south of Durban) for two days to protest against policemen whom they alleged had demanded cash bribes in return for dropping traffic charges.²⁶⁵ [²⁶⁵ *Sowetan* 9 June 1993]

In September 1993 taxidriviers in East London (eastern Cape) who were members of Satdu blocked access to fuel depots while drivers in Cape Town blocked major roads and bus terminuses. The taxidriviers were protesting against the seven-cents-a-litre fuel increase announced by the minister of mineral and energy affairs, Mr George Bartlett. Satdu threatened to extend blockades to Transvaal cities following an 'unsatisfactory' response from Mr Bartlett concerning the reason for the fuel price increase, which Mr Bartlett said was due 'entirely to market forces'.²⁶⁶ [²⁶⁶ *The Star* 16 September 1993, *Business Day* 17 September 1993]

Bus and Rail Transport

Bus Industry

South African Transport reported in December 1992 that the number of people in South Africa (including the ten homelands) using buses had dropped from 331 177 in 1991 to 289 900 in 1992 (ie by 12%).²⁶⁷ [²⁶⁷ *South African Transport* December 1992] It was reported in the same month that the number of

passengers using buses provided by Putco (South Africa's largest bus commuter company) had decreased from 219m in 1987 to 84m in 1992. The director of the Southern African Bus Operators' Association (Saboa), Professor Jackie Walters, said that the economic recession, unemployment and growth in the taxi industry were the main reasons for the decline in bus passenger numbers and the decline in bus sales.²⁶⁸ [²⁶⁸ *Business Day* 1 December 1992]

South African Transport noted in February 1993 that in July 1992 the government had taken a decision to devolve decision making and the allocation of passenger subsidies from central to local government. It noted that the new dispensation meant that regional services councils (RSCs) and joint service boards were responsible for concluding and monitoring passenger contracts with operators in their areas. It said, however, that the new arrangement had run into 'serious difficulties' owing to a lack of co-ordination between the different regional authorities. Furthermore, the government intended to phase out its subsidy contributions as soon as it believed local authorities were able to finance themselves. Saboa said that effective and efficient urban passenger transport could not be provided unless it was subsidised.

Subsidies represented some 40% of the passenger bus industry's income, Saboa said.²⁶⁹ [²⁶⁹ *South African Transport* February 1993]

Engineering News had reported in November 1992 that the Central Witwatersrand RSC had approved a plan to provide bus-commuter transportation, but noted that fares were likely to increase in order to subsidise R18m in shortfalls on bus operator revenue. A R640m subsidy from the Department of Transport was to be granted to all RSCs until the end of 1994, but they would be required to contribute some R70m a year thereafter, it noted.²⁷⁰ [²⁷⁰ *Engineering News* 27 November 1992]

In 1993/94 an amount of R666m was allocated by the government to the RSCs for bus commuter subsidies, compared with R641m allocated in the 1992/93 financial year, which represented an increase of 3,9% (and hence a decrease in real terms).²⁷¹ [²⁷¹ *Financial Mail* 19 March 1993]

In a report published in September 1993 the auditor general, Mr Henri Kluever, noted 'serious deficiencies' in the Department of Transport's bus-commuter subsidy system. It was noted that the acceptance of gifts and favours by officials in the department was a 'source of concern' and it was 'undesirable' that a National Transport Commission member should also be a paid consultant to the holding company of a transport group. Mr Kluever also criticised the fact that a political officebearer who occupied a prominent position in the parliamentary standing committee on transport was a director of certain transport companies. Mr Kluever reported further that bus companies providing services on the same routes received widely differing subsidies. He said there were also deficiencies in the procedures for determining tariffs and in the internal checking of subsidy claims.²⁷² [²⁷² *Business Day* 14 September 1993]

Speaking in response to the reported irregularities the minister of transport, Dr Piet Welgemoed, said that procedural deficiencies highlighted in the report which had not been attended to by the Department of Transport would be addressed 'as a matter of urgency' in conjunction with the auditor general's

office. Dr Welgemoed added that he had committed himself publicly to taking action against any official who had committed fraud.²⁷³ [²⁷³ Ibid 15 September 1993]

Rail Transport

South African Transport noted in December 1992 that the number of passengers travelling on mainline trains during 1992 totalled 2,8m, a decrease of 20% on the number of passengers in 1991 (3,5m). Spoornet said that the projected passenger figure for 1993 was 2,6m, representing a further decrease of 7%.²⁷⁴ [²⁷⁴ *South African Transport* December 1992]

It was reported in June 1993 that the South African Rail Commuter Corporation (SARCC) was implementing its programme to improve security at stations following a number of attacks on trains (see 1992/93 *Survey* p245). The communications manager at the SARCC, Ms Connie Nkosi, said that the SARCC carried some 2,2m passengers every day and was aware of its responsibility to provide a secure and cheap form of transport. She said that since the programme had started in 1992 the SARCC had spent R140m on security fencing around stations, the development of a high security train (which included the installation of unbreakable windows, interleading doors between carriages and video cameras), the deployment of specially trained 'rail guards' and the purchase of access control systems which were to be installed at stations.²⁷⁵ [²⁷⁵ *New Nation* 4 June 1993]

Key Projections

- The minister for national housing, Mr Louis Shill, said that some 330 000 houses would have to be built every year for the next ten years to overcome the housing backlog and to meet the growing demand for housing.
- The managing director of the Camdons Group, Mr Scott McRae, said that by 2000 there could be a shortage of 3,1m housing units in South Africa (excluding the 'independent' homelands).
- According to the chairman of the South African Housing Advisory Council, Dr Joop de Loor, the World Bank would allocate some R2,9bn for housing loans in South Africa once a national housing policy had been formulated with the backing of the main role players in housing.
- The Department of Water Affairs and Forestry said that 30% of the population of South Africa (excluding the 'independent' homelands) was dependent on firewood as its main energy source and predicted that within 30 years the country's natural timber resources would be exhausted.
- Eskom planned to provide electricity by 1998 to some 912 000 households currently without electricity.

- According to the Water Research Commission, South Africa would run out of water between 2020 and 2030. The Department of Water Affairs and Forestry estimated that it would cost between R10bn and R12bn to address the problem of supplying water to all South Africans adequately.

THE ECONOMY

Key Points

- Real economic growth for 1993 was expected to be between -0,4% (forecast by Amalgamated Banks of South Africa (Absa)) and 0,5% (forecast by the International Monetary Fund). In 1992 real economic growth was -2,1%.
- Many economists said in August 1993 that they believed that the economic recession was 'technically over' following real growth of 5% (annualised) in the second quarter of 1993. In the third quarter the rate was an annualised 8,2%.
- In 1993 gross domestic fixed investment was expected to decline by 5,1%, according to Absa. Real gross domestic fixed investment declined from R23,6bn in 1991 to R21,2bn in 1992 (ie by 10%).
- Absa expected the average inflation rate for 1993 to be 9,7% compared with 13,9% in 1992. The food price inflation rate increased to 25,3% in 1992, compared with 19,6% in 1991.
- Prime overdraft rate was reduced to 16,25% in February 1993 and to 15,25% in October 1993.
- Real prime rate was 5,8% in July 1993, compared with 3,16% in July 1992.
- The Bureau for Economic Research (BER) expected the surplus on the current account of the balance of payments to be R6,5bn in 1993 while Absa estimated the surplus to be R5,6bn. In 1992 the surplus was R3,94bn.
- Absa expected exports to increase by about 3,5% in 1993 while the BER estimated a growth of 2,1%. Absa and the BER expected imports to increase by 2,1% and 2% respectively.
- The South African Reserve Bank said that foreign debt as a ratio of gross domestic product amounted to about 15% at the end of 1992, compared with 43% at the end of 1985.
- Total gross gold and other foreign reserves were valued at R11,2bn at the end of 1992 (some 14% more than the level at the end of 1991 and some 54% more than in 1990).

- The average price of gold in 1993 was expected to be between \$356 (BER) and \$360 (Absa). In 1992 the average price of gold on the London market was \$344 per fine ounce.
- The nominal external value of the commercial rand was expected to be 30,3 American cents in 1993.
- According to the South African Chamber of Business, the business confidence index was 90,6 in 1992, compared with 93,2 in 1991.

Macro-Economic Picture

Growth Rate

At the time of writing, (December 1993) real economic growth for 1993 was expected to be between -0,4% (forecast by Amalgamated Banks of South Africa (Absa)) and 0,5% (forecast by the International Monetary Fund).

In 1992 the economy contracted for the third successive year. According to the Central Statistical Service (CSS), real economic growth as measured by gross domestic product (GDP) at constant 1985 market prices was -2,1% in 1992, compared with a revised figure of -0,4% for 1991 and -0,5% for 1990.¹ [¹ Central Statistical Service (CSS), *Gross Domestic Product at Constant 1985 Prices—First Quarter 1993*, Statistical Release, 13 May 1993, PO441] Real GDP per capita declined by 4,3% in 1992, compared with a fall of 2,6% in 1991.² [² Department of Finance, *Budget Review*, 17 March 1993]

Despite expectations that the recession would bottom out in 1992, it continued to deepen and by August 1993 the economy had been in recession for 53 months (ie since March 1989). According to the Department of Finance, the average duration of previous post-1945 recessions in South Africa was 16 months. The *Budget Review*, published in March 1993, attributed the poor performance of the economy 'largely' to the impact of the drought, but said that it was aggravated by uncertainty regarding constitutional negotiations, increasing violence (see chapters on *Constitutional Change* and *Political Developments*) and the slow growth of the major industrial countries.³ [³ Ibid]

The South African Reserve Bank said in June 1993 that the economic downturn had not only been abnormally long but that it had also had more serious repercussions for living standards and employment than most previous downswings in the economy, except for the depression of the 1930s.⁴ [⁴ South African Reserve Bank (SARB), *Quarterly Bulletin*, June 1993]

Real production in the agricultural sector fell by 24% in 1992, compared with growth of 2,1% in 1991.⁵ [⁵ Department of Finance, *Budget Review*, 17 March 1993]

According to the reserve bank, certain positive economic developments became apparent towards the end of 1992 and the beginning of 1993, including:⁶ [⁶ SARB, *Quarterly Bulletin*, June 1993]

- agricultural production, which had dropped throughout 1992 because of the drought, recovered ‘sharply’;
- the volume of mining production, which had already increased slightly in 1992, rose further in 1993 because of higher gold production;
- the volume of manufacturing production began to rise;
- the number of new motor cars sold increased ‘sharply’ in the second half of 1992 and remained high in the first five months of 1993; and
- the financial sector remained stable.

These factors contributed to an annualised increase (1,5%) in real GDP in the first quarter of 1993, compared with a decline of 4,4% in the fourth quarter of 1992. A growth rate of 5% (annualised) was experienced in the second quarter of 1993. However, the reserve bank said in September 1993 that the level of domestic production in the first half of 1993 was still 1,5% lower than in the corresponding period in 1992. According to the bank, the increase in growth was attributed to the rise in agricultural production while the average real value added by the non-agricultural sectors of the economy remained unchanged.⁷ [⁷ Ibid September 1993]

A report on South Africa by the secretariat of the General Agreement on Tariffs and Trade said in June 1993 that political stability was the key to economic growth.⁸ [⁸ *The Citizen* 2 June 1993] In the same month, an economist at Frankel Max Pollak Vinderine, Mr Mike Brown, said that South Africa’s progress towards a more equitable society would be protracted and that it would ‘lock the economy into a transition mode for at least two years’. He added that normalisation of the economy would require foreign and local investment, a higher level of domestic savings, and structural change, which would not be forthcoming immediately.⁹ [⁹ *Business Day* 4 June 1993]

A report by the World Bank, entitled *An Economic Perspective on South Africa* and published in July 1993, said that South Africa’s current recession was the longest in its history owing to the decline in demand for goods and services that followed reduced investment by parastatals in 1985 and a lack of consumer and business confidence. However, the report noted that the recession had also occurred owing to declining growth in GDP over a period of 30 years and increasing unemployment (see also chapter on *Employment*, and *Employment* below). Other influences on GDP growth in South Africa were lower investment and declining productivity, which was compounded by sectoral inefficiencies, according to the World Bank report.¹⁰ [¹⁰ *The Star* 8 July 1993]

According to the managing editor of *Fortune* magazine, Mr Marshall Loeb, South Africa stood a 'better than average' chance of becoming one of the world's 'economic powerhouses' by 2003 because of its strategic location and its minerals. South Africa was one of the countries international businessmen should 'keep their eyes on for potentially spectacular growth', Mr Loeb said.¹¹ [¹¹ *Ibid* 13 July 1993]

Many economists said in August 1993 that they believed that the economic recession was 'technically' over following real growth in the second quarter of 1993. The chief economist of Southern Life, Mr Mike Daly, said that the economy was in the process of a 'long, slow bottoming out' after shrinking for nearly four years.¹² [¹² *The Citizen* 13 August 1993] The minister of finance, Mr Derek Keys, said in the same month that although agriculture was the main cause of growth in the first half of the year, there were other encouraging signs such as the increase in the contribution of electricity, gas and water.¹³ [¹³ *Business Day* 13 August 1993]

However, the reserve bank's 1993 annual economic report said in August 1993 that the growth in real GDP in the first half of the year 'does not signify an upward movement in the economy'. It added that the only conclusion was that the downturn in economic activity had levelled off. The report said that the impact of the long recession affected real gross national product per capita. In the second quarter of 1993 it was some 13,5% lower than its upper turning-point in the second quarter of 1988.¹⁴ [¹⁴ SARB, annual economic report 1993]

The executive director of the Free Market Foundation, Mr Leon Louw, said in August 1993 that South Africa could expect a growth rate of between 0% and 2% in the period 1994–1999. A growth rate of between 2% and 4% could be achieved only if there was less emphasis on black economic empowerment, he argued.¹⁵ [¹⁵ *Business Day* 30 August 1993]

In a survey by the International Monetary Fund (IMF) of economic growth in 24 developing countries in the period 1983–1992, South Africa was ranked second-last, with an average annual growth in GDP for the period of just over 0,5%.¹⁶ [¹⁶ *The Sunday Tribune* 26 September 1993]

Sanlam said in October 1993 that it expected no growth for 1993. It added that no 'significant' economic recovery would occur before the second half of 1994.¹⁷ [¹⁷ *Business Day* 25 October 1993] The chief economist of Old Mutual, Mr Dave Mohr, said in the same month that he expected a growth rate of 0,5% for 1993 and a growth rate of 1,5% in 1994, provided that there was progress in political negotiations.¹⁸ [¹⁸ *The Star* 28 October 1993] Nedbank expected a growth of between 2% and 2,5% in both 1994 and 1995 while Standard Bank estimated that economic growth would average 1,6% in 1994.¹⁹ [¹⁹ Information supplied by the economic units of Nedbank and Standard Bank, 1 November 1993]

The Informal Economy

Research carried out by Sanlam, Frankel Max Pollak Vinderine, Ernst Young and the Human Sciences Research Council, and published in January 1993, found that the informal sector's contribution to GDP had risen from 5% in 1980 to 17% in 1992. The group which carried out the research also found that small business and the informal sector were playing an increasingly greater role in the South African economy (which it said was a worldwide phenomenon). According to the group, small business and the informal sector were able to generate many more jobs for a much smaller capital investment than big business. Every new job created in the formal sector cost on average R50 000, compared with a cost of R15000 per new job (including infrastructure) in the informal sector, the group found.²⁰ [20 *City Press* 14 February 1993]

The managing director of the Small Business Development Corporation, Dr Ben Vosloo, said in February 1993 that the informal sector generated about 15% of GDP.²¹ [21 *Sowetan* 25 February 1993]

A study undertaken by students of the Graduate School of Business at the University of Cape Town in early 1993 found that the informal sector generated about R6bn in income a year.²² [22 *The Star* 3 March 1993]

See also chapter on *Business*.

Employment

According to the South African Reserve Bank's *Quarterly Bulletin* for June 1993, total employment in the non-agricultural economic sectors had started to decline from the fourth quarter of 1989. During 1992 total employment in all sectors declined by 2%, ie at the same rate as in 1991 but at a considerably higher rate than the decline in 1990 (0,5%) (see also chapter on *Employment*).²³ [23 SARB, *Quarterly Bulletin*, June 1993]

Between the start of the downturn in total employment in the fourth quarter of 1989 and December 1992, employment in the non-agricultural sectors decreased by 5,3% (or about 288 000 jobs), the bank said. At the same time about 300 000 new job seekers a year had entered the labour market. This meant that an additional 1,5m people had been unable to find employment in the formal non-agricultural sectors since the beginning of the recession in 1989, the bank added. It said that private-sector employment had decreased by 0,7%, 3,4% and 2,9% in 1990, 1991 and 1992 respectively. The average level of employment in the public sector in 1992 remained almost unchanged at its 1991 level. However, it grew by 0,1% in 1990 and by 1,6% in 1991.²⁴ [24 *Ibid*]

The government's normative economic model, published in March 1993, envisaged creating about 1,3m jobs in the formal sector by 1997. However, real wage increases would have to be contained at 0,75% a year for this rate of employment to be achieved, the government said.²⁵ [25 Department of Finance, *The Key*

Issues in the Normative Economic Model, March 1993]

According to the *Economic Spotlight* of Absa, published in July 1993, employment in the South African non-agricultural sector increased by 4,2% in the period 1970–1974, 1,5% in 1975–1979, 2,3% in 1980–1984 and 0,6% in 1985–1989. Between 1990 and 1991, employment in the non-agricultural sector declined by 0,5%. The report estimated that 57% of the labour force earned a living in the informal sector or was unemployed. It added that about 400 000 people were entering the labour market every year, of whom more than 80% were Africans. By 2005, 510 000 new entrants to the labour market were expected annually.²⁶ [²⁶ Absa Bank, *Economic Spotlight*, July 1993]

Balance of Payments

The Bureau for Economic Research expected the surplus on the current account of the balance of payments to be R6,5bn in 1993 while Absa estimated the surplus to be R5,6bn. According to the reserve bank, the surplus on the current account of the balance of payments in 1992 was R3,94bn (1,2% of GDP) compared with the revised figure of R6,18bn in 1991 and R5,32bn in 1990. In the first quarter of 1993 the surplus declined to only R0,67bn from R2,03bn in the fourth quarter of 1992. The bank said in June 1993 that the sharp decrease in the current account of the balance of payments was the result of an increase in the importation of non-agricultural merchandise and a decrease in non-agricultural exports.²⁷ [²⁷ SARB, *Quarterly Bulletin*, June 1993]

The capital account of the balance of payments deteriorated ‘substantially’ during the second half of 1992, with a net capital outflow of R6,21bn for the year, an increase of 30% over 1991 (when the net capital outflow was R4,77bn). The 1992 figure represented the largest net capital outflow since 1988 (when it was R6,9bn).²⁸ [²⁸ Ibid] The large capital outflow in 1992 was attributed to the favourable cost and availability of domestic trade financing, balance sheet adjustments by foreign organisations at the end of their financial year, the appreciation of the United States (US) dollar on international markets and the repayment of debt outside the standstill net.²⁹ [²⁹ Ibid March 1993]

Capital to the value of R3,65bn left the country during the first quarter of 1993, which was the largest outflow since the fourth quarter of 1991 (when it was R4,78bn).³⁰ [³⁰ Ibid June 1993] According to the reserve bank, the net outflow of capital between June 1992 and June 1993 was R9,8bn compared with R4,4bn in the preceding twelve-month period.³¹ [³¹ Ibid September 1993] In the first nine months of 1993 the total net capital outflow was R10,7bn.³² [³² *Business Day* 6 December 1993]

At the end of December 1992 total gross gold and other foreign reserves amounted to R11,2bn (some 14% more than the level at the end of 1991 and some 54% more than in 1990). However, the reserve bank said that at this level total gross foreign reserves were equivalent to the value of only about two months’ imports of goods and services.³³ [³³ SARB, *Quarterly Bulletin*, March 1993]

According to the reserve bank, the large net capital outflow and the small surplus on the current account of the balance of payments had caused South Africa's total net gold and other foreign reserves to decline by R3,3bn in the first quarter of 1993. The bank also reported that South Africa's total gross gold and other foreign reserves declined from R13,2bn at the end of August 1992 to R9,5bn at the end of March 1993, or from 1,9 months' to 1,5 months' worth of imports of goods and services.³⁴ [³⁴ Ibid, June 1993] By September 1993 total gross gold and other foreign reserves dropped to R6,8bn.³⁵ [³⁵ *Business Day* 11 October 1993]

In May 1993 the governor of the reserve bank, Dr Chris Stals, said that between the end of August 1992 and the end of March 1993 more than R6bn (or almost half of the total official foreign reserves) had left the country. This decline had been compounded by the severe recession and the low level of imports, Dr Stals said. The poor balance of payments was also owing to the after effects of the 1992 drought, appreciation of the US dollar, high real interest rates in certain overseas financial centres and a deterioration in the domestic political situation. Dr Stals pointed out that the deficiencies in the domestic economy had to be eliminated before the balance of payments problem could be tackled. A programme to improve the balance of payments (which should form part of the overall restructuring of the economy) should include the following, Dr Stals said:³⁶ [³⁶ Dr Chris Stals, governor of the SARB, address to the 'Tomorrow's Leaders Awards Banquet', 11 May 1993]

- removal of import surcharges;
- simplification, reduction and stabilisation of the existing import tariff structure (see also chapter on *Business*);
- revision of the general export incentive scheme so as to make it more efficient and less costly;
- gradual phasing out of exchange controls, particularly those applicable to nonresidents;
- encouragement of foreign investment, especially direct investment in the form of equity, ownership and participation; and
- acceptance of relatively free exchange rates determined by market forces.

Dr Stals said at the same time that access to the facilities of the IMF would provide South Africa with foreign exchange assistance only to bridge temporary balance of payments deficits in the current account. Member countries of the IMF were expected to repay such loans within three to five years, that is, after the balance of payments disequilibrium had been corrected. However, Dr Stals said that access to such loans would allow for the stimulation of the economy without a balance of payments crisis. The use of such loans meant that South Africa would not be compelled to maintain a positive current account balance, and would thus remove constraints on economic growth, he added.³⁷ [³⁷ Ibid]

South Africa's total outstanding debt declined from US\$18,1bn at the end of 1991 to \$17,3bn at the end of 1992. The reserve bank said that foreign debt as a ratio of GDP amounted to about 15% at the end of 1992, compared with 43% at the end of 1985. Affected foreign debt (ie debt falling inside the standstill net) dropped from \$6bn at the end of 1991 to \$5,5bn at the end of 1992. Since the debt standstill in August 1991, \$3,5bn had been repaid on affected debt in terms of the interim debt arrangements concluded with foreign creditor banks, the bank said in June 1993. South Africa's unaffected debt (ie outside the standstill net) declined from \$12,1bn at the end of 1991 to \$11,8bn at the end of 1992.³⁸ [³⁸ SARB, *Quarterly Bulletin*, June 1993]

In July 1993 the state president, Mr F W de Klerk, announced after discussions with the IMF in New York that South Africa would gain access to an \$850m facility from the IMF by the end of 1993. According to the chief economist of Nedcor, Mr Edward Osborn, this facility would enable the reserve bank to borrow up to this amount in times of crisis on the balance of payments. However, Mr Osborn stressed that if the reserve bank precipitated a balance of payments crisis by cutting interest rates, the IMF could accuse it of 'engineering' a situation where the loan would come into effect. He added that the importance of having such a facility was that it gave foreign investors a sense that there was a safety net if South Africa did run into balance of payment difficulties.³⁹ [³⁹ *The Weekly Mail* 9 July 1993]

At the time of writing a 'letter of intent' was being drafted by the government and other political organisations committing South Africa to financial discipline, including a deficit reduction and wage restraint. The IMF was not prepared to grant a loan until the Transitional Executive Council had been installed and a letter of intent had been drawn up by all the parties involved as it did not wish to run the risk of a new government reneging on such an agreement.⁴⁰ [⁴⁰ *Business Day* 25 October 1993]

Mr Keys announced in September 1993 that a debt agreement rescheduling some \$5bn of foreign debt had been concluded. This agreement had been approved by all political parties before the proposal was presented to the creditor banks (a condition which the banks had insisted on). The third interim debt arrangement agreement was to expire at the end of 1993. The final arrangement would become operational in January 1994 and end on 15 August 2001 when the last of the foreign debt caught in the 1985 standstill would be repaid. According to the agreement, 10% of the total owed (\$500m) was due in February 1994. It was expected that without IMF support the debt could put a serious strain on South Africa's foreign reserves. The remainder of the affected debt would be paid off in 15 half-yearly instalments whose size would take account of the existing fixed repayment obligations in respect of South Africa's other foreign debt.⁴¹ [⁴¹ *Business Day*, *The Citizen*, *The Star* 28 September 1993]

The Gold Price

In 1993 the average price of gold was expected to be between \$356 (forecast by the BER) and \$360 (forecast by Absa). The average London gold price was US\$343,72 (R979,98) in 1992, compared with \$362,19 (R999,53) in 1991, a drop of 5% in dollar terms.⁴² [⁴² SARB, *Quarterly Bulletin*, June 1993] The

depreciation of the rand against the US dollar helped counteract the drop in the dollar price of gold in 1992.⁴³ [⁴³ Chamber of Mines of South Africa, annual report 1992] The price of gold began to rise in April 1993 (after it had reached a seven-year low of \$327 in March) and by early August it had reached \$409, its highest level since August 1990.⁴⁴ [⁴⁴ *Business Day* 17 May 1993, *The Star* 2 August 1993] However, it subsequently began to decline, to reach \$368 on 1 November 1993.⁴⁵ [⁴⁵ *The Star* 1 November 1993]

An economist at the Chamber of Mines of South Africa, Mr William Houtman, said in June 1993 that the rise in the gold price had not dispelled concerns in the industry about the profitability of certain mines. Mr Houtman estimated that the gold price would have to average \$443 per ounce during the year before the industry would attain a level of profitability at which there were no marginal producers.⁴⁶ [⁴⁶ Chamber of Mines of South Africa, *Chamber of Mines Newsletter* issues 2/6 and 3/6, 1993]

In August 1993 Dr Stals said that the higher gold price had done much to relieve the pressure on gold and foreign reserves (which had been halved to R6bn in the first six months of 1993).⁴⁷ [⁴⁷ *The Star* 2 August 1993]

The average London gold price from 1981 to 1992 is shown below:⁴⁸ [⁴⁸ Chamber of Mines of South Africa, *Statistical Tables*, 1992]

Average London gold price: 1981–1992

Year

Price in American dollars

Price in South African rands^a

Increase (decrease)^b

1981

459,85

1 361,36

N/A

1982

375,85

1 213,38

(10,9%)

1983

424,31

1 247,75

2,8%

1984

360,45

1 248,25

0,04%

1985

317,29

1 447,31

15,9%

1986

367,59

1 443,95

(0,2%)

1987

446,60

1 344,39

(6,9%)

1988

437,09

1 301,29

(3,2%)

1989

381,54

1 142,89

(12,2%)

1990

383,58

991,88

(13,2%)

1991

362,19

866,90

(12,6%)

1992

343,72

746,37

(13,9%)

a

The rand price of gold is expressed in real terms with 1990 as the base year.

b

Change in the rand price

N/A — Not available

The average London gold price up to 15 December 1993 was \$359.⁴⁹ [⁴⁹ *Business Day* 17 December 1993]
Nedbank expected the average price of gold to increase to \$381 in 1994 and to reach an average of

According to the annual report of the chamber, the gold mining industry continued during 1992 to be under pressure to limit the impact of lower prices on profit margins. Working costs on chamber gold mines increased by 0,9% during 1993, which was lower, however, than the increase of 1,7% recorded in 1991. The chamber said that its success in containing costs was attributable to a number of factors, including an improvement in the grade of gold ore mined, improvement in productivity and the negotiation of wage packages which safeguarded 'dwindling' profit margins and employment levels (see also chapter on *Employment*). However, the chamber added that the average working profit in the industry declined by 6,8% during 1992, from R6 742 per kilogram to R6 286 per kilogram.⁵¹ [⁵¹ Chamber of Mines of South Africa, annual report 1992]

Some 11 mines with an annual gold production of about 90 tonnes and employing more than 80 000 employees were marginal or running at a loss in 1992.⁵² [⁵² *Ibid*]

The outgoing president of the chamber, Mr Bobby Godsell, said in June 1993 that the demand for gold jewellery fabrication worldwide had increased by 13% a year since 1983. The demand for gold for jewellery fabrication exceeded new gold production and scrap gold supply by 700 tonnes in 1992. 'Under these circumstances price appreciation seems inevitable,' Mr Godsell said.⁵³ [⁵³ Mr Bobby Godsell, president of the Chamber of Mines of South Africa, presidential address, 8 June 1993]

Overall gold production in South Africa increased by 2% from 601 tonnes in 1991 to 614 tonnes in 1992. However, South African gold production as a proportion of gold production in the free-market economies declined from 34% in 1991 to 33% in 1992.⁵⁴ [⁵⁴ Chamber of Mines of South Africa, annual report 1992]
Between 1987 and 1992 gold production in the free-market economies (excluding South Africa) increased by an average rate of 9,5% a year, while South African gold production during the same period increased by an average rate of 0,2% a year. The finance and administration manager of

Anglovaal, Mr Rick Menell, said in Istanbul (Turkey) in June 1993 that South African gold production was likely to fall by about 20% to 500 tonnes by 2000. This was partly attributable to the fact that no significant output from new projects was likely before then. A decline of 20% in gold production would mean a loss in 1993 terms of about R4,6bn in foreign currency, according to Mr Menell.⁵⁵ [⁵⁵ *Business Day* 15 June 1993]

An executive director of Gold Fields of South Africa, Mr Bernard van Rooyen, said in April 1993 that the absence of competitive fiscal incentives in South Africa meant that investment by mining houses was directed to other countries. Mr van Rooyen added that South Africa's effective mining tax rate of 49% was much higher than the comparable tax rate in other countries, for example, the US (34%) and Chile (13%).⁵⁶ [⁵⁶ *Ibid* 5 April 1993]

The Bureau of Market Research at the University of South Africa said in May 1993 that between 1980 and 1991 the mining sector's share of total GDP dropped from 22% to 10,4%. However, the industry continued to play an important role in economic growth, accounting for 29% of total exports in 1991.⁵⁷ [⁵⁷ *The Star* 3 May 1993]

Exchange Rate

The nominal external value of the commercial rand was expected to be 30,3 American cents in 1993. The nominal value of the commercial rand in American cents in 1992 was 35,1, a drop of 3% from the 1991 average of 36,2.⁵⁸ [⁵⁸ SARB, *Quarterly Bulletin*, June 1993] On 16 December 1993 the commercial rand was worth 29,5 cents.⁵⁹ [⁵⁹ *Business Day* 17 December 1993]

During 1992 the South African Reserve Bank intervened in the foreign exchange markets so as to maintain a 'relatively stable' real exchange rate. The nominal effective exchange rate of the commercial rand against six major currencies (the British pound, the Dutch guilder, the German mark, the Italian lira, the Japanese yen and the US dollar) fell by 4,3% in 1992, compared with a drop of 6,3% in 1991.⁶⁰ [⁶⁰ Department of Finance, *Budget Review*, 17 March 1993] However, the real effective exchange rate rose by 0,3% in 1992.⁶¹ [⁶¹ SARB, *Quarterly Bulletin*, March 1993] By the end of 1992 the rand had depreciated by 10,8% against the Japanese yen, by 10,2% against the US dollar, by 4,7% against the Dutch guilder and by 4,4% against the German mark. During 1992 it appreciated by 15,2% and by 10,9% against the Italian lira and the British pound respectively.⁶² [⁶² *Ibid*]

The Nedbank economic unit expected the average dollar/rand exchange rate for 1994 and 1995 to be 27,2 cents and 25 cents respectively, while Standard Bank projected an average exchange rate of 28,2 cents for 1994.⁶³ [⁶³ *Information supplied by the economic units of Nedbank and Standard Bank, 1 November 1993*]

By the end of 1992 the financial rand had depreciated by 34,6%, from 31,5 American cents in 1991 to

20,6 cents in December 1992 (its lowest average ever).⁶⁴ [⁶⁴ *SARB, Quarterly Bulletin*, June 1993] On 16 November 1993 the financial rand traded at 23,4 cents.⁶⁵ [⁶⁵ *Business Day* 17 November 1993]

The following table shows the value of the commercial and financial rands over a ten-year period:⁶⁶ [⁶⁶ Bureau for Economic Research (BER), University of Stellenbosch, *Trends*, June 1993]

Exchange rates: 1983–1992

Value in American cents

Year

Commercial rand

Financial rand

Discount^a

1983

90

78

13,3%

1984

68

N/A^b

N/A

1985

45

27

40,0%

1986

44

22

50,0%

1987

49

32

34,7%

1988

44

26

40,9%

1989

38

28

26,3%

1990

39

30

23,1%

1991

36

32

11,1%

1992

35

21

40,0%

a

The difference between the commercial rand and the financial rand as a proportion of the commercial rand

b

The financial rand was abolished in February 1983 and reintroduced in September 1985 owing to the foreign debt crisis.

N/A — Not available

The reserve bank's *Quarterly Bulletin* noted in March 1993 that greater uncertainty among foreign investors, political instability and more pessimistic foreign perceptions of domestic developments contributed to a depreciation of 16,3% in the financial rand in the last quarter of 1992.

According to the 1993 *Budget Review*, the maintenance of a 'relatively' stable exchange rate in conjunction with a sound interest-rate policy were the key elements in the fight against inflation (see *Interest ra*

Finance Week said in April 1993 that the assassination of the general secretary of the South African Communist Party, Mr Chris Hanu (see chapter on *Political Developments*), would have created greater disruption to South Africa's financial markets if the financial rand had not been able to absorb the shock. A partner in Deloitte and Touche, Mr Tim Store, said in the same month that the financial-rand mechanism had acted to shore up scarce foreign reserves and to restrain disinvestment.⁶⁸ [⁶⁸ *Finance Week*

29 April 1993]

Addressing a conference in Brussels (Belgium) in June 1993, Dr Stals said that the financial rand could be abolished within four years. 'As soon as we have enough confidence that the political situation has stabilised, we will do our best to get rid of the financial rand system,' he said. Reintegration of South Africa's financial markets into the international economy would require the dismantling of 'at least some' of the existing exchange control restrictions. However, Dr Stals said that continuous net capital outflows would have to end and foreign reserves would have to be replenished before restrictions could be removed. He believed that these goals could be achieved 'in the near future' as the political reform process proceeded.⁶⁹ [⁶⁹ *Business Day* 29 June 1993]

In the same month it was reported that economists believed that any improvement in the investment climate could lead to the abolition of the financial rand. Once the discount on the financial rand dropped below 10% the reserve bank could abolish the currency, they said. A director of Econometrix, Dr Azar Jamine, said that the value of the commercial rand would not drop by more than 10% if the financial rand was to be abolished.⁷⁰ [⁷⁰ *The Star* 21 June 1993]

Dr Stals said in August 1993 that although there was widespread support for depreciation of the rand, 'adherence to such a policy would imply that the country would also have to contend with the effect of currency depreciation on domestic prices'. He added that subsequent rises in the average cost of production would remove any competitive gains which South African producers could obtain from a depreciation. Dr Stals said that depreciation of the currency would benefit local producers in the long run only with low domestic inflation and a restrictive monetary policy geared to the achievement and maintenance of domestic price stability.⁷¹ [⁷¹ Dr Chris Stals, governor of the SARB, address at the ordinary general meeting of shareholders of the reserve bank, 24 August 1993]

Inflation Rate

Absa expected the average inflation rate for 1993 to be 9,7%. The average inflation rate for 1992, as measured by the consumer price index (CPI), was 13,9%, in comparison with 15,3% in 1991 and 14,4% in 1990. The average inflation rates for the lower-, middle and higher-income groups for 1992 were 14,7%, 14,5% and 13,3% respectively. In December 1992 the year-on-year inflation rate dropped to 9,6%, the lowest rate since June 1978 (when it was 9,2%). The CSS said that since May 1974 single-digit inflation had been noted only between March and June 1978.⁷² [⁷² CSS, *Consumer Price Index: December 1992*, Statistical News Release, PO141.1, 28 January 1993]

According to the reserve bank, the rate of inflation declined throughout 1992 despite the upward pressure of rising labour costs on prices.⁷³ [⁷³ SARB, *Quarterly Bulletin*, June 1993]

The following table shows fluctuations in the inflation rate, as measured by the CPI, from 1982 to

1992:74 [⁷⁴ Bureau for Economic Research, University of Stellenbosch, *Trends* March 1993]

Inflation rate: 1982–1992

Lower-income group

Middle-income group

Higher-income group

All items

1982

13,5%

14,4%

15,3%

14,7%

1983

12,4%

12,7%

12,1%

12,3%

1984

10,4%

12,0%

11,8%

11,6%

1985

13,9%

16,5%

16,7%

16,2%

1986

18,5%

18,9%

18,6%

18,6%

1987

17,5%

16,5%

15,5%

16,1%

1988

12,7%

12,7%

12,9%

12,8%

1989

12,9%

13,9%

15,8%

14,7%

1990

14,8%

14,4%

14,2%

14,3%

1991

15,0%

15,8%

15,3%

15,3%

1992

14,7%

14,5%

13,3%

13,9%

In April 1993 a deputy governor of the reserve bank, Dr Jaap Meijer, said that there was growing worldwide evidence of a correlation between low inflation and high economic growth. In the same month the *Financial Mail* suggested an inflation rate of 5% as being both a 'practical and desirable target in the near future'.⁷⁵ [⁷⁵ *Financial Mail* 30 April 1993]

According to an economist at Frankel Max Pollak Vinderine, Mr Mike Brown, a surge in wages could hinder attempts to keep the inflation rate low. Mr Brown said in May 1993 that economic trends were pointing to a lower average inflation rate of 10,7% in 1993 and 8,5% in 1994.⁷⁶ [⁷⁶ *The Star* 27 May 1993] An economist at Sanlam, Mr Piet Calitz, said in July 1993 that the country could look forward to at least two years of single-digit inflation.⁷⁷ [⁷⁷ *Ibid* 29 July 1993]

The year-on-year inflation rate for September 1993 was 9,1% while the food price inflation rate was 2,4% (compared with 30,4% in July 1992). It was the fifth consecutive month that the inflation rate had declined.⁷⁸ [⁷⁸ *Business Day, The Star* 26 October 1993] Nedbank anticipated an average year-on-year inflation rate of 8,6% in 1994 and 10% in 1995. Standard Bank expected the rate of inflation to average 8% in 1994.⁷⁹ [⁷⁹ Information provided by the economic units of Nedbank and Standard Bank, 1 November 1993]

In August 1993 Dr Stals said that the prime objective of monetary policy was to achieve a low and stable rate of inflation to ensure enduring economic growth. He added that some of the factors which had contributed to the lower rate of inflation in 1993 were:⁸⁰ [⁸⁰ Dr Chris Stals, address at the ordinary general meeting of shareholders of the reserve bank, 24 August 1993]

- low inflation rates in the major industrial countries;
- a low level of demand in the domestic economy;
- a decline in the average rate of increase of wages negotiated between employers and employees; and
- better climatic conditions, which had led to an increase in the supply of fruit, vegetables and other agricultu

The rate of increase in the production price index (PPI) was 8,3% in 1992, compared with 11,4% in 1991. It was the first time since 1984 that the annual PPI was less than 10%. During 1992 the prices of imported goods increased by 4,2% while the prices of domestically produced goods increased by 9,1%.⁸¹ [⁸¹ SARB, *Quarterly Bulletin*, June 1993]

The following table shows the rate of increase in the PPI between 1982 and 1992:⁸² [⁸² CSS, *South African Statistics*, 1992; *Production Price Index: December 1992*, Statistical News Release, PO142.4, 15 February 1993]

Increase in the producer price index: 1982–1992

1982

14,0%

1983

11,1%

1984

8,3%

1985

17,0%

1986

19,5%

1987

14,0%

1988

13,1%

1989

15,2%

1990

12,0%

1991

11,4%

Food Price Inflation

The food price inflation rate was 25,3% in 1992, compared with 19,6% in 1991.⁸³ [⁸³ CSS, *Consumer Price Index: December 1992*, Statistical News Release, P0141.1, 28 January 1993]

The chairman of the Premier Group, Mr Peter Wrighton, said in December 1992 that value added tax (VAT) on basic foods had generated R3bn, which had increased inflation in food prices by about six percentage points since VAT was implemented in September 1991. The effects of the drought in 1992 had contributed another eight percentage points. He added that food price inflation could be reduced to 10% by the second quarter of 1993 if the government agreed to zero-rate VAT on basic foodstuffs (see also *Value added tax* below).⁸⁴ [⁸⁴ *Commentum* January 1993]

The report of the Board on Tariffs and Trade on the causes of food inflation, which was published in February 1993, found that no single sector was responsible for food price inflation. The board's analysis found a price divergence of five percentage points a year between farmer and consumer food prices during the period 1980 to 1991. Salary and wage increases for employees in the food chain contributed about 30% to the consumers' food bills in the same period. Furthermore, the board found that 'excessive profit-taking by firms in the food chain' was not the cause of price divergence in the period 1980 to 1991, as the retail sector had had low average profits of 2% a year. The report concluded that the sharp increase in food price inflation since the third quarter of 1991 was 'mainly' the result of the short-term effects of the introduction of VAT and the drought. Without these factors food price inflation would have been 15%, the board estimated. Recommendations of the board included:⁸⁵ [⁸⁵ Port Elizabeth Chamber of Commerce, *Infocom*, 8 March 1993]

- a review of the controlling mechanisms which affected competition in the food chain. It was recommended that the Competition Board should act as an agency at which anyone could lodge an objection to any statutory requirement which inhibited competition or which was considered to be a barrier to market entry;
- greater competition from abroad. The Board on Tariffs and Trade should review customs tariffs and quantitative control measures pertaining to food products and inputs for the manufacture of food products in order to ensure that there was competition between local and overseas producers;
- deregulation of the control boards, which it said would contribute to increased competition in the food chain. The report recommended that all agricultural controls should be independently investigated (see also chapter on *Land, Agriculture and Rural Areas*);

- a review of health and hygiene regulations to eliminate those which limited competition (while at the same time not increasing health risks to society); and
- cautious consideration of the zero-rating of VAT on more food items as benefits would not necessarily be passed on to the consumer.

The minister of agriculture, Dr Kraai van Niekerk, agreed with the board's recommendation that agricultural boards be considered on an individual basis with regard to deregulation. He added that the government intended to address the high level of inflation in the costs of agricultural inputs. The government had already commissioned the board to compile a list of such inputs. Furthermore, Dr van Niekerk said that South Africa's participation in the Uruguay round of multilateral trade talks of the General Agreement on Tariffs and Trade (see also chapter on *Business*) would result in greater competition.⁸⁶ [⁸⁶ *Business Day* 9 February 1993]

The director of the South African Agricultural Union, Mr Piet Swart, said in February 1993 that protection against the importation of essential agricultural inputs affected production costs and resulted in inflated food prices. Mr Swart said, 'It is essential that barriers to necessary inputs which can be imported more cheaply than the local product can be produced be lowered or removed.'⁸⁷ [⁸⁷ *Ibid* 11 February 1993] The Afrikaanse Handelsinstituut (AHI) welcomed the board's report and its 'well-considered recommendations'. However, the AHI criticised the report for not making specific recommendations regarding the problems of high salary and wage increases and declining productivity in food production.⁸⁸ [⁸⁸ *Ibid* 9 February 1993]

A professor of agricultural economics at the University of Pretoria, Professor Jan Groenewald, said that the four large retail companies (Checkers, OK Bazaars, Pick 'n Pay and the Spar Group) dominated the food retail trade and represented a considerable proportion of total retail sales of food. Unethical practices (such as confidential rebates) reduced competition, because suppliers who could not meet the demands of the large, powerful retail companies for lower wholesale prices or big bulk orders lost business. However, the chairman of Pick 'n Pay, Mr Raymond Ackerman, said that South Africa's retail industry was one of the most competitive in the world. He added that 'confidential rebates' were negotiated openly with suppliers, with the price benefits being passed on to the consumer. Mr Ackerman agreed with the report's recommendations on the review of agricultural boards.⁸⁹ [⁸⁹ *Financial Mail* 12 February 1993]

In September 1993 the annual rate of increase in food prices was 2,4% compared with an increase of 3,4% in August.⁹⁰ [⁹⁰ *Business Day, The Star* 26 October 1993]

The following table provides a breakdown of the rate of increase (or decrease) in the prices of various foodstuffs in the period 1982–1992:⁹¹ [⁹¹ Bureau for Economic Research, University of Stellenbosch, *Trends*, March 1993]

Food price inflation: 1982–1992

Fruit and nuts

Grain products

Meat

Milk, eggs and cheese

Vege- tables

Average food price inflation rate

1982

16,2%

20,8%

5,0%

19,6%

12,7%

11,2%

1983

15,0%

16,0%

4,4%

13,1%

27,8%

11,7%

1984

15,4%

14,1%

10,9%

10,0%

(0,9%)^a

10,9%

1985

9,7%

18,4%

10,6%

10,0%

0,5%

12,0%

1986

14,4%

14,4%

26,6%

16,1%

13,9%

20,3%

1987

13,3%

12,3%

31,7%

20,0%

28,4%

22,8%

1988

0,0%

12,1%

23,2%

13,3%

13,7%

15,6%

1989

15,3%

12,9%

9,5%

14,5%

3,4%

11,0%

1990

25,5%

16,6%

9,5%

20,3%

32,5%

16,1%

1991

41,9%

18,1%

19,1%

18,5%

15,4%

19,6%

1992

49,7%

17,7%

21,3%

21,7%

61,0%

25,2%

a

Figure in brackets denotes a decrease

Interest Rates

In February 1993 the South African Reserve Bank reduced bank rate by one percentage point (from 14% to 13%). The prime overdraft rate of all major banks was reduced to 16,25% following the announcement. Home-loan rates were reduced from 16,75% to 16%.⁹² [⁹² *The Star* 9 February 1993, *Business Day* 10 February 1993]

Bank rate was reduced by a further percentage point (to 12%) in October 1993. The governor of the South African Reserve Bank, Dr Chris Stals, said that this step had been taken in the hope that South Africa's relations with the International Monetary Fund (IMF) would be normalised in the near future and that the reserve bank would have access to IMF balance of payments facilities. The continued drop in the rate of increase in inflation had been a key factor in the bank's decision.⁹³ [⁹³ *Business Day* 28 October 1993]

The real prime lending rate fluctuated around 3,5% in the first eight months of 1992 and then increased to 5,9% in October and 7% in December because of the decline in the rate of inflation. According to the reserve bank, real prime in December 1992 was higher than corresponding rates in Japan (3,9%), the United Kingdom (5,3%) and the United States (3%), but below the rate in Germany (9,4%) and France (7,8%). The bank said in March 1993 that South Africa was still moving towards financial stability. The rate of inflation was 'still' high and various structural imbalances needed to be addressed, it said. Such imbalances justified higher real interest rates in South Africa than in countries where these adjustments had already been made, the bank added.⁹⁴ [⁹⁴ SARB, *Quarterly Bulletin*, March 1993]

Real prime dropped to 4,7% in April 1993 as a result of the higher rate of inflation recorded in that month because of the increase in indirect taxes. In July 1993 real prime was 5,8%.⁹⁵ [⁹⁵ *Ibid*]

According to a survey conducted by the reserve bank of individuals' deposits with and borrowings from banks, which was published in June 1993, there were many more individuals who were net depositors with banks than net borrowers from banks. Therefore, it said, the number of net depositors who would be disadvantaged by 'abnormally' low interest rates (ie negative real rates) was greater than the number

of net borrowers who would be affected positively by such interest rates. The survey also found that lower inflation and positive real deposit interest rates would support elderly depositors who lived 'mainly' off their interest income. There was a lack of evidence that economic growth spurred by low interest rates would last long, it said. The report added that low interest rates would not favour small depositors and the elderly.⁹⁶ [⁹⁶ Ibid]

The AHI estimated in August 1993 that the inflation rate would fall to about 9% between January and July 1994, leaving scope for an interest rate cut of at least two percentage points. It added that prospects for an improvement in the economy were at risk because of the high levels of real interest rates.⁹⁷ [⁹⁷ *Business Day* 26 August 1993]

Business Confidence

The following table shows the average annual business confidence index (BCI) of the South African Chamber of Business (Sacob) since the index's inception in 1986 (with 1990 as the base year):⁹⁸ [⁹⁸ South African Chamber of Business (Sacob), *Business Confidence Index*, July 1993]

Business confidence index: 1986–1992

1986

97,5

1987

107,4

1988

107,4

1989

101,6

1990

100,0

1991

93,2

1992

90,6

In September 1993 the index was 99,3, compared with 97,2 in Aug

Some of the positive influences on the BCI in September 1993 were the strengthening of the financial rand against the dollar; the continued decline in the rate of inflation; an increase in merchandise import volumes; a drop in the number of insolvencies; and an increase in the physical volume of manufacturing production. Sacob commented that the rise in the BCI in September 1993 underscored the fact that the recession was 'finally over'. Sacob said that the large rise in the BCI was mainly the result of progress on the political front with the acceptance of the Transitional Executive Council, the lifting of almost all remaining trade and investment sanctions, and the rescheduling of South Africa's foreign debt repayments.¹⁰⁰ [¹⁰⁰ Ibid]

Sequestrations and Liquidations

According to the Central Statistical Service (CSS), the number of liquidations increased from 1 881 in 1991 to 2 408 in 1992 (ie by 28%). The number of compulsory liquidations increased by 141% between 1988 and 1992, while voluntary liquidations declined by 65% over the same period.¹⁰¹ [¹⁰¹ CSS, *Statistics of liquidations and insolvencies—June 1993*, Statistical release, P0043, 9 August 1993]

In the first six months of 1993 a total of 1 369 companies and close corporations were liquidated, 13% more than during the same period in 1992. Liquidations in the retail and wholesale trade, and accommodation and catering services sector reflected the largest increase (19,5%) in the same period. The only sectors which showed a drop in the number of liquidations were agriculture (10,7%) and construction (10,8%).¹⁰² [¹⁰² Ibid]

In 1992, 5 048 private individuals and partnerships were declared insolvent, compared with a revised figure of 4 057 in 1991 (an increase of 24%). Over the period December 1992 to May 1993 insolvencies dropped by 3% compared with the period December 1991 to May 1992.¹⁰³ [¹⁰³ Ibid]

The average annual increase in the number of liquidations from 1988 to 1992 was 11,4%, while insolvencies increased by an annual average of 18,5%.

Investment

Gross domestic fixed investment (GDFI) declined from R23,6bn in 1991 to R21,2bn in 1992 at constant 1985 prices (ie by 10%). The following table gives a breakdown of GDFI according to type of organisation:¹⁰⁴ [104 SARB, *Quarterly Bulletin*, June 1993]

Gross domestic fixed investment according to organisation: 1991 and 1992^a

1991^b

Rm199Decrease

Private business enterprises

16 054

15 211

5%

Public authorities General government

2 090

1 992

5%

Business enterprises ^c

2 351

2 084

11%

Public corporations

3 078

1 953

37%

Total

23 573

21 240

10%

a

At constant 1985 prices

b

Figures for 1991 are revised

c

Includes parastatals

According to the reserve bank, capital formation dropped by about 10% in 1992 following decreases of 8,5% in 1991 and 2% in 1990. Real GDFI by the private sector declined by 5% in 1992, compared with a decline of 5,5% in 1991. The bank said in March 1993 that growth in fixed capital stock, which had averaged about 3% a year in the 1980s, amounted to 0,5% in 1992. It attributed the reluctance of the private sector to invest in new projects to recent poor economic performance, uncertainty regarding future political developments, and civil unrest and violence in many parts of the country.¹⁰⁵ [¹⁰⁵ Ibid March 1993]

The ratio of gross domestic saving to gross domestic product (GDP) reached a 'historical low point' of 16,5% in 1992, according to the reserve bank. The ratio had averaged 24,5% in the 1980s. The decline in gross domestic saving during 1992 was reported to be the result of significant dissaving by the government. Total net dissaving by the government rose from R8,6bn in 1991 to R15,5bn in 1992 (an increase of 80%). Corporate saving increased from R12,8bn in 1991 to R13,2bn in 1992 (an increase of 3%). Net saving by households increased by 37% between 1991 and 1992. According to the reserve bank, the ratio of personal saving to personal disposable income improved from 2,5% in 1991 to about 3% in 1992. The bank added that this increase occurred despite the redistribution of income to lower-income groups, who had a greater propensity to consume.¹⁰⁶ [¹⁰⁶ Ibid]

According to the government's normative economic model, published in March 1993, the downswing in

the investment ratio of private businesses, especially in the manufacturing sector, had very serious implications for South Africa's growth potential. The model suggested that the 'longterm growth rate of the total capital stock is determined to a large extent by the trend of private fixed investment because in a market-oriented economy such as South Africa's, public investment should function largely in support of private investment'. Furthermore, the model showed, an increase in inventories would play an important role in the next economic upswing.¹⁰⁷ [¹⁰⁷ *Finance Week* 1 July 1993] One of the aims of the government's economic strategy was to raise the ratio of GDFI to GDP from 15,9% in 1992 to 23,1% by 1997. The ratio of public-sector investment to GDP was expected to increase from 4,5% in 1992 to 7,8% in 1997, while the ratio of private-sector investment to GDP was expected to rise from 11,4% in 1992 to 15,3% in 1997. The ratio of investment in private manufacturing to GDP was expected to increase from 3,5% to 5,3% over the same period. An increase in the ratio of inventory investment to GDP from -0,8% in 1992 to 2,5% in 1997 was also expected.¹⁰⁸ [¹⁰⁸ Department of Finance, *The Key Issues in the Normative Economic Model*, March 1993]

The normative economic model proposed lowering nominal tax rates and deregulation to encourage a strong expansion of private-sector investment. These steps were expected to lead not only to higher privatesector savings and investment but also to more productive and less distorted patterns of investment, employment and growth.¹⁰⁹ [¹⁰⁹ *Ibid*]

In July 1993 *Finance Week* said that unless there was a rapid and sustained upturn in GDFI both in absolute terms and as a proportion of GDP for the rest of the 1990s, the chances of South Africa securing 'even a minimum acceptable rate of economic growth' during the second half of the 1990s were 'poor'.¹¹⁰ [¹¹⁰ *Finance Week* 1 July 1993]

Trade

Absa expected exports to increase by about 3,5% in 1993 while the BER estimated a growth of 2,1%. South African exports (including gold) totalled R67,46bn in 1992, an increase of 4,8% on the revised figure of R64,36bn for 1991. In real terms, however, this was an increase of 0,9%. Total imports also increased, from R48,21bn in 1991 to R51,92bn in 1992 (ie an increase of 7,7%, or 2,1% in real terms). There was a decrease in the export of certain manufactured products such as textiles and textile articles during 1992. However, the Department of Trade and Industry said in its annual report that those industries which enjoyed the benefits of the general export incentive scheme achieved significant export growth. During 1992 the value of exports of footwear and related products increased by 61%, exports of transport equipment increased by 55% and exports of chemical products increased by 43%.¹¹¹ [¹¹¹ Department of Trade and Industry, annual report 1992]

The total trade surplus in 1992 was R15,5bn, compared with a surplus of R16,15bn in 1991 (ie representing a decrease of 4%).¹¹² [¹¹² *Business Day* 26 January 1993, *Financial Mail* 29 January 1993] Economists attributed low export growth to a weak world economy, which had kept commodity prices and precious metal prices down.¹¹³ [¹¹³ *Financial Mail* 29 January 1993] South Africa's reliance on the export of metals and

minerals has, therefore, inhibited export growth. According to the South African Foreign Trade Organisation (Safto), the limited export growth South Africa had experienced in recent years was mainly in the export of manufactured items. However, it was reported that the international recession had also limited growth in the export of manufactured goods because of a lack of demand in foreign markets.¹¹⁴ [114 *Business Day* 19 February 1993]

Total exports to Africa (excluding Botswana, Lesotho, Namibia and Swaziland) increased from R5bn in 1991 to R6,1bn in 1992 (ie by 22%). According to the 1992 annual report of the Department of Trade and Industry, progress was made during 1992 in developing new markets in Africa, such as in Cameroon, Rwanda, Tanzania and Togo. Exports to Kenya increased by about 300% between 1991 and 1992. However, the report said that although opportunities to do business existed in Africa, South African exporters were experiencing 'severe competition' from Europe and the Far East regarding certain manufactured consumer articles.¹¹⁵ [115 Department of Trade and Industry, annual report 1992]

The department did not envisage that the establishment of a single market within the European Community (EC) in December 1992 would affect South Africa's trade relations with the community. (The EC—or European Union—is South Africa's most important trading partner, providing a market for about 25% of South Africa's total exports.) The department said that South Africa's trade with the EC was 'mainly complementary' in nature, ie South Africa's agricultural products were marketed in the EC outside the European agricultural production season and South Africa also provided the EC with scarce raw materials which were not available in Europe.¹¹⁶ [116 *Ibid*]

According to a survey conducted by Safto in February 1993, companies said that while there was a demand for South African products in Africa, there was frequently not sufficient foreign exchange in other African countries to pay for imports. According to Safto, political unrest in South Africa not only disrupted work but also led to overseas clients' doubting South African exporters' reliability.¹¹⁷ [117 *Business Day* 19 February 1993]

Safto said in March 1993 that a survey of South Africa's top 100 exporters had found that they were 'cautiously optimistic' that export sales and the number of orders would rise. Such confidence was attributed to the perception that the United States (US) economy was recovering and that the economies of other industrial nations would follow suit, thereby improving demand for South African goods. Exporters regarded uncompetitive prices as the main obstacle to growth, which they attributed to the high local inflation rate. It was felt that the exchange rate was not falling quickly enough to offset high local inflation adequately.¹¹⁸ [118 *Ibid* 15 March 1993]

In the same month the director of the South Africa Foundation in Bonn (Germany), Dr Rudolf Gruber, said that Germany was South Africa's primary trading partner after Britain, as well as its primary source of investment. However, the steady decline of South Africa's contribution to Germany's foreign trade volumes (from 1,4% in 1975 to 0,7% in 1992) had resulted in South Africa's being far less important to Germany than Germany was to South Africa.¹¹⁹ [119 *Ibid* 29 March 1993]

An economist at the Credit Guarantee Insurance Corporation of Africa, Mr Luke Doig, said in April 1993 that South Africa's export potential was being handicapped by the absence of a co-ordinated industrial policy acceptable to the General Agreement on Tariffs and Trade (see also chapter on *Business*).¹²⁰ [¹²⁰ *Engineering News* 23 March 1993]

According to the 1992 annual report of the Department of Trade and Industry, South Africa's future economic development would depend largely on industrial growth, which would have to be 'far more export oriented to increase the import capacity of the economy'. The report said that a combination of highly capitalised and labour-intensive small, medium and large enterprises would all make a 'meaningful' contribution to such growth.¹²¹ [¹²¹ Department of Trade and Industry, annual report 1992]

The 1993 *World Competitiveness Report*, compiled by the World Economic Forum and the IMD International Management School in Lausanne (Switzerland), said that South Africa was the eleventh most desirable in a list of 15 newly industrialised countries. In 1992 South Africa had been ranked eighth in terms of desirability for investment (see 1992/93 *Survey* p537). Factors which were said to have detracted from South Africa's international competitiveness included 'harmful' international trade policies, protectionism, state involvement in the economy, high taxation, low growth in productivity and very low overall skills levels. South Africa scored a lower rating in the following areas in 1993 compared with 1992: finance, government, internationalisation, science and technology. It remained unchanged with regard to management and human resources and registered a slight improvement with regard to domestic economic strength and infrastructure.¹²² [¹²² *Business Day* 29 June 1993]

An economist at the BER at the University of Stellenbosch, Mr Pieter Laubscher, said in July 1993 that the proportion of South Africa's exports which went to Asia increased from 14,5% in 1985 to 18% in 1992. He believed that this proportion would continue to grow.¹²³ [¹²³ *Financial Mail* 9 July 1993]

In July 1993 the Department of Trade and Industry said that South African and Indian officials had discussed the possible development of an economic co-operation agreement between countries in the Indian Ocean region which could develop into an Indian Ocean rim trading bloc. South Africa still needed to examine the implications of such a regional economic arrangement, the department said. According to Indian trade officials, the suggested trade bloc would include the Comores, India, Madagascar, the Maldives, Mauritius, Mozambique, Reunion, the Seychelles, South Africa and Sri Lanka. Such a trade bloc could become the largest market in the world, with a population of 1,4bn people and a total trade turnover of more than \$250bn.¹²⁴ [¹²⁴ *Business Day* 29 July 1993] A general manager of Safto, Mr David Graham, said in August 1993 that the Indian Ocean rim rather than Africa was the area where South African firms should develop trade relations now that sanctions were no longer a major issue. He said that there was no country in the southern hemisphere (with the exception of Brazil) which could offer the same diversity of products as South Africa. Mr Graham said that the strong export drive by South African exporters into Africa was a concern as organisations were chasing a bigger share of a dwindling market. Furthermore, many sub-Saharan countries were bankrupt, he said.¹²⁵ [¹²⁵ *Ibid* 20 August 1993]

During the first eight months of 1993 exports (valued at R51,4bn) rose by 13,6% while imports (valued at R38,1bn) increased by 12,9% compared to the same period in 1992. According to trade analysts, imports would continue to grow as the country moved out of recession. The lifting of sanctions was expected to lead to a significant increase in exports.¹²⁶ [¹²⁶ *The Citizen* 18 September 1993, *Business Day*, *The Star* 20 September 1993]

A vice president of the South African Chamber of Business (Sacob), Mr Les Weil, said in September 1993 that South Africa's well developed infrastructure made it the logical gateway to the sub-Saharan region.¹²⁷ [¹²⁷ *The Star* 24 September 1993] In the same month, the head of the economic planning unit of the African National Congress (ANC), Mr Trevor Manuel, said at a National Foreign Trade Council conference in New York that the global competitiveness of South Africa's economy could be bolstered by creating more domestic competition.¹²⁸ [¹²⁸ *The Citizen* 28 September 1993]

Economic Sanctions

The year under review saw the removal of most of the remaining sanctions against South Africa with the exception of the United Nations (UN) arms and oil embargo.

The president of the ANC, Mr Nelson Mandela, said in January 1993 that if he could obtain assurances from the business community that it would make a significant contribution towards reducing unemployment within six to 12 months and freezing retrenchments, he would ask the national executive committee of the ANC to endorse calling off remaining sanctions as soon as a date for interim government elections had been set.¹²⁹ [¹²⁹ *Business Day*, *The Citizen*, *The Star* 20 January 1993]

However, the chairman of Sacob, Mr Spencer Sterling, responded by saying that 'although sanctions originally [had] a negative impact on South Africa's poor growth performance, sanctions today are in any case a far less important element in the economic scenario. The trade-off is not so much between job creation and sanctions'. Instead, he said, it was necessary to bolster confidence in the economy and its growth by reducing levels of violence and making progress in political negotiations for a new constitution.¹³⁰ [¹³⁰ *The Citizen* 21 January 1993]

The executive director of the American Chamber of Commerce in South Africa, Ms Michelle Cohen, said that sanctions were continuing to have a very important effect on some businesses in South Africa. She added that it was, therefore, important to maintain the position that all sanctions were having a serious effect on the South African economy. Ms Cohen believed that Sacob should support this position.¹³¹ [¹³¹ Ms Michelle Cohen, letter to *Business Day*, 29 January 1993]

At an ANC conference in Johannesburg in February 1993 preconditions for the removal of sanctions

were agreed upon. These were:¹³² [¹³² *The Star* 22 February 1993]

- the announcement of an election date;
- the establishment of a transitional executive council, and independent media and electoral commissions; and
- the passing of a transition to democracy act.

The ANC resolved, however, that arms and oil sanctions should remain until a democratic government had been installed.¹³³ [¹³³ *Ibid*]

According to the Investor Responsibility Research Center (IRRC), which is based in Washington, sanctions legislation passed by most state and local government bodies in the US did not have ‘sunset clauses’ (which would ensure the automatic repeal of sanctions legislation once apartheid had been abolished). The legislative authorities at state and local level would thus have to take active steps to have such sanctions repealed. However, the IRRC added that US anti-apartheid groups had called on these bodies to replace sanctions with laws that would compel companies investing in South Africa to comply with a list of requirements adopted by the ANC and the Congress of South African Trade Unions in November 1993 (see chapter on *Business*).¹³⁴ [¹³⁴ *The Weekly Mail* 26 February 1993]

In February 1993 a director of Econometrix, Dr Azar Jammine, said that because of the recession financial sanctions had not had much effect over the previous three years. He added that foreign commercial banks would not lend to South Africa even if the ANC called on them to do so. This was because financial sanctions were not only politically motivated but also involved fear of commercial risks, he said. Dr Jammine said that loans from the International Monetary Fund (IMF) might be essential in the future if there was a balance of payments crisis. A surge in imports in the event of an upswing would create such a crisis, he added.¹³⁵ [¹³⁵ *Ibid*]

According to the IRRC, 16 US companies had opened offices, established subsidiaries or placed employees in South Africa since July 1991, when the US president, Mr George Bush, had repealed economic sanctions against South Africa (see 1991/92 *Survey* p417). In March 1993, 119 US companies had direct investment or employees in South Africa. Between July 1991 and March 1993 the number of US companies with nonequity links in South Africa increased from 184 to 299. The IRRC said that disincentives to investment were the city, county and state laws penalising US companies doing business in South Africa and the political violence in South Africa. In March 1993 the eight largest cities in the US, including Chicago, Houston, Los Angeles and New York, still had laws or policies restricting business or investment ties with South Africa.¹³⁶ [¹³⁶ Investor Responsibility Research Center, news release, ‘US Companies Moving into South Africa: Disinvestment Years Appear to be Over’, 4 March 1993]

In March 1993 Norway lifted trade and investment sanctions against South Africa because of ‘progress in the efforts to replace apartheid with democracy’. Norway continued to comply with the UN embargoes on the sale of arms and oil to South Africa.¹³⁷ [¹³⁷ *The Natal Witness* 16 March 1993]

The Finnish parliament voted in favour of removing an embargo on investments in South Africa in April 1993.¹³⁸ [¹³⁸ *The Citizen* 21 April 1993, *The Star* 22 April 1993] A ban on trade had been lifted in 1991.

At a conference of the World Economic Forum in Cape Town in May 1993, the state president, Mr F W de Klerk, said that South Africa would not be able to help Africa economically unless sanctions were removed and it gained access to the IMF, the World Bank, foreign markets and investment. He emphasised that constitutional reform was irreversible. There was, therefore, no reason for the continuation of measures which ‘serve only to impoverish South Africans and impede our prospects for economic growth’.¹³⁹ [¹³⁹ *The Star* 28 May 1993]

The South African Democratic Transition Support Bill, drawn up in June 1993 by two US senators, Ms Nancy Kassebaum and Mr Paul Simon, sought to provide for the following:¹⁴⁰ [¹⁴⁰ United States Congress, South African Democratic Transition Support Bill, S. 1493, 1993]

- the US Congress was to ‘urge’ all state and local governments and other institutions to rescind all remaining sanctions;
- financial assistance (focusing on activities promoting civil society, democratisation and human rights, education programmes, the *National Peace Accord* structures, and voter and civic education programmes) was to be provided to South Africa under the Foreign Assistance Act;
- the secretary of the treasury was to ‘instruct’ the US directors of the ‘relevant international financial institution’ (ie the World Bank) to ‘urge’ that institution to initiate or expand lending to South Africa;
- the US Export–Import Bank was to expand lending for exports to South Africa and to take active steps to encourage the use of its facilities to guarantee and extend credit to South African businesses which were owned by blacks;
- the US president was to begin negotiations with the South African government for an agreement whereby the Overseas Private Investment Corporation would increase US investment in South Africa;
- negotiations were to be initiated with the South African government for a tax treaty to facilitate US investments; and
- any US government department or agency carrying out activities in South Africa was to ‘make affirmative efforts’ to assist business enterprises which had a black share ownership of 50% or more.

The bill was passed by the Senate in September 1993. In November 1993 the House of Representatives also passed the bill.¹⁴¹ [¹⁴¹ *Saturday Star* 20 November 1993] The president of the US, Mr Bill Clinton, assented to the bill a few days later.

Pakistan lifted all sanctions against South Africa in August 1993.¹⁴² [¹⁴² *The Star* 11 August 1993]

In September 1993 the minister of defence, Mr Kobie Coetsee, said that about 40 000 jobs could be created in the South African defence industry when the arms embargo was lifted. He said that arms exports were expected to rise from R500m a year to R2bn a year once this had happened.¹⁴³ [¹⁴³ *Ibid* 9 September 1993]

Following the approval of the Transitional Executive Council (TEC) Bill by negotiators at the World Trade Centre (east Rand) in September 1993 (see chapter on *Constitutional Change*), many countries and foreign organisations announced that they would lift sanctions. The US State Department announced that once the TEC was established the US would support South African applications for loans from the IMF. Mr Mandela said that the formal lifting of sanctions would be a symbolic step only as many investors would wait to see whether the violence in the country abated.¹⁴⁴ [¹⁴⁴ *The Citizen* 9 September 1993]

Sweden ended its ban on trade and cultural, scientific and sports contacts with South Africa in the same month but continued to prohibit investment in South Africa.¹⁴⁵ [¹⁴⁵ *Business Day*, *The Citizen* 14 September 1993]

Parliament voted in favour of the TEC Bill in September 1993. Canada immediately announced that it was to lift all sanctions against South Africa.¹⁴⁶ [¹⁴⁶ *The Star* 24 September 1993]

Addressing the UN special committee against apartheid in New York in late September 1993, Mr Mandela said that the time had come to lift sanctions because the transition to democracy had been 'enshrined in law'. Following Mr Mandela's statement the US Senate approved the lifting of remaining US sanctions against South Africa, including restriction on US Export-Import Bank activities and the requirement that the US oppose South African applications for loans from the IMF. The Senate also urged more than 160 local and state governments to repeal sanctions measures against South Africa.¹⁴⁷ [¹⁴⁷ *The Citizen*, *The Star* 25 September 1993]

The state of Massachusetts in the US subsequently repealed its sanctions legislation, while California and another 27 states and 100 cities were expected to follow suit. The city of New York and the State of Connecticut repealed sanctions legislation in October 1993.¹⁴⁸ [¹⁴⁸ *The Star* 26, 29 October 1993] The US assistant secretary of state for Africa, Mr George Moose, said in the same month that US and South African government officials would meet soon to discuss a dual taxation agreement and a possible investment agreement between South Africa and the Overseas Private Investment Corporation.¹⁴⁹ [¹⁴⁹

Business Day 29 September 1993]

The foreign minister of Australia, Mr Gareth Evans, also announced in September 1993 that his country would immediately lift its trade, investment and financial embargo against South Africa. The Commonwealth said that it too would begin lifting ‘all remaining sanctions’ against South Africa (including trade, investment and financial sanctions). Cyprus, India, New Zealand and Malaysia also announced that they would lift sanctions.¹⁵⁰ [¹⁵⁰ *The Citizen*, *The Star* 25 September 1993, *Business Day* 27, 30 September 1993] Singapore lifted restrictions on banking transactions involving financial and development loans to the South African government in late September.¹⁵¹ [¹⁵¹ *The Citizen* 29 September 1993]

The foreign ministers of the European Community (EC—now the European Union) decided in September 1993 to lift all remaining economic sanctions. The British foreign secretary, Mr Douglas Hurd, said that the EC would work in the international financial institutions (such as the IMF and the World Bank) to help restore normal relations with South Africa.¹⁵² [¹⁵² *Ibid*] The EC would, however, continue to comply with the UN ban on arms exports, security and nuclear co-operation, and exchanges of military attachés, which would be lifted once the TEC was in operation.¹⁵³ [¹⁵³ *Ibid* 30 September 1993]

The People’s Republic of China said in the same month that it would resume trade and economic links with South Africa. According to a statement issued by the Swedish foreign ministry, the Swedish government proposed that the restriction on investment in South Africa should be removed. The government would recommend to the Swedish parliament that it approve the motion with effect from 1 December 1993.¹⁵⁴ [¹⁵⁴ *Ibid* 1 October 1993] The motion was approved by the parliament in November 1993.¹⁵⁵ [¹⁵⁵ *Ibid* 25 November 1993]

The Pan-Africanist Congress (PAC) called on the UN and the US to ignore Mr Mandela’s call to lift sanctions. It said that it was wrong for western countries to engage in economic programmes which would ‘prop up the current aggressive ruling class’.¹⁵⁶ [¹⁵⁶ *Business Day* 27 September 1993]

All economic sanctions imposed by the Organisation of African Unity (OAU) were lifted in September 1993 by the organisation’s ad hoc committee on southern Africa.¹⁵⁷ [¹⁵⁷ *The Citizen* 30 September 1993] However, the OAU said that it would encourage member countries to maintain diplomatic sanctions against South Africa until after the first democratic elections in April 1994.¹⁵⁸ [¹⁵⁸ *The Star* 1 October 1993]

According to the director general of Sacob, Mr Raymond Parsons, foreign investment would not return to South Africa ‘overnight’. He said that South Africa’s ability to attract investment would depend on a reduction in violence, a political settlement and clarity about the economic policies to be pursued by a new government.¹⁵⁹ [¹⁵⁹ *Sunday Star* 26 September 1993]

The managing director of the IMF, Mr Michel Camdessus, pledged a loan of \$850m in economic aid to

South Africa in September 1993.¹⁶⁰ [¹⁶⁰ Ibid] However, the IMF had requested a ‘letter of intent’ outlining future economic policy from the government and political organisations before any loan could be made available. The letter was to be submitted to the IMF in November 1993.

In October 1993 the EC decided to lift its ban on military contacts with South Africa. A decision on the lifting of sanctions on the exchange of civilian nuclear technology and sales of sensitive material to the South African Police and the South African Defence Force was, however, postponed.¹⁶¹ [¹⁶¹ *Business Day*, *The Citizen* 6 October 1993]

The General Assembly of the UN adopted a resolution in October 1993 which ended most of its non-mandatory sanctions against South Africa, including ‘prohibitions or restrictions on economic relations ... [in] the areas of finance, investment, trade, transportation and travel’. The General Assembly also decided to lift the oil embargo as soon as the TEC became operational. However, the mandatory arms embargo was not expected to be lifted before the election in April 1994.¹⁶² [¹⁶² *The Citizen* 9 October 1993]

Monetary Policy

The Department of Finance said in March 1993 that the most important long-term objective of monetary policy continued to be the containment of inflation. Monetary policy during 1993 would seek to:¹⁶³ [¹⁶³ Department of Finance, *Budget Review*, 17 March 1993]

- keep the rate of growth in money supply within acceptable limits;
- keep the rate of increase in credit extension by banks below the inflation rate;
- raise the country’s gold and other foreign exchange reserves; and
- support a relatively stable real effective exchange rate for the rand.

The *Budget Review*, published in March 1993, said that although the bank rate had been lowered during 1992, this should not be interpreted as an easing of monetary policy. Positive real interest rates had been maintained during 1992. Further reductions in interest rates would depend on the degree to which the deficit on the balance of payments could be reduced and the decline in the country’s gold and foreign reserves could be checked, as well as on success in controlling inflation, the *Budget Review* said.¹⁶⁴ [¹⁶⁴ Ibid]

The guideline rates for the growth in money supply (M3) were reduced from 8%–12% in 1991 to 7%–10% in 1992, and to 6%–9% in 1993. The growth rate in the money supply was 8,8% from the fourth

quarter of 1991 to the fourth quarter of 1992.¹⁶⁵ [¹⁶⁵ Department of Finance, *Budget Review*, 17 March 1993; SARB, *Quarterly Bulletin*, March 1993]

The governor of the South African Reserve Bank, Dr Chris Stals, said in February 1993 that in determining the money supply guidelines for 1993 it had been necessary to keep in mind the need to continue to reduce the rate of inflation but at the same time to take account of the need for growth in the money supply in order to support a rise in gross domestic product in 1993. Dr Stals added that there was room for an increase in real economic activity without any further additions to the money supply as the income velocity (the potential of individuals or companies to generate income) of the existing money supply was very low.¹⁶⁶ [¹⁶⁶ SARB, *Quarterly Bulletin*, March 1993]

The reserve bank announced in September 1993 that the increase in M3, which had remained within the money supply guidelines for 1992, had declined further to below the lower limit of the new money supply guidelines in the first seven months of 1993. This decline was attributed primarily to depressed domestic economic conditions, the relatively restrictive monetary policy and the weakening in the overall balance of payments.¹⁶⁷ [¹⁶⁷ Ibid September 1993] By August 1993, M3 had increased by 3,9% over the corresponding figure for the previous year.¹⁶⁸ [¹⁶⁸ SARB, *Monthly Release of Selected Statistics*, September 1993]

Econometrix said that the reserve bank had to ensure that domestic real interest rates remained high (thereby stopping the exchange rate from worsening further) in order to prevent local businessmen from paying their offshore loans and borrowing funds locally instead.¹⁶⁹ [¹⁶⁹ *The Star* 31 August 1993]

In August 1993 Dr Stals warned that the monetary authorities needed to guard against the ‘temptation of yielding to the increasing pressures for an early stimulation of an inherently weak economy’ through a premature relaxation of policy which had served to put the country ‘firmly on the road to longer-term financial stability’. Dr Stals said that such a short-term approach to monetary policy would not lead to sustainable growth.¹⁷⁰ [¹⁷⁰ Dr Chris Stals, governor of the SARB, address at the ordinary general meeting of shareholders of the South African Reserve Bank, 24 August 1993]

Fiscal Policy

According to the Department of Finance, the importance of the maintenance of financial stability in a period of constitutional and socio-economic reform where ‘high and sustainable growth’ was imperative made demands on both monetary and fiscal policy. The department said that the demands on fiscal policy included the following:¹⁷¹ [¹⁷¹ Department of Finance, *Budget Review*, 17 March 1993]

- the avoidance of a policy of increasing the money supply in order to finance the budget;
- an emphasis on active public debt management as the primary instrument of stabilisation policy. This

included a greater separation between the state's cash flow management, its funding activities and liquidity management of the economy by the monetary authorities; and fuller disclosure of public debt and guarantee obligations. It also meant minimisation of the high-interest costs of public debt, and effective co-ordination between public debt management and liquidity management in the money market;

- the avoidance of using for liquidity management the proceeds of public borrowing undertaken for monetary stabilisation purposes; and
- better co-ordination of the borrowing powers and activities of extra-budgetary institutions and second and third-tier government.

The *Budget Review* published in March 1993 said that short-term fiscal decisions, including those made in the 1993/94 budget, had been taken with due regard to longer-term objectives such as reducing government dissaving. It said that the short-term fiscal considerations which had to be addressed in order to promote economic growth and reduce specific socio-economic backlogs were:¹⁷² [¹⁷² Ibid]

- reduction of the budget deficit;
- a decrease in government current expenditure;
- the promotion of employment through the creation of a favourable investment climate and labour-intensive programmes; and
- the allocation of funds to high-priority socio-economic development.

Total state expenditure increased in real terms in both 1991/92 and 1992/93. Tax revenue, however, increased more slowly than originally projected by the government. State finances, therefore, had an expansionary impact on the economy.¹⁷³ [¹⁷³ Ibid]

According to the South African Reserve Bank, the rate of increase in government expenditure was 21,6% in 1992/93 (or 11% in real terms), compared with 16,1% in 1991/92 and an average annual rate of 16,4% in the previous five fiscal years. The ratio of government expenditure to gross domestic product rose from 28,1% in 1991/92 to 31,5% in 1992/93 because the increase in government expenditure was higher than the rate of increase in domestic production.¹⁷⁴ [¹⁷⁴ SARB, *Quarterly Bulletin*, June 1993]

In his opening address to Parliament in January 1993, the state president, Mr F W de Klerk, said that the government's resolve to reduce and contain state expenditure had been 'amply demonstrated' by the

lowering in August 1992 of departmental spending guidelines for the rest of 1992/93 and for the future and by his challenge to all departmental heads to improve productivity by 5%. Earlier in January 1993 Mr de Klerk announced that pay increases in the public sector in 1993 would be limited to 5%.¹⁷⁵ [¹⁷⁵ *Hansard* (joint sitting) 1 col 5, 29 January 1993]

The government's normative economic model, published in March 1993, highlighted the importance of fiscal discipline. The elimination of government dissaving was regarded as central to fiscal reform. To attain this objective a sharp reduction in government consumption expenditure and a reduction of the fiscal deficit to the point where it did not exceed capital spending was envisaged. According to the model, the elimination of government dissaving would:

- free for productive investment resources being borrowed for current government expenditure;
- prevent government debt from rising to levels where the growth in such debt and the interest on it became 'unsustainable';
- reduce the inflationary impact of fiscal policy, thereby contributing to a lower inflation rate and a stable financial environment; and
- lead indirectly to a stronger balance of payments position.

In terms of the model, government dissaving would be eliminated by 1997. Discipline in granting increases in government salaries and wages would be a necessary component in eliminating government dissaving and attaining macro-economic stability. Furthermore, government use of central bank credit to finance its expenditure was ruled out by the model because of its inflationary effects.¹⁷⁶ [¹⁷⁶ Department of Finance, *The Key Issues in the Normative Economic Model*, March 1993]

Mini-Budget

The Part Appropriation Acts Abolition Act of 1992, which sought to abolish the mini-budget that funded state spending between the end of a financial year and the passing of the main budget in Parliament, came into effect in April 1993 (see 1992/93 *Survey* pp542–543). Earlier, in February 1993, an Additional Appropriation Bill was tabled in Parliament to finance the requirements of the central government and the four provinces for the financial year ending 31 March 1993. The minister of state expenditure, Mr Amie Venter, said in tabling the Additional Appropriation Bill that overexpenditure arising out of the normal activities of departments (excluding the provincial allocations) amounted to only 0,8% of the amount appropriated in the printed *Estimates of Additional Expenditure* for 1992/93. In 1991/92 overexpenditure arising from the normal activities of these departments was 1,5% of the amount initially appropriated. He argued that allocations for drought relief (including R2,4bn to the House of Assembly to redeem the roll-over debt of farmers) and an increase of R740m in the cost of

state debt owing to the budget deficit had contributed to the 'high' overexpenditure. (Of the additional appropriation of R6,5bn about R4,5bn was expenditure that had not been already financed or envisaged.)
177 [¹⁷⁷ *Hansard* (joint sitting) 3 cols 1305-1310, 1324, 15 February 1993] The mini-budget for 1993 is given
below: 178 [¹⁷⁸ Additional Appropriation Bill, B50-93 (GA)]

Mini-budget: 1993

R

General affairs

3 079 238 000

House of Assembly

2 400 000 000

House of Delegates

71 224 000

House of Representatives

184 762 000

Cape Provincial Administration

237 260 000

Natal Provincial Administration

124 032 000

OFS^a Provincial Administration

92 968 000

Transvaal Provincial Administration

388 114 000

Total

6 577 598 000

a

Orange Free State

An amount of R630m was allocated to the administrations of the non-independent homelands in the Additional Appropriation Bill. Of this amount R175m was allocated to reducing socio-economic backlogs, R169m to capital projects financed by the sale of assets, R123m to drought relief, R78m to capital projects carried over from the previous financial year and the remaining R85m to various other services.¹⁷⁹ [¹⁷⁹ *Hansard* (joint sitting) 3 col 1311, 15 February 1993] The act was promulgated in Fe

The Main Budget

The revised estimate of expenditure for 1992/93 was R104,88bn, according to the 1993 *Budget Review*. This was an increase of 22% on expenditure for 1991/92. However, if total spending on drought aid in 1992/93 (R3,4bn) was excluded because of its exceptional and nonrecurring nature, estimated expenditure for 1992/93 increased by some 18% on that in 1991/92. In March 1993 total ordinary revenue for 1992/93 (ie excluding transfers from the National Supplies Procurement Fund and the Central Energy Fund) was estimated at R75,17bn, some 4% more than the figure for 1991/92 and 11% less than the revenue budgeted for 1992/93.¹⁸⁰ [¹⁸⁰ Department of Finance, *Budget Review*, 17 March 1993]

The special adviser to the minister of finance, Dr Japie Jacobs, said in March 1993 that the 1993/94 budget could be the most 'unpopular in living memory'. Dr Jacobs added that the budget would tackle structural economic problems, the most important of which were the budget deficit and government dissaving. He believed that the budget should not be stimulatory. It would, he said, reduce dissaving but its effect on the economy would be deflationary. However, Dr Jacobs said that in order to reduce unemployment the government should consider funding public works and job-creation programmes.¹⁸¹ [¹⁸¹ *Business Day* 3 March 1993]

The printed estimate of expenditure for 1993/94 amounted to R112,74bn. The *Budget Review* stated that there were also certain items of expenditure which could not be allocated to specific votes and which could be approved only in the additional appropriation vote of 1994. These comprised an amount of R300m which was being set aside for possible retrenchment of personnel, R125m for a general election, and R685m in respect of the unexpended balance, plus interest, of the funds acquired from the sale of strategic assets and oil supplies and already allocated to capital expenditure. Additional expenditure aimed at creating economic growth and job creation included R200m for housing, R60m to initiatives of the National Economic Forum, R25m to tourism and R15m to small business development. These

allocations were additional to the allocations made to these areas in the main estimate of expenditure. Therefore, total expected expenditure for 1993/94 was R114,15bn, which was 8,8% more than the revised estimate for 1992/93. If the 1992/93 drought aid package was excluded, the increase was 12,5%.¹⁸² [¹⁸² Department of Finance, *Budget Review*, 17 March 1993]

The budgeted allocations of expenditure according to functional classification for the 1992/93 and 1993/94 financial years are given below. (Note that these figures include all ten homelands.)¹⁸³ [¹⁸³ Ibid]

The national budget^a

Functional classification

199199IncEconomic services

Agriculture, forestry and fishing

6 058 956

3 043 548

(50%)

Development Bank of Southern Africa^b

9 002

—

—

Export trade promotion

2 683 915

2 497 774

(7%)

Fuel and energy

300 045

299 187

(0,3%)

Manufacturing

739 267

832 155

13%

Mining

195 146

206 900

6%

Other economic services

1 014 771

1 594 331

57%

Regional development

937 433

837 318

(11%)

State water schemes and other water services

852 403

1 255 573

47%

Transport and communications

5 627 763

6 350 329

13%

Sub-total

18 418 701

16 917 115

(8%)

General services

Foreign affairs

1 283 200

1 119 638

(13%)

General administration

6 723 584

7 224 735

7%

General research

409 309

477 293

17%

Sub-total

8 416 093

8 821 666

5%

Protection services

Defence

10 803 009

10 665 663

(1%)

Law courts

1 204 506

1 449 735

20%

Police

7 356 648

8 548 018

16%

Prisons

1 800 834

2 071 498

15%

Sub-total

21 164 997

22 734 914

7%

Social services

Education

Pre-primary, primary and secondary

21 017 804

23 328 404

11%

Tertiary

3 375 429

3 935 095

17%

Health

12 709 326

12 942 054

2%

Housing and related services

1 256 060

1 603 074

28%

Social security and welfare

10 031 345

10 554 540

5%

Recreation and culture

526 375

563 001

7%

Other

2 842 840

3 009 052

6%

Sub-total

51 759 179

55 935 220

8%

Unallocable

Capital expenditure

331 321

416 505

26%

Cost of state debt

Cost of raising loans

500

878

76%

Interest on state debt

17 529 746

22 150 431

26%

Provincial administrations and other general government institutions and funds^c

304 058

3 773

(99%)

Sub-total

18 165 625

22 571 587

24%

Sub-total: Government enterprises^d

172 283

145 422

(16%)

Total

118 096 878

127 125 924

8%

a

Figures for 1992/93 are revised estimates of expenditure, while figures for 1993/94 are initial estimates. Figures given in the 1992/93 Survey for the 1992/93 budget differ from the figures given here as they did not include all homeland expenditure.

b

An amount of R410m was allocated in 1993/94 to the Development Bank of Southern Africa but it has been classified elsewhere.

c

At the time of writing no explanation was forthcoming from the government for the significant decrease between 1992/93 and 1993/94.

d

These include drilling services, government printing works, public resorts and state airpor

The minister of finance, Mr Derek Keys, said in his budget speech in March 1993 that the drawing up of the 1993/94 budget had been guided by the need for discipline and growth. He said that ‘sustainable worthwhile growth can proceed only from a thoroughly disciplined base’. On the issue of the allocation of funds in the past to certain items which had fallen outside the budget, Mr Keys said that such a policy had made South Africa’s overspending problem worse and had avoided ‘the issue of the proper direction of funds already included in the budget’. He added, ‘The needs of the people must be met, to the limit of what we can afford, through the national budget and not round about it.’ Mr Keys said that the provision of funding for meeting social needs, in particular, would be conditional upon the achievement of a ‘satisfactory’ degree of co-operation between the relevant government departments and all agencies and organisations outside the government operating in such areas.¹⁸⁴ [¹⁸⁴ Derek Keys, minister of finance, budget speech, 17 March 1993]

Deficit

An assessment in the government’s normative economic model, published in March 1993, of the causes of the deficit stated that the widening deficit had begun in the early 1980s (with a ‘considerable’ shortfall between current expenditure and current revenue of general government) and that it was the result of a sharp and sustained rise in current expenditure by the government. The report said that this dissaving was tempered to some extent by a ‘considerable increase’ in the tax burden. However, the higher tax burden had created a climate not conducive to economic growth as it discouraged investment. Dissaving by the government had increased the government’s debt burden and had reduced the domestic savings available for domestic investment.¹⁸⁵ [¹⁸⁵ Department of Finance, *The Key Issues in the Normative Economic Model*, March 1993] The following table shows the proportion of both the budget and the gross domestic product (GDP) that the deficit represented between 1983/84 and 1993/94:¹⁸⁶ [¹⁸⁶ Department of Finance, *Budget Review*, 17 March 1993]

The budget deficit: 1983/84–1993/94

Proportion of the budget

Pro1983/84

10,4%

2,5%

1984/85

12,7%

3,1%

1985/86

10,3%

2,7%

1986/87

14,1%

3,8%

1987/88

19,4%

5,4%

1988/89

13,0%

3,5%

1989/90

2,1%

0,6%

1990/91

9,2%

2,5%

1991/92

14,9%

4,2%

1992/93

27,2%

8,6%

1993/94 ^b

22,2%

6,8%

a

The International Monetary Fund recommends that the budget deficit does not exceed 3% of GDP.

b

Proportions are based on initial estimates.

The budget deficit for 1993/94 was estimated to be R25,3bn or 6,8% of GDP, according to the *Budget Review*.¹⁸⁷ [¹⁸⁷ Ibid] However, South African Reserve Bank figures published in August 1993 estimated that the deficit before borrowing and debt repayment would be about R25,9bn, or 7% of expected GDP. The estimates differed slightly from those of the government because the reserve bank had excluded privatisation proceeds from ordinary government revenue and had included them in the financing of the deficit.¹⁸⁸ [¹⁸⁸ SARB, annual economic report 1993]

Mr Keys said in his budget speech in March 1993 that loan redemptions in 1993/94 would be about R6,8bn, bringing the gross borrowing requirement to slightly more than R32bn. The financing of this shortfall would come chiefly from the sale of domestic government stock, including R12,5bn from the Public Investment Commissioners. (The commissioners' role is to invest funds received in the form of pension payments from civil servants in long-term investments. The commissioners are obliged by law to invest the bulk of their assets in loans to the government.) It was not expected that government borrowing would exert an upward pressure on interest rates, the minister said.¹⁸⁹ [¹⁸⁹ Mr Derek Keys, minister of finance, budget speech, 17 March 1993] Mr Keys expected that as the economy began to improve, rising tax revenues would bring the deficit down. He added that the steps taken in 1993/94 to limit the deficit meant that there would be scope for a 'gradually more relaxed monetary policy approach'.¹⁹⁰ [¹⁹⁰

Department of Finance, *Budget Review*, 17 March 1993]

The reserve bank's 1993 annual economic report stated that government debt increased from about 41% of gross domestic product at the end of 1991/92 to 46,5% at the end of 1992/93. In the 1980s it had averaged 34%.¹⁹¹ [¹⁹¹ SARB, annual economic report 1993]

According to the governor of the reserve bank, Dr Chris Stals, the total borrowing requirement of the government had risen from R2,1bn in 1989/90 to R31,7bn in 1992/93 (ie by an average annual rate of 145%). He added that the central government had become an important net user of the savings of the private sector. In August 1993 Dr Stals cautioned that although it had been possible to finance the total government deficit of 1992/93 with 'relative ease in the depressed economic climate, a continuation of dissaving by government on the same scale is bound to compete sooner or later with increases in the demand for funds that will emanate from the private sector, particularly once the economy starts recovering'. Furthermore, it was also possible that the interest burden on the budget had risen permanently because of the additional borrowings needed to cover the temporary increases in the deficit, he said. Dr Stals said that the reserve bank supported Mr Keys' efforts to reduce the size of the deficit.¹⁹² [¹⁹² Dr Chris Stals, governor of the SARB, address at the ordinary general meeting of the bank, 24 August 1993]

South Africa's budget deficit in the first four months of the 1993/94 fiscal year was R10,4bn, or 41% of the estimated 1993/94 budget deficit, according to the director general of finance, Dr Estiaan Calitz.¹⁹³ [¹⁹³ *The Star* 13 August 1993] A director of Econometrix, Dr Azar Jammie, said in August 1993 that an extrapolation of trends in government revenue and expenditure for the first four months of the fiscal year indicated that the deficit for 1993/94 would be 8,4% of GDP, or R29,9bn. He said that 'even though inflation is turning out to be below expectations, which means that revenue is likely to fall below budget, there is a total inability for expenditure to be trimmed back below budget to keep the deficit on target'.¹⁹⁴ [¹⁹⁴ *Ibid* 17 August 1993]

Alternative Views on the Budget

The proposals by the Democratic Party (DP) for the 1993/94 budget, presented in March 1993 before the budget had been tabled in Parliament, suggested that at least R5,5bn could be saved through cost reductions in the public sector. Mr Ken Andrew MP (DP) said that there was enormous scope for greater government efficiency. Savings could result from the abolition of own affairs departments and administrations and the rationalisation of services provided by the central government and the various homelands. Restriction of defence spending to 2,5% of GDP would generate savings of R1,7bn, the DP said. Mr Andrew criticised the current tax system for discouraging self-sufficiency in combating the drought, thereby leaving the farming community more vulnerable to natural disaster when drought relief was ended. He proposed a 'drought bond' scheme which would incorporate tax advantages and would encourage savings when the agricultural sector had surplus income. Such a fund would be used as drought or disaster relief. A state lottery should also be introduced immediately as it could raise about R800m in 1993/94. The DP also proposed that R2bn should be set aside for job-creation programmes

focusing on literacy and skills training for young people. An amount of R500m should be channelled towards poverty and starvation relief, a fund of R300m should be set up to assist aspirant farmers in gaining access to land, and an additional R600m should be spent on the police (excluding an increment to keep spending on police constant in real terms).¹⁹⁵ [¹⁹⁵ *Business Day* 16 March 1993]

The DP, nevertheless, welcomed the steps taken in the budget to encourage investment and growth (such as moving away from selective incentives in favour of improving the general climate for business), the support shown for the tourism industry and the introduction of a dual company tax system.¹⁹⁶ [¹⁹⁶ *Hansard* (joint sitting) 8 cols 3639, 3644, 26 March 1993]

Mr Cehill Pienaar MP (Afrikaner Volksunie) said that given the present economic constraints the budget was an 'open and honest one'.¹⁹⁷ [¹⁹⁷ *The Star* 18 March 1993] However, the AVU found the increase in social pensions insufficient and said that job creation and the encouragement of productivity had not received enough attention. Mr Pienaar also criticised the budget's lack of measures to tackle 'bracket creep' (ie increases in salary which place a person's income in a higher tax bracket, thereby increasing not only the amount of tax to be paid but also the proportion of income payable in tax).¹⁹⁸ [¹⁹⁸ *Hansard* (joint sitting) 8 cols 3660-3662, 26 March 1993]

Mr Casper Uys MP (Conservative Party) welcomed Mr Keys's decision to end 'undesirable extra-budgetary spending' and agreed with the reduction in company tax from 48% to 40% and the secondary tax of 15% (which is a tax on companies' distributed income) (see also *Taxation*). However, Mr Uys said that it remained to be seen whether those changes which encouraged companies to save and invest more would 'pay off'.¹⁹⁹ [¹⁹⁹ *Hansard* (joint sitting) 8 cols 3632-3633, 26 March 1993]

The African National Congress (ANC) found the 1993/94 budget lacking in 'strategic coherence' and said that there was no apparent strategy in it to provide economic direction.²⁰⁰ [²⁰⁰ *Sowetan* 18 March 1993] The head of the ANC's department of economic planning, Mr Trevor Manuel, said that the government had failed to achieve sound fiscal management, even though Mr Keys's reduction of the budget deficit by two percentage points was 'commendable'.²⁰¹ [²⁰¹ *The Citizen* 18 March 1993]

Mr Manuel said that there were three measures which could enhance fiscal management: the establishment of clear objectives and effective audit trails (ie keeping proper accounts so that an audit could be done); the establishment of a representative fiscal commission to design a fiscal reconstruction programme against which performance could be measured; and insistence on ministerial accountability and increased penalties for civil servants and government officials caught 'with their hands in the cookie jar'. Mr Manuel added that the ANC was committed to reducing the budget deficit, particularly with regard to current expenditure. However, a deficit in capital expenditure should be tolerated.²⁰² [²⁰² *Business Day*, *The Citizen* 18 March 1993]

In April 1993 *Mayibuye* set out the priorities of the budget that the ANC would have concentrated on.

These included: reduction of the deficit, reduction in the housing shortage, empowerment of women through measures such as the provision of child care, an electrification programme, provision of more land and assistance to the small-scale farmer, and a job-creation programme.²⁰³ [²⁰³ *Mayibuye* April 1993]

According to the general secretary of the Congress of South African Trade Unions, Mr Jay Naidoo, doubt had been raised about the government's commitment to seeking broader consensus about the budget because the budget incorporated many elements of the government's normative economic model.²⁰⁴ [²⁰⁴ *Sowetan* 18 March 1993] Mr Naidoo said that the budget contained some progressive measures such as the acceptance of trade union proposals on tax exemptions for retrenchment packages and allocations to the National Economic Forum (NEF) and the National Housing Forum. However, the budget was 'generally' an attack on the 'living standards of the poor and fails to introduce proper controls against government corruption, inefficiency and mismanagement'.²⁰⁵ [²⁰⁵ *Business Day* 18 March 1993]

A director of Econometrix, Dr Azar Jammie, warned in March 1993 that the increase of 40% in indirect tax in the 1993/94 budget (since value added tax was increased from 10% to 14%) without any compensatory drop in personal tax would heighten the severity of the recession. However, Dr Jammie said that he was encouraged by the 'underlying compatibility' between the budget and the normative economic model. 'In spite of the constraints and the fact that this is a very harsh budget, there is direction in economic thinking at last,' Dr Jammie added (see also *Value added tax* below).²⁰⁶ [²⁰⁶ *The Star* 18 March 1993]

The South African Chamber of Business (Sacob) regarded the 1993/94 budget as positive for longer-term economic and employment growth prospects. However, Sacob found that the failure of government in the past to exercise adequate control over state spending 'now places a harsh burden on consumers and individual taxpayers in the short term'. Sacob welcomed the reduction in the corporate tax rate to 40% and said that with tax on distributed profits expansion and employment would be encouraged.²⁰⁷ [²⁰⁷ *Business Day* 18 March 1993]

The chairwoman of the South African National Consumer Union, Ms Lilibeth Moolman, said in reaction to the budget that although Mr Keys might have done the best he could in the circumstances, his overall proposals had given consumers little relief. Ms Moolman added that there was no incentive to consumers to save or to work harder.²⁰⁸ [²⁰⁸ *The Citizen*, *The Star* 18 March 1993]

1994/95 Budget

In March 1993, in a break with the past, Mr Keys invited the members of the NEF to assist his department in drawing up the 1994/95 budget (see below). Mr Keys was responding to a call by the ANC for an independent fiscal commission to be appointed to trace and audit how funds allocated in the budget were actually spent. Mr Keys said that interested parties would serve on 'function' committees overseen by the Department of State Expenditure. The objective of such committees would be to

examine particular areas of the budget, such as health, determine priorities and settle the basis of the allocation for the following year for that item. Mr Keys said that the department had already decided that outside representation on these committees was necessary.²⁰⁹ [²⁰⁹ *Sunday Times* 21 March 1993]

The special economic adviser to the minister of finance, Dr Japie Jacobs, told a plenary session of the NEF in July 1993 that there would probably be no budget in March 1994 because of the election scheduled for 27 April. Various appropriations would be made to meet expenditure between the end of the 1993/94 fiscal year and the outcome of the elections, he said. Dr Jacobs added, however, that arrangements for an interim budget would have to be worked out with other parties.²¹⁰ [²¹⁰ *The Star* 6 July 1993]

According to the director general of state expenditure, Mr Hannes Smit, the government was following a 'business as usual' approach to the budget for 1994/95. Preliminary estimates of departmental spending had already been drawn up. These would be accepted by the present cabinet in December 1993 and would form the basis for expenditure in 1994/95 until a new government was in place. Mr Smit added that his department was following auditing procedures which would make costing government services 'entirely transparent' to the next government.²¹¹ [²¹¹ *Business Day* 22 July 1993]

Subsidiary Budgets

The main budget for 1993/94 provided funds for the own affairs administrations and for all ten homelands. The votes in the 1993/94 main budget for the three own administrations were as follows:²¹² [²¹² Administration: House of Assembly, *Estimate of Revenue and Estimate of Expenditure for the Financial Year ending 31 March 1994*, RP6-1993; Administration: House of Delegates, *Estimate of Revenue and Estimate of Expenditure for the Year ending 31 March 1994*, RP12-1993; Administration: House of Representatives, *Estimate of Revenue and Estimate of Expenditure for the Year Ending 31 March 1994*, RP9-1993]

House of Assembly budget^a

199199IncChairman of the ministers' council

3 656

3 797

4%

Agricultural development^b

1 329 780

—

—

Education and culture

6 504 404

7 283 856

12%

Local government, housing and works^b

466 895

367 053

(21%)

Budgetary and auxiliary services

46 693

51 775

11%

Improvement of conditions of service

292 448

174 851

(40%)

Welfare

1 245 060

1 378 202

11%

Health services^b

644 159

—

—

Total

10 533 095

9 259 534

(12%)

a

Figures for 1992/93 are revised estimates while those for 1993/94 are initial estimates.

b

No allocations were made to agriculture, health and local government in 1993/94 as these functions were transferred to the equivalent general affairs departments on 1 April 1993.

House of Delegates budget^a

199199IncBudgetary and auxiliary services

32 319

39 256

(21%)

Local government, housing and agriculture^b

217 087

223 401

3%

Education and culture

1 045 616

1 207 866

16%

Health services and welfare^b

369 288

359 696

(3%)

Improvement of conditions of service

47 790

33 305

(30%)

Total

1 712 100

1 863 524

9%

a

Figures for 1992/93 are revised estimates while those for 1993/94 are initial estimates.

b

No allocations were made to agriculture, health and local government in 1993/94 as these functions were transferred to the equivalent general affairs departments on 1 April 1993.

House of Representatives budget ^a

199199Inc Education and culture

2 591 864

3 005 033

16%

Local government, housing and agriculture ^b

526 319

508 754

(3%)

Health services and welfare ^b

1 641 195

1 607 672

(2%)

Budgetary and auxiliary services

128 004

141 355

10%

Improvement of conditions of service

137 254

95 157

(31%)

Total

5 024 636

5 357 971

7%

a

Figures for 1992/93 are revised estimates while those for 1993/94 are initial estimates.

b

No allocations were made to agriculture, health and local government in 1993/94 as these functions were transferred to the equivalent general affairs departments on 1 April 1993.

The Joint Administration of Own Affairs Act, which was passed in November 1992, made provision for the joint administration 'in one and the same department of matters which are at present administered in separate departments as own affairs of the various population groups'.²¹³ [²¹³ *Hansard* (joint sitting) 23 col 12504, 16 October 1992]

In his opening address to Parliament in January 1993, Mr de Klerk said that it had been decided not to activate this interim phase. He added, however, that with the concurrence of the three own affairs ministers' councils, the decision had been taken to transfer the own affairs functions of agriculture, health and local government to the relevant general affairs departments from 1 April 1993. The remaining own affairs functions would remain under the control of the ministers' councils 'for the time being', Mr de Klerk said.²¹⁴ [²¹⁴ *Hansard* (joint sitting) 1 cols 5-6, 29 January 1993] No allocation was made to agriculture, health and local government in the three own affairs administrations in 1993/94. Instead, they were provided for in the general affairs votes on Local Government and National Housing, National Health and Population Development, and Agriculture.

At the time of writing, the homeland budgets for 1993/94 were not all available. The table below compares the homeland budgets for 1991/92 and 1992/93:²¹⁵ [215 Republic of Bophuthatswana, *Estimate of the Expenditure to be Defrayed from the Revenue Account During the Year Ending 31 March 1993*; Republic of Ciskei, *Estimate of Expenditure to be Defrayed from the Ciskei Revenue Fund During the Year Ending 31 March 1993*; *Estimate of Expenditure to be Defrayed from the Revenue Fund of the Gazankulu Government Service During the Year Ending 31 March 1993*; *Estimate of Expenditure to be Defrayed from the Revenue Fund of the KaNgwane Government During the Year Ending 31 March 1993*; *Estimate of Expenditure to be Defrayed from Revenue Fund of the KwaNdebele Government Service During the Year Ending 31 March 1993*; *Estimate of Expenditure to be Defrayed from the Revenue Fund of the KwaZulu Government Service During the Year Ending 31 March 1993*; *Lebowa Estimate of the Revenue to be Collected and Expenditure to be Defrayed During the Year Ending 31 March 1993*; *Estimate of Expenditure to be Defrayed from the Revenue Fund of QwaQwa During the Financial Year Ending 31 March 1993*; Republic of Transkei, *Estimate of Expenditure to be Defrayed from the Transkei Revenue Fund During the Year Ending 31 March 1992*; and Republic of Venda, *Estimate of Expenditure to be Defrayed from the Revenue Fund of the Venda Government During the Financial Year Ending 31 March 1992*]

Homeland budgets

1991/92 1992/93 Increase

Bophuthatswana

3 329 344 900

4 114 291 000

24%

Ciskei

2 016 000 000

2 289 124 000

14%

Gazankulu

1 008 000 000

1 288 147 000

28%

KaNgwane

668 370 021

711 979 783

7%

KwaNdebele

421 178 000

541 785 000

29%

KwaZulu

3 611 188 000^a

4 777 963 000

32%

Lebowa

2 617 790 000

3 041 907 000

16%

QwaQwa

550 690 000

705 190 000

28%

Transkei

3 953 223 000^a

N/A

N/A

Venda

1 158 503 300^a

N/A

N/A

Total

19 334 287 221

N/A

N/A

a

Figures are initial estimates.

N/A — Not available

Revenue allocated to the various subsidiary legislatures from the national budget for 1992/93 was as follows

Grants from the central government to various legislatures: 1992/93^a

199199Increase

House of Assembly

9 120 405 000

10 533 095 000

15%

House of Delegates

1 458 915 000

1 712 100 000

17%

House of Representatives

3 991 548 000

5 024 636 000

26%

Bophuthatswana

724 000 000

927 000 000

28%

Ciskei

697 000 000

748 458 000

7%

Gazankulu

770 155 000

1 037 410 000

35%

KaNgwane

422 672 000

571 150 900

35%

KwaNdebele

315 292 000

437 972 000

39%

KwaZulu

2 660 803 000

4 106 794 000

54%

Lebowa

1 542 880 000

2 380 031 000

54%

QwaQwa

286 857 000

364 338 000

27%

Transkei

1 368 100 000

N/A

N/A

Venda

514 884 000

N/A

N/A

Total

23 873 511 000

N/A

N/A

a

These figures do not include all transfer payments from the central government to the homeland legislatures. Some of these payments are included in the figures quoted for 'internal revenue' under Homeland financing below.

N/A — Not available

The Budget and Social Equity

According to the government's functional classification of expenditure (which included the ten

homelands), 44% of the 1993/94 budget (or R55,94bn) was allocated to social spending. Capital spending comprised 6% of social spending (or R3,24bn).²¹⁶ [²¹⁶ Department of Finance, *Budget Review*, 17 March 1993] Mr Keys said in his budget speech that about 43,6% of total capital expenditure would go to social services.²¹⁷ [²¹⁷ Mr Derek Keys, minister of finance, budget speech, 17 March 1993] He added, however, that future spending on social needs would depend on co-operation between government and non-government organisations, as expenditure in this area had already ‘reached a ceiling’.²¹⁸ [²¹⁸ *Business Day* 18 March 1993]

In the period 1990/91 to 1993/94 the share of GDP spent on social services (particularly education and social security and welfare services) rose from 41% to 44%, Mr Keys said.²¹⁹ [²¹⁹ Mr Derek Keys, minister of finance, budget speech, 17 March 1993] Expenditure on social services grew by an average annual growth rate of 17,7% between 1990/91 and 1993/94. Expenditure on protection services increased by 7,9% over the same period. The following table shows the functional classification of budgeted expenditure for social and protection services between 1990/91 and 1993/94.²²⁰ [²²⁰ Department of Finance, *Budget Review*, 17 March 1993]

Expenditure on protection and social services: 1990/91–1993/94

Proportion of the budget

1990/91

1991/92

1992/93

1993/94

Protection services

Defence

13,7%

10,8%

9,1%

8,4%

Law courts

0,9%

0,8%

1,0%

1,1%

Police

5,6%

6,4%

6,2%

6,7%

Prisons

1,7%

1,8%

1,5%

1,6%

Total ^a

21,8%

19,9%

17,9%

17,9%

Social services

Education

20,9%

20,6%

20,7%

21,4%

Health

10,1%

11,0%

10,8%

10,2%

Housing and related services

1,5%

1,6%

1,1%

1,3%

Recreation and culture

0,5%

0,4%

0,4%

0,4%

Social security and welfare

6,9%

7,7%

8,5%

8,3%

Other^b

1,4%

2,0%

2,4%

2,4%

Total ^a

41,3%

43,2%

43,8%

44,0%

Proportion of GDP

1990/91

1991/92

1992/93

1993/94

Protection services

Defence

4,2%

3,4%

3,2%

2,9%

Law courts

0,3%

0,3%

0,4%

0,4%

Police

1,7%

2,0%

2,2%

2,3%

Prisons

0,5%

0,6%

0,5%

0,6%

Total ^a

6,7%

6,3%

6,4%

6,1%

Social services

Education

6,4%

6,5%

7,3%

7,3%

Health

3,1%

3,5%

3,8%

3,5%

Housing and related services

0,5%

0,5%

0,4%

0,4%

Recreation and culture

0,1%

0,1%

0,2%

0,2%

Social security and welfare

2,1%

2,4%

3,0%

2,8%

Other ^b

0,4%

0,6%

0,9%

0,8%

Total ^a

12,6%

13,6%

15,5%

15,0%

a

Figures may not add up owing to rounding.

b

Sewerage, sanitation, community development and other community services

Commenting in March 1993 on the 1993/94 budget, the head of the department of economic planning of the African National Congress, Mr Trevor Manuel, said that spending on health and education as a proportion of total government expenditure was among the highest in the world and would in the future have to be made more efficient without being increased. He added that the current level of spending on welfare-related services could not be increased, but would have to be rearranged to provide a better safety net for the poor and unemployed.²²¹ [²²¹ *Business Day* 29 March 1993]

The report of the Commission of Inquiry into Lotteries, Sports Pools, Fundraising Activities and Certain Matters relating to Gambling (the Howard commission), tabled in Parliament in April 1993, recommended the establishment of a single state lottery to raise funds for education, health, welfare and other social services.²²² [²²² *The Citizen* 23 April 1993] The minister of justice, Mr Kobie Coetsee, said in the same month that the government would examine the report and draft

According to the director general of the South African Chamber of Business, Mr Raymond Parsons, some R40bn would be needed immediately if disparities in education, health, housing and social pensions were to be eliminated. This figure excluded job-creation programmes. He added that social spending had to be addressed within a sound economic framework. The expectations of the population also had to be reconciled with resources and growth potential. If socio-economic policies imposed an excessive burden on overall growth, even present progress in reducing inequality would be slowed, he said. Mr Parsons suggested a ten-year socio-economic programme which would distinguish between goals set by both the public and the private sectors on short-term, medium-term and longterm bases. He also said that by bringing 'government closer to the community, it will be possible to make it more accountable for effective delivery [of socio-economic benefits]'.²²³ [²²³ *Business Day*, *The Star* 26 July 1993]

Homeland Financing

According to their own estimates of revenue, the homelands were to derive the following amounts from their own revenue, loans and the central government in the 1992/93 financial year:²²⁴ [²²⁴ Various homeland estimates of expenditure]

Estimated sources of homeland revenue: 1992/93

SurpFromFrom loans ^c

R

Bophuthatswana

34 004 000

927 000 000

250 379 000

Ciskei

83 792 000

748 458 000

43 678 000

Gazankulu

23 424 000

1 037 410 000

7 359 000

KaNgwane

(8 000 000)

571 150 900

29 188 600

KwaNdebele

—

437 972 000

23 806 000

KwaZulu e

571 902 000

4 106 794 000

52 614 000

Lebowa

(201 924 530)

2 380 031 000

82 000 000

QwaQwa

67 500 000

364 338 000

500 000

Transkei

N/A

N/A

N/A

Venda

N/A

N/A

N/A

Total

570 697 470

10 573 153 900

489 524 600

Estimated sources of homeland revenue: 1992/93 (continued)

FromTotProportions

Bophuthatswana

2 902 908 000

4 114 291 000

71%

Ciskei

1 413 196 000^d

2 289 124 000

62%

Gazankulu

219 954 000

1 288 147 000

17%

KaNgwane

120 000 000

712 979 783

17%

KwaNdebele

80 650 000

542 428 000

15%

KwaZulu^e

1 000 000 000

5 731 310 000

17%

Lebowa

606 000 000^f

2 866 106 470

21%

QwaQwa

280 000 000

712 338 000

39%

Transkei

N/A

N/A

N/A

Venda

N/A

N/A

N/A

Total

6 622 708 000

18 256 724 253

36%

a

Surplus or deficit from 1991/92 financial year

b

The homelands generally include under the category of internal revenue various transfer payments from the central government, so that figures in the columns showing revenue from the central government do not in most cases reflect the full amount provided. For example, Bophuthatswana's internal revenue figure includes R999m from customs and excise payments, and R17m from monetary agreements, both paid from the central government (amounting to 35% of internal revenue). The Ciskei includes amounts of R268m from customs and excise, R11m from monetary agreements, R82m in terms of an agreement on development co-operation with the central government and R31m from industrial incentives. This amounts to 28% of internal revenue. Similarly, the non-independent homelands' internal revenue figures include income taxes transferred to them from the central government and value added tax as an estimate of tax collected from their citizens working outside the homelands: Gazankulu, 77% of total internal revenue; KaNgwane, 80%; KwaNdebele, 46%; KwaZulu, 73%; Lebowa, 73%; and QwaQwa, 90%.

c

Many of these loans are from the Development Bank of Southern Africa.

d

Includes R621m classified as 'financial adjustments' in its estimate of revenue and R37m from Fort Hare University

e

Estimates of KwaZulu revenue for 1992/93 are final estimates.

f

Includes an amount of R56m which was carried forward from the previous financial year

g

Internal revenue as a proportion of total revenue

N/A — Not available

Central government funds allocated to the non-independent homelands in 1992/93 were channelled through the new Department of Regional and Land Affairs, which replaced the Department of Development Aid in April 1992 (see 1992/93 *Survey* pp552–553). An amount of R10,69bn was allocated to the non-independent homelands in the 1993/94 financial year. This was an increase of 22% on 1992/93 allocation. The assistance provided by the central government to the administrations of the nonindependent homelands in 1993/94 was as follows:²²⁵ [225 Republic of South Africa, *Estimates of Expenditure to be Defrayed from the State Revenue Account During the Financial Year Ending 31 March 1994*, RP2-1993]

Budgetary assistance to non-independent homelands:^a 1992/93 and 1993/94

199199Gazankulu

1 007 130 000

1 212 120 000

KaNgwane

573 578 000

721 009 000

KwaNdebele

460 609 000

572 027 000

KwaZulu

3 966 229 000

4 850 004 000

Lebowa

2 342 100 000

2 843 151 000

QwaQwa

391 964 000

485 393 000

Development assistance and project aid

9 729 000

5 000 000

Total

8 751 339 000

10 688 704 000

This comprises development assistance, manpower assistance, project aid, statutory grants and additional amounts, which include social assistance allowances. Of the total amount allocated in 1993/94, R4,96bn was allocated to education and R1,01bn was allocated to health.

Furthermore, various departments of the central government allocated funds to the non-independent homelands in 1993/94 for manpower assistance (ie secondment of officials to the non-independent homelands): Agriculture, R14,3m; Commission for Administration, R555 000; Correctional Services, R954 000; Finance, R652 000; Justice, R7,8m; National Education, R113 000; Police, R5,4m; State Expenditure, R5m; Trade and Industry, R126 000; and Water Affairs, R4,3m.²²⁶ [²²⁶ Ibid]

Some 88% (R6,21bn) of the budget of the Department of Foreign Affairs was allocated to the 'independent' homelands in 1993/94. This amount was 21% more than the 1992/93 allocation of R5,13bn. Some R5,15bn of the 1993/94 budget was allocated to budgetary aid transfers; R80m to project aid; R89m to manpower provision; R84m to technical and other assistance (including industrial incentive schemes and job-creation programmes); R805m to tax compensation; and R3m to the salaries and allowances of seconded judges. The central government's defence budget made provision for free training to be given to members of the defence forces of the 'independent' homelands, worth about R14m. The Department of Manpower allocated R1,7m in 1993/94 to the in-service training of civil servants of the ten homelands, while the Department of Finance provided R192m in 'foreign transfer payments' to Lesotho, Namibia and the 'independent' homelands.²²⁷ [²²⁷ Ibid]

From the figures given above it is estimated that a total amount of R17,14bn (or 13,5% of the total budget) was allocated to the ten homelands in 1993/94.

According to a draft document by Mr Paul Daphne, a researcher for the macro-economic research group's regional policy research project at the University of Fort Hare, entitled *Reincorporation and Regional Restructuring: Economic and Related Implications*, and published in March 1993, the 'independent' homelands have shown an increasing tendency to utilise overdraft facilities without there being the possibility of their redeeming these debts. Mr Daphne said that the cumulative debt of the 'independent' homelands in 1987 was R642m. By 1 March 1993 the cumulative debt stood at R6,43bn, which meant that it had increased at an average annual rate of 47% between 1987 and 1993. Mr Daphne added that the accumulation of the debt did not relate to maladministration so much as to 'persistent underfinancing of the homelands (and the Transkei in particular) by central government'. The debt of the 'independent' homelands in March 1993 amounted to about 2% of South African gross domestic product 'which would clearly have to be redeemed by central government', although it was not included in calculations of the deficit.²²⁸ [²²⁸ Mr Paul Daphne, Draft Working Paper, *Reincorporation and Regional Restructuring: Economic and Related Implications*, macro-economic research group (MERG) regional policy research project, University of Fort Hare, 15 March 1993]

The minister of foreign affairs, Mr Roelof (Pik) Botha, said in Parliament in April 1993 that the

government had issued guarantees in respect of overdraft facilities in 1991/92 to the Ciskei (R581m) and the Transkei (R892m).²²⁹ [²²⁹ *Hansard* (A) 11 q cols 1045-1047, 7 April 1993] Mr Botha also said that guarantees in respect of overdraft facilities for the 1992/93 financial year had been given to the Ciskei (R621m), the Transkei (R1,6bn), and Venda (R360m). No guarantees were given to Bophuthatswana during 1991/92 and 1992/93. As at 8 March 1993 loans of the following amounts were outstanding and overdraft facilities of the following amounts overdrawn respectively: Ciskei, R86m and R2,27bn; Transkei, R121m and R1,87bn; and Venda, R86m and R1,01bn. Bophuthatswana had an outstanding loan of R100m. The loans had been utilised to finance development projects such as schools, hospitals and clinics, while the overdraft facilities had been used for the financing of recurrent and capital expenditure.²³⁰ [²³⁰ *Hansard* (D) 7 q cols 666-668, 17 March 1993]

The following table summarises amounts allocated to the 'independent' homelands by various central government departments in the 1992/93 financial year:²³¹ [²³¹ Information supplied by the Department of Foreign Affairs, 13 October 1993]

Estimated payments to the 'independent' homelands: 1992/93

BopCisTraVenDirect financial assistance

Budgetary aid

1 057 258 000

827 238 532

1 861 760 000

651 274 000

Incentives for industries

14 713 153

18 595 879

2 325 295

3 285 261

Transfer payments

Value added tax

249 864 000

114 000 000

324 000 000

52 848 000

Customs union

1 087 471 000

333 068 000

555 591 000

161 546 000

Tax compensation

147 000 000

82 000 000

389 000 000

25 000 000

Common monetary area

16 421 340

9 302 540

34 324 160

5 050 500

Loans (project aid)

10 852 000

20 928 000

1 165 000

15 065 000

Technical and other assistance

Manpower provision

22 669 000

27 330 000

8 067 000

23 510 000

Technical assistance

1 292 516

608 650

747 690

516 200

Salaries of judges

653 000

870 000

870 000

437 000

Total

2 608 194 009

1 433 941 601

3 177 850 145

938 531 961

Total payments to the 'independent' homelands amounted to R8,16bn in 1992/93. This was expected to rise to R10,08bn in 1993/94 (ie to increase by 24%). According to the Department of Foreign Affairs, all transfer payments constituted funds due to the 'independent' homelands in terms of bilateral and multilateral agreements. Loans were also granted to the 'independent' homelands by the central government for social projects such as the building of schools and hospitals. Claims had to be submitted before funds were paid out, the department said. The same policy applied to industrial incentives, according to the Department of Foreign Affairs.²³² [²³² Information supplied by the Chief Directorate: TBVC, Department of Foreign Affairs, 13 October 1993]

The following tables give a detailed breakdown of the budgets of the non-independent homelands in 1992/93:²³³ [²³³ Estimates of expenditure of the various homelands]

Non-independent homeland budgets: 1992/93

GazKaNKwaChief minister

75 685 000^a

33 374 197

27 282 000

Interior

63 886 000

25 001 215^b

11 100 000

Works

211 984 000

75 133 330

103 086 000^c

Education (and culture)

443 650 000

259 837 158

188 729 000

Agriculture (and forestry)

65 321 000

36 134 585

20 854 000^d

Justice

13 590 000

9 041 591

6 890 000

Health (and welfare)

308 294 000

178 566 584

84 352 000

Finance

62 546 000

61 173 223^e

56 242 000^e

Law and order

43 191 000

33 717 900

39 210 000

Citizen liaison and information

—

—

4 040 000

Total

1 288 147 000

711 979 783

541 785 000

a

Includes economic affairs

b

Includes land matters and local government

c

Includes water affairs

d

Includes environmental affairs

e

Includes economic affairs

Non-independent homeland budgets: 1992/93 (continued)

KwaZulu^a

R

LebQwaChief minister

127 332 000

72 171 000

11 940 000^b

Interior

29 297 000

36 805 000

64 330 000

Works

656 169 000

205 620 000

208 470 000

Education (and culture)

1 714 690 000

1 372 775 000

192 890 000

Agriculture (and forestry)

110 322 000

243 558 000^d

22 635 000

Justice

30 500 000

39 424 000

4 720 000

Health and welfare

1 625 974 000

730 914 000

66 560 000

Finance

333 836 000^b

192 385 000^b

103 915 000

Law and order

149 843 000^c

148 255 000

29 260 000

Ombudsman

–

–

470 000

Total

4 777 963 000

3 041 907 000

705 190 000

a

Final estimates

b

Includes economic affairs

c

Includes correctionSal services

d

Includes environmental conservation

At the time of writing the budgets of the Transkei and Venda for the 1992/93 financial year had not been received. However, the budgets of Bophuthatswana and Ciskei for 1991/92 and 1992/93 were as follows:²³⁴ [234 Republic of Bophuthatswana, *Estimate of the Expenditure to be Defrayed from the Revenue Account during the Year ending 31 March 1993*; Republic of Ciskei, *Estimates of Expenditure to be Defrayed from the Ciskei Revenue Fund during the Year ending 31 March 1993*]

Bophuthatswana budget: 1991/92 and 1992/93

199199IncPresident

82 155 300

78 023 400

(5%)

National assembly

6 539 300

7 614 100

16%

Auditor general

4 968 700

9 267 000

87%

Public service commission

6 457 900

7 433 000

15%

Defence

132 446 300

148 499 600

12%

Economic, energy affairs, mines and planning

90 690 200

101 569 500

12%

Finance

306 322 100

348 919 000

14%

Education

611 973 700

801 403 800

31%

Foreign affairs

19 662 200

38 403 200

95%

Transport

109 407 100

135 470 600

24%

Public works

457 426 000

502 363 200

10%

Post and telecommunications

160 035 700

241 018 000

51%

Agriculture and natural resources

213 641 700

271 399 200

27%

Local government and housing

151 593 600

178 603 400

18%

Internal affairs

210 326 100

308 774 000

47%

Justice

16 993 800

19 476 000

15%

Police

205 034 800

250 276 700

22%

Prisons

30 782 500

35 700 600

16%

Health and social services

234 140 500

279 625 200

19%

Manpower

38 994 500

51 947 800

33%

State affairs and civil aviation

29 715 500

24 356 600

(18%)

Public service training

3 194 900

5 461 700

71%

Water affairs

178 425 900

237 945 100

33%

Population development

15 387 600

20 080 000

32%

Governors

7 364 400

10 660 300

45%

Information

5 664 600

—

—

Total

3 329 344 900

4 114 291 000

24%

Ciskei budget: 1991/92 and 1992/93

199199IncCouncil of state

14 454 000

23 114 000

60%

Defence force

75 163 000

89 027 000

18%

Auditor general

3 238 000

4 136 000

28%

Education and culture

378 780 000

430 217 000

14%

Agriculture, forestry and rural development

67 498 000

106 588 000

58%

Justice and constitutional development

15 733 000

18 723 000

19%

Health, welfare and population development

402 127 000

474 725 000

18%

Finance and economic development

287 876 000

190 377 000

(34%)

Internal affairs and land tenure

17 972 000

24 073 000

34%

Manpower utilisation

8 055 000

12 676 000

57%

Transport and aviation

33 490 000

53 701 000

60%

Public works

193 817 000

262 714 000

36%

Foreign affairs

12 007 000

13 159 000

10%

Post and telecommunications

33 931 000

36 690 000

8%

Police

85 950 000

90 321 000

5%

Prisons

23 377 000

27 867 000

19%

Traffic

3 286 000

3 641 000

11%

Commission for administration

7 037 000

7 823 000

11%

Salaries and allowances of chiefs

2 000 000

2 200 000

10%

Public debt

313 209 000

380 352 000

21%

Fort Hare University

37 000 000

37 000 000

0%

Total

2 016 000 000

2 289 124 000

14%

Comments on Homeland Financing

The period under review was characterised by continued allegations of financial mismanagement and

corruption regarding certain homeland administrations.

The Commission of Inquiry into the Appropriation of the Lebowa Revenue Fund and Alleged Mismanagement (the De Meyer commission) published its report in November 1992 (see 1992/93 *Survey* pp26–27). The minister of regional and land affairs, Mr Jacob de Villiers, said in response to the commission's report that the responsibility to exercise control over expenditure in the non-independent homelands rested 'fully' with these administrations and their legislative assemblies. Proof of use of funds was required only for special projects funded from the sale of strategic reserves, the food aid programme and drought relief.²³⁵ [²³⁵ *Financial Mail* 20 November 1992] Mr de Villiers said in Parliament in February 1993 that the central government and the Lebowa administration had established a joint committee of ministers to monitor the implementation of the recommendations of the De Meyer commission's report.²³⁶ [²³⁶ *Hansard* (A) 4 col 2177, 26 February 1993]

In January 1993 the director general of state expenditure, Mr Hannes Smit, said that the budgetary problems of the 'independent' homelands were of a 'structural nature' and gave rise to questions about the homelands' long-term economic viability.²³⁷ [²³⁷ *Business Day* 14 January 1993] According to a general manager of the Development Bank of Southern Africa (DBSA), Mr Deon Richter, the joint financial adjustment committees (which had been set up in 1986 under the chairmanship of the DBSA to improve the deployment of the limited funds available to the 'independent' homelands) had assisted in curtailing the budgetary deficits of these administrations. Similar committees were set up in February 1992 for the non-independent homelands.²³⁸ [²³⁸ *Financial Mail* 29 January 1993] At the time of writing 'co-operative agreements' regarding homeland finances had been signed by the government with the Ciskei, Gazankulu, KaNgwane, KwaNdebele, Lebowa, QwaQwa, the Transkei and Venda.

The *Report of the Auditor General on the Appropriation and Miscellaneous Accounts in respect of General Affairs for 1991/92* was tabled in Parliament in February 1993. The auditor general, Mr Peter Wronsley, said in his report that he was 'concerned about the inadequacy of the measures instituted to bring about and maintain effective public accounting ... in the various [non-independent homelands]'. Mr Wronsley added that performance audits were being carried out or planned for the non-independent homelands. He emphasised, however, that 'urgent corrective steps [were also necessary] to ensure that financial administration in the various [non-independent homelands was] placed on a sound footing as soon as possible'.²³⁹ [²³⁹ Republic of South Africa, *Report of the Auditor General on the Appropriation and Miscellaneous Accounts in respect of General Affairs for 1991/92*, RP148-92]

Regarding the state of finances of the 'independent' homeland administrations, Mr Wronsley's key findings were the following:²⁴⁰ [²⁴⁰ *Ibid*]

- the amount of budgetary aid allocated in each financial year to these administrations was made known to them only after the budget of the central government had been approved. This delayed the drawing up of the homeland budgets;

- the homeland administrations were unable to keep within financial guidelines;
- the budgets indicated that the administrations overspent on salaries;
- in certain cases the administrations proceeded with projects despite opposition from budget working groups;
- bridging finance was being used ‘increasingly’ to finance ‘escalating’ budget deficits. The interest burden of the ‘independent’ homeland administrations was growing, although the administrations were not able to service or redeem loans;
- steps taken by the Department of Foreign Affairs to deal with the homelands’ budget deficits ‘appeared to be unsuccessful’;
- projects were undertaken without a broad national development plan in mind, but on an ad-hoc basis;
- no interest was levied on arrear loan instalments by the Department of Foreign Affairs, as contracts did not make provision for this;
- the ability of the administrations to redeem loans was not taken into account ‘properly’ in evaluating projects; and
- the administrations were often unable to repay loans.

Mr Wronsley added that salaries in the ‘independent’ homelands were not linked to the job content and scope of the posts but to salaries in the South African public service. According to Mr Wronsley, he had criticised the ‘reluctance of the [central government] to act more forcefully and proposed restrictive fiscal action to enforce order. The failure to adopt these proposals may have been politically correct, but undoubtedly contributed to the undisciplined conduct of the recipients of aid’.²⁴¹ [²⁴¹ Ibid]

The African National Congress (ANC) said in response that it was not surprised by Mr Wronsley’s report. It said that the homelands had never been economically viable. The ‘enormous’ expenditure incurred in establishing and maintaining them was a result of ‘grand apartheid designs’. The publicity secretary of the Azanian People’s Organisation, Dr Gomolemo Mokoae, said that the ‘paramount guilt’ for the debt of the ‘independent’ homelands lay with the central government, which over the years had ‘turned a deaf ear to advice that it abandon its costly bantustan experiment’. Mr Jasper Walsh MP (Democratic Party) said in response to the report that he believed that the extent of corruption and ‘rip-off’ had increased dramatically since the 1991/92 financial year (which the report covered) as civil servants were ‘lining their own pockets before time ran out’.²⁴² [²⁴² *The Citizen* 24 February 1993]

The minister of finance of Bophuthatswana, Mr Martin van den Berg, said in response to the auditor general's report that none of Bophuthatswana's bank overdrafts was guaranteed by the central government and that it had never reneged on the repayment of loans. Expenditure in its 1993/94 budget had increased by less than 10% on that in its 1992/93 budget. This was within the guidelines set out by the joint financial adjustment committee chaired by the DBSA, Mr van den Berg said.²⁴³ [²⁴³ Ibid 24 February, *Business Day* 25 February 1993] However, in May 1993, when the budget was tabled, total spending for 1993/94 was 20% more than in 1992/93.²⁴⁴ [²⁴⁴ *The Star* 7 May 1993]

The chairman of the Venda Council of National Unity, Brigadier Gabriel Ramushwana, said that the report ignored the fact that Venda was underfunded and that overdraft facilities were necessary just to keep basic services in place. The head of the Transkei Military Council, Major General Bantu Holomisa, rejected the report's criticism of the lack of financial controls and inadequate auditing procedures in the homelands. He said that the structural adjustment programme implemented by the Transkei administration in conjunction with the DBSA had ensured that the Transkei's financial affairs functioned effectively. The Ciskei Council of State issued a statement saying that the present administration, which had taken over from a 'corrupt regime', had pledged to do everything in its power to strengthen the Ciskei economy.²⁴⁵ [²⁴⁵ *The Citizen* 24 February 1993, *Business Day* 25 February 1993]

In April 1993 it was revealed that the Lebowa Tender Board had approved a R15m contract with Firechem, a chemical company, to supply cleaning chemicals, training and supervision for three years, without querying the need for between 1 500 tonnes and 2 000 tonnes of chemicals. The contract had also never been put out to tender. Firechem was subsequently reported to have donated R100 000 to Lebowa's ruling party, the United People's Front (UPF). The managing director of Firechem, Mr William McNaught, said that the whole deal 'was above board', however, and that his company had acted in good faith. The donation to the UPF was in line with the company's policy of 'ploughing something back into the community', he said. In further irregularities regarding the allocation of tenders in Lebowa, a R1,3m contract to supply meat to the Groothoek Hospital was awarded by the Tender Board to Mr Ronald Rasebotsa, a cousin of the chief minister of Lebowa, although he had tendered about R227 000 more than the lowest tender.²⁴⁶ [²⁴⁶ *Sowetan*, *The Star* 16 April 1993]

Mr van den Berg said during the tabling of Bophuthatswana's 1993/94 budget in May 1993 that the homeland was gearing its finances towards greater independence from the central government. He added that the administration's strategy should be such that expenditure was limited to such an extent that 'any possibility of needing additional finance from outside sources to balance our books ... is avoided'.²⁴⁷ [²⁴⁷ *The Star* 7 May 1993]

An audit of KwaNdebele's expenditure for the 1991/92 financial year by the South African auditor general, which was published in August 1993, revealed unauthorised expenditure to the value of R4m out of a total budget of R421m. The report stated that there was a 'serious shortage of control measures and in some cases a total absence of control'. In some cases there was also a lack of documentary evidence of expenditure, the audit found. These shortcomings had resulted in unnecessary expenditure,

overpayment of accounts and noncollection of debts and taxes. The auditor general also cited cases of alleged corruption in the allocation of administrative tenders and the issuing of fuel vouchers.²⁴⁸ [²⁴⁸ *The Citizen* 18 August 1993] However, the KwaNdebele administration denied that these allegations were true and accused the central government of seconding ‘rejects and inefficient officials’ to audit the accounts of the homeland. KwaNdebele claimed that the greater part of unauthorised expenditure had gone to the building of classrooms.²⁴⁹ [²⁴⁹ *The Star* 19 August 1993]

The chairman of the South African Communist Party, Mr Joe Slovo, proposed to the Negotiating Council at Kempton Park (east Rand) in August 1993 that funds to homelands which did not join the Transitional Executive Council (TEC) should be cut (see also chapter on *Constitutional Change*). He added that the transfer of funds to ‘recalcitrant’ homelands could undermine the aims of the TEC. The secretary general of the ANC, Mr Cyril Ramaphosa, concurred, saying that it was the South African taxpayer who was keeping the homelands going. Bophuthatswana’s chief negotiator, Mr Rowan Cronje, responded by saying that this issue should be discussed in bilateral negotiations rather than in the Negotiating Council (see also chapter on *Constitutional Change*).²⁵⁰ [²⁵⁰ *The Citizen*, *The Star* 31 August 1993]

The auditor general’s reports on five non-independent homelands were tabled in Parliament in September 1993. The reports, covering 1989 to 1992, found evidence of serious maladministration. Overexpenditure and losses over that period amounted to about R50m. The auditor general, Mr Henri Kluever, was unable to express an opinion on the accounts of KaNgwane, KwaNdebele and Lebowa because of irregularities or failure to submit returns. Mr Kluever said however, that the accounts of KwaZulu and QwaQwa showed evidence of ‘theft, administrative incompetence and a serious lack of control’.²⁵¹ [²⁵¹ *Daily Dispatch* 25 September 1993, *Sunday Times* 26 September 1993]

Lebowa’s Finances

In September 1993, following a deterioration in the financial affairs of the Lebowa administration, the central government intervened and assumed control of the finances of the homeland. (Action taken included the freezing of all cheques issued by the Lebowa administration.) In a statement announcing the takeover, the minister of regional and land affairs, Mr André Fourie, said that this step had become necessary in the interests of South African taxpayers. The failure of the Lebowa Legislative Assembly to pass its 1993/94 budget within the prescribed time had given the central government the statutory right to intervene in accordance with the Selfgoverning Territories Constitution Act of 1971, he said. A government task force was sent to Lebowa immediately following Mr Fourie’s announcement to take control of the homeland’s finances. The state president, Mr F W de Klerk, issued a proclamation empowering Mr Fourie to draw against the Lebowa expenditure account to meet the homeland’s financial obligations.²⁵² [²⁵² *Business Day*, *Sowetan*, *The Citizen*, *The Star* 1 September 1993]

Events leading up to the intervention included a request by the Lebowa administration in April 1993 for additional funding of R360m for the 1992/93 financial year; a report by the central government’s structural adjustment programme secretariat highlighting irregularities; and a letter from the auditor

general to the director general of regional and land affairs which had described the financial situation in Lebowa as ‘serious’. Mr Fourie said that an investigation would be launched into financial irregularities in the Lebowa administration. He added that allegations that officials had been upgrading their posts and authorising salary back-payments of up to five years had been confirmed by the office of the auditor general.²⁵³ [²⁵³ Ibid]

The chief minister of Lebowa, Mr Nelson Ramodike, said that it was ‘nonsensical to suggest that any money has been misappropriated. [Mr] Fourie is blowing the matter out of all proportion. We have nothing to hide’.²⁵⁴ [²⁵⁴ *Business Day* 1 September 1993] Mr Ramodike added that his administration’s financial crisis was the result of inadequate allocation of funds by the central government. The Lebowa cabinet had, therefore, refused to accept the budget. However, Mr Ramodike welcomed the investigation into irregularities and said that if any officials had unduly enriched themselves, ‘the law must take its course’.²⁵⁵ [²⁵⁵ *The Citizen*, *The Star* 2 September 1993]

The ANC called the government’s action ‘hypocritical’ and ‘arrogant’ in view of the government’s ‘inability’ to deal with ‘ministers and civil servants within its own government who had been implicated in similar acts’. The ANC added that the government had chosen to deal with a homeland administration which was more vocal in its opposition to the government’s policies.²⁵⁶ [²⁵⁶ *The Citizen* 2 September 1993] Mr Kobus Jordaan MP (Democratic Party) welcomed the government’s move but said that the subcouncil on regional and local government of the TEC should be given control of expenditure in the non-independent homelands. The Pan-Africanist Congress said that it regarded the takeover of Lebowa’s finances as ‘long overdue’.²⁵⁷ [²⁵⁷ *The Star* 2 September 1993]

Mr Fourie pointed out later in the same month that the government’s representatives in Lebowa were being prevented from doing their job by the lack of co-operation of Lebowa officials. The central government insisted that all Lebowa administration salaries be paid out according to March 1993 scales, thus revoking the salary increases granted in April. According to the government, if Lebowa’s ruling salary scales were adhered to the homeland would run out of funds by November 1993. The Lebowa administration opposed the move. Mr Fourie subsequently withdrew South African government officials from Lebowa for fear that their safety could not be guaranteed.²⁵⁸ [²⁵⁸ *Sowetan*, *The Citizen*, *The Star* 23 September 1993; *Business Day* 25 September 1993]

In late September 1993 the South African government was awarded an interdict against the Lebowa administration in the Transvaal Provincial Division of the Supreme Court in Pretoria, in terms of which officials of the Lebowa administration were prohibited from printing or sending out salary cheques, and from destroying or tampering with material or equipment at the administration’s central computer centre. The Supreme Court ordered Lebowa to allow South African officials to assume full control of the computer centre. South African officials subsequently resumed their task of issuing salary cheques and investigating alleged maladministration under the protection of a unit of the South African Police (SAP).²⁵⁹ [²⁵⁹ *Business Day*, *The Citizen*, *The Star* 28 September 1993]

Mr Ramodike later called for the homeland's financial administration to be placed under the direct control of the TEC. Once it was established, the TEC's subcommittee on finance should independently investigate allegations of corruption and inefficiency in Lebowa's financial management, he said. He demanded the immediate withdrawal of the SAP from Lebowa. Mr Ramodike claimed that the crisis had been politically inspired and that it was being used by the government for 'electioneering purposes'.²⁶⁰ [260 *Business Day*, *The Star* 29 September 1993] Mr Fourie responded by saying that the TEC had not yet begun operating and that its finance subcommittee would have no administrative capability to perform the task outlined by Mr Ramodike.²⁶¹ [261 *Business Day* 1 October 1993]

The Self-governing Territories Constitution Amendment Bill was tabled in Parliament in September 1993 following the crisis in Lebowa. The bill sought to give the state president the power to perform or exercise executive powers, authorities and functions in territories where the administration was in danger of collapsing or where actions by the administration would place 'unreasonable financial obligations' on the revenue fund of the administration or the central government (see also chapter on *Constitutional Change*).²⁶² [262 Self-governing Territories Constitution Amendment Bill, B 168B-93 (GA)] The bill was enacted shortly thereafter.

Additional Comments on Homeland Financing

A director of Econometrix, Dr Azar Jammie, estimated in February 1993 that the reincorporation of the non-independent homelands could bring about an annual saving of at least R2bn. He said that 'big savings' were possible at the executive and administrative levels. Dr Jammie added that he hoped that under a new constitution funds would be far more closely monitored, thereby eliminating much of the 'wastage' by the homeland administrations.²⁶³ [263 *Business Day* 3 February 1993]

The chairman of the Independent Development Trust, Professor Wiseman Nkuhlu, said in May 1993 that 'independence' from the central government had not yielded tangible economic benefits to the four 'independent' homelands. The degree of economic dependence continued to be very high. In 1992/93 the 'independent' administrations raised only 16,8% of total expenditure from their own tax structures, he said. Central government provided the balance. Professor Nkuhlu said that he was 'in no doubt that there can be positive benefits from reincorporation. While it will reduce regional autonomy on matters such as taxation and business development strategies, the ['independent' homeland administrations] have never had real control over their economies. The South African Reserve Bank has always retained control of financial policy'. Professor Nkuhlu believed that reincorporation would increase development support to these homelands from non-governmental organisations and international development agencies which had been reluctant in the past to become involved with the homelands. Existing development institutions in the homelands would also be rationalised after reincorporation, he said.²⁶⁴ [264 *The Star* 26 May 1993]

According to the executive director of the South African Institute of Race Relations, Mr John Kane-

Berman, there were not only disparities in income and state expenditure between blacks and whites but also between regions and especially between the former white-designated area and the homelands. He added that reintegrating the ten homelands with the rest of the country 'will cost far more in equalising public spending than it will save in dismantling ethnic bureaucracies. It is well known that the state spends more on white people than on black. Less well known is that rural black people are the victims of double discrimination when it comes to state spending: once because they are black, and then again because they live in the homelands'. Mr Kane-Berman also said that if public spending on people in the homelands had been on the same level as on people outside them, the cost would have been an extra R28bn on the 1990/91 national budget. 'This is what it would have cost merely to bring homeland spending up to the level of non-homeland spending, without altering the racially discriminatory structure of such spending,' he said.²⁶⁵ [²⁶⁵ *Business Day* 21 May 1993]

Development Bank of Southern Africa

The chief executive of the Development Bank of Southern Africa (DBSA), Mr Andre la Grange, said in January 1993 that the bank had started a major restructuring programme and that it also intended to distance itself from homeland administrations. Its objective was to align itself more closely with the communities the bank served and to reduce the time taken to approve projects. Mr la Grange confirmed that the DBSA would no longer be responsible for financial arrangements between regional administrations and the central government.²⁶⁶ [²⁶⁶ *Ibid* 8 January 1993]

In its 1993 annual report the bank said that reconstruction and development required the involvement of all stakeholders in the community. However, divisions within communities were making agreement on development difficult to achieve, Mr la Grange said.²⁶⁷ [²⁶⁷ Development Bank of Southern Africa (DBSA), annual report 1993; *The Weekly Mail* 25 June 1993] Furthermore, development institutions which had the ability to participate in development projects sometimes lacked legitimacy while those organisations which had legitimacy were not in a position to participate effectively yet.²⁶⁸ [²⁶⁸ *Business Day* 25 June 1993]

In the year ended March 1993 the DBSA committed R1,75bn to 169 new projects. However, disbursements declined for the second consecutive year to R449m, of which 99% were loans. The decline in disbursements occurred owing to growing uncertainty by borrowers regarding their ability to take up long-term loans and the unstable and volatile development environment. The poor economic climate and the drought in 1992 had also shifted attention from longer-term development to relief efforts, the DBSA said.²⁶⁹ [²⁶⁹ DBSA, annual report 1993]

Taxation

The South African Chamber of Business (Sacob) recommended to the minister of finance, Mr Derek Keys, in August 1992 that the following steps should be considered in the 1993/94 budget in an effort to

build confidence in the economy:²⁷⁰ [270 Sacob, *The 1993/94 Budget: A South African Chamber of Business View*, 20 August 1992]

- a reduction in the corporate tax rate. In recent years effective tax rates in South Africa had been increasing while nominal rates had remained static. In the rest of the world, the trend was towards lower corporate taxes, both nominally and effectively. South Africa's nominal corporate tax rate was 48%, compared with 38% in Britain and 34% in Germany, while the effective tax rate was above 30% in South Africa and about 14% in Germany and Britain;
- compensation for 'bracket creep' on personal income tax;
- the elimination of the import surcharge tax; and
- a reduction in tax on marketable securities.

According to the government's normative economic model, published in March 1993, South African taxpayers perceived the current levels of personal and company taxes as 'too high compared to the public benefits they perceive to flow from government expenditures, and to the levels of such taxes in other middle-income countries'. The perception of a high level of taxation deterred investment, the model argued.²⁷¹ [271 Department of Finance, *The Key Issues in the Normative Economic Model*, March 1993]

The model suggested that if economic growth were to create employment, the absorption of the bulk of the labour force into the formal sector would broaden the tax base sufficiently to enable the government of the day to meet the 'common needs' of the population.²⁷² [272 Central Economic Advisory Service, *The Restructuring of the South African Economy: A Normative Model Approach*, March 1993, p34] According to the model, price-distorting tax concessions should be avoided in the future, but if such measures were introduced they should be of a temporary nature. In restructuring the tax system measures such as reductions in tax rates, tax holidays, and other incentives that could improve the general investment climate without benefiting certain production factors at the expense of others should be introduced, it said.²⁷³ [273 Ibid, p97]

According to the model, lower tax rates would make more funds available to the private sector for more productive investment, and would also reward greater productivity and efficiency more directly. The model envisaged a reduction in company tax from 48% to 40% by 1997, which would also strengthen the competitiveness of South African producers. It was also hoped that in a growing economy total taxable profits would increase, thereby raising more government revenue in a 'healthy and sustainable way'. Individual taxation would be lowered from 43% to 40% over the same period, the model suggested. Both measures were necessary in order to stop the downward trend in personal savings. The model proposed that direct personal tax as a proportion of gross domestic product should drop from 8,1% to 5,6% (its level in 1984).²⁷⁴ [274 Ibid, p109; Department of Finance, *The Key Issues in the Normative Economic*

Model, March 1993]

According to the model, the country's total tax burden had shown a continuous increase from the early 1960s owing to the sharp increases in current government expenditure and the weakening of the tax base as the country's growth capacity had deteriorated. The model regarded it as necessary to increase indirect taxes such as value added tax (VAT). An increase in indirect taxes would have a smaller negative effect on the domestic savings ratio than an increase in direct taxes. However, indirect taxes should be raised to a lesser extent than that to which direct taxes were lowered, the model suggested.²⁷⁵ [275 Central Economic Advisory Service, *The Restructuring of the South African Economy: A Normative Model Approach*, March 1993, p119–120] Furthermore, the normative economic model pointed out that the net tax burden on certain sections of the population was already exceptionally high. A further increase 'could smother initiative and lead to a further outflow of capital and high-level manpower. This would seriously handicap rather than promote employment and socio-economic reform'.²⁷⁶ [276 *Ibid*, pp130–131]

The minister of finance, Mr Derek Keys, announced in his budget speech in March 1993 that the company tax rate would be reduced from 48% to 40% and that a tax of 15% would be levied on all profits distributed by companies. He added that the dual tax rate would encourage companies to exploit investment opportunities.²⁷⁷ [277 Mr Derek Keys, minister of finance, budget speech, 17 March 1993] The 1993 *Budget Review* said that the government's fiscal position was such that any adjustment to personal tax rates in 1993/94 was precluded. The budget did not provide any relief from fiscal drag. 'Once economic growth is on course and state expenditure more firmly contained, progress can be made in reducing this tax, as envisaged in the normative economic model,' Mr Keys said.²⁷⁸ [278 Department of Finance, *Budget Review*, 17 March 1993]

A lecturer in the Department of Business Economics at the University of the Witwatersrand, Mr Sinclair Davidson, said in March 1993 that the secondary tax on companies would provide neither an impetus for growth nor be an economically efficient incentive for business. The secondary tax was the 'antithesis of a market where individuals choose freely how they organise their companies'. He said that companies which had fewer or no new investment opportunities would be penalised by this tax for paying out excess cash as dividends. Individuals who chose to buy traditionally high dividend shares in order to earn income would also be penalised. However, the group tax consultant for the Anglo American Corporation of South Africa, Mr Marius van Blerck, said that the positive aspect of the secondary tax was that companies with possible investment opportunities would be encouraged to invest retained earnings in such projects. He added that the shareholders would benefit ultimately if these investment decisions proved to be wise.²⁷⁹ [279 *Business Day* 26 March 1993]

During 1992/93 income tax receipts from individuals rose by 7,5%, according to the 1993 annual report of the South African Reserve Bank. The report said that in the preceding five years the average annual increase in such income had been 23,5%. The lower rate of increase in 1992/93 was attributed to lower salary and wage increases, the decline in job opportunities in the formal sector, and the effect of the recession and of the drought on the income of non-company enterprises. Receipts of company income tax increased by 5,5% in 1992/93. However, this was lower than the average annual increase over the

preceding five years (which was about 10%).²⁸⁰ [²⁸⁰ SARB, annual economic report 1993]

Value Added Tax

Sacob said in its submission to Mr Keys in August 1992 that value added tax (VAT) should not be increased above its present levels in the 1993/94 budget, even though there was an international trend towards higher levels of indirect taxation. Sacob said that if VAT were to be increased political opposition would be ‘enormous’ and the government would face the risk of compromising on ‘the integrity of the system by introducing different rates for foodstuffs and other “essentials”’. It is unlikely that the system would yield more tax under such circumstances’.²⁸¹ [²⁸¹ Sacob, *The 1993/94 Budget: A South African Chamber of Business View*, 20 August 1992]

In February 1993 the general secretary of the Congress of South African Trade Unions (Cosatu), Mr Jay Naidoo, said that the federation was in favour of no increase in both direct and indirect taxes in the 1993/94 budget.²⁸² [²⁸² *The Citizen* 3 February 1993]

Econometrix said in the same month that if VAT was not increased and other taxes were not raised to reduce the deficit, and if large capital outflows continued, monetary policy might have to be tightened even if the inflation rate remained low. It added that although a smaller increase in the rate of VAT would mean a smaller short-term rise in the inflation rate, it would mean a higher budget deficit and a bigger public debt, which would increase the potential for higher inflation in the longer term.²⁸³ [²⁸³ *The Star* 9 February 1993]

The VAT co-ordinating committee (VCC), representing 94 organisations, including unions, and welfare, relief and community organisations, submitted the following proposals to Mr Keys in March 1993: the zerorating of basic foods, electricity, medicine and medical services, and water; assistance to small businesses to cope with the effects of VAT; the urgent establishment of an emergency feeding scheme; and the immediate equalisation of pensions. The VCC estimated that the cost of government corruption and mismanagement was equivalent to three percentage points of the existing VAT rate of 10%. The convenor of the VCC, Dr Bernie Fanaroff, said that the main purpose of VAT had been to bring down production costs and to increase capital investment. However, the government had turned it into a ‘revenue-collecting machine’.²⁸⁴ [²⁸⁴ *The Star* 2 March 1993, *Sowetan* 3 March 1993]

The Transvaal Agricultural Union also requested the zero-rating of essential foodstuffs such as dairy products, grain products and meat. VAT on these foods would place a burden on consumers, as well as producers, because consumer buying power would be reduced and demand would shrink, the union said.²⁸⁵ [²⁸⁵ *Business Day*, *The Citizen* 17 February 1993] The chairman of the Food Logistics Forum and chairman of Pick ‘n Pay, Mr Raymond Ackerman, also called on Mr Keys to zero-rate additional basic food items.²⁸⁶ [²⁸⁶ *Business Day* 3 March 1993]

However, after negotiations between Mr Keys and the VCC in March 1993, the minister announced that the following additional foodstuffs would be exempt from VAT as from 7 April 1993:²⁸⁷ [²⁸⁷ Information provided by Inland Revenue, Department of Finance, 11 March 1993]

- brown wheaten meal;
- cultured milk (including cultured high-fat milk, cultured full-fat milk, cultured low-fat milk and cultured fat-free milk);
- eggs, whether supplied in their shells or in the form of egg pulp;
- fruit (other than nuts) not cooked or treated in any way. Bottled, canned, dehydrated and dried fruit was excluded;
- legumes and pulses (crushed, dried, skinned, split, whole or in powder form);
- milk from cattle, goats or sheep which had not been concentrated, condensed, cultured, evaporated, flavoured or sweetened;
- rice, whether husked, milled, polished, glazed, parboiled or broken;
- vegetable oil for cooking, but excluding cotton-seed oil, olive oil and soya-bean oil; and
- vegetables which had not been cooked or treated in any manner. Bottled, canned, dehydrated or dried vegetables were excluded.

Mr Keys said that the zero-rating of products weakened the efficiency of the VAT system and distorted relative prices. He added, 'We can accept these disadvantages in the particular context of these agreed changes which represent a meeting of the minds of two parties formerly at loggerheads'. However, on the issue of the zero-rating of electricity, medical services, medicines and water the Department of Finance maintained its view that a change in the 'rating for VAT purposes would be a wasteful, expensive and inappropriate remedy, and that direct focused action [ie special assistance to those in need] by the responsible authorities is the preferred alternative'.²⁸⁸ [²⁸⁸ Announcement by Mr Derek Keys, minister of finance and of trade and industry on the zero-rating of basic foodstuffs, 10 March 1993]

The VCC regretted the decision not to zero-rate red and white meat, white bread, fish and electricity, medical services, medicines and water but said that this was the 'best that could be achieved at the present time'.²⁸⁹ [²⁸⁹ *Business Day, The Star* 11 March 1993] Cosatu emphasised that the zero-rating of certain foodstuffs should not be seen as a trade-off for an increase in the rate of VAT.²⁹⁰ [²⁹⁰ *The Citizen* 11 March

1993] Mr Ken Andrew MP (Democratic Party) welcomed the zero-rating of more foodstuffs but said that this move by the government represented 'yet another chapter in the ongoing saga of the government's mismanagement of the introduction of VAT to South Africa'. Medical services should also have been zero-rated, Mr Andrew believed. The Inkatha Freedom Party regretted the fact that sorghum and millet had not been included in the exemptions.²⁹¹ [²⁹¹ *Business Day*, *The Citizen* 12 March 1993]

According to estimates by Sacob, the zero-rating of additional foodstuffs would cost the government R850m in 1993/94 in revenue. This was almost twice the annual cost of the poverty safety net designed originally to counteract the effect of VAT on the poor. Sacob said that the government would have to raise VAT by one percentage point merely to maintain 1992/93 revenues.²⁹² [²⁹² *Business Day* 12 March 1993] Total tax concessions on food, including earlier exemptions (see 1992/93 *Survey* pp563–564), would amount to R1,5bn.²⁹³ [²⁹³ *The Star* 12 March 1993]

In his budget speech later that month Mr Keys announced that the rate of VAT would increase from 10% to 14% with effect from 7 April 1993. He said that the rationale for raising VAT was that it would finance about R6bn worth of the deficit; indirect taxes as a proportion of total revenue had been declining for a number of years and VAT had the smallest adverse impact on growth. Mr Keys said that the effect of the increase in VAT on the consumer price index was expected to be about two percentage points. He did not expect this increase would affect poorer consumers as much because of the broadening of the zero-rated food classification. These exemptions would cost the government R1,9bn in revenue, he said.²⁹⁴ [²⁹⁴ Mr Derek Keys, minister of finance, budget speech, 17 March 1993]

The general secretary of Cosatu, Mr Jay Naidoo, deplored the increase in VAT saying that it would have a negative impact on South African society.²⁹⁵ [²⁹⁵ *The Star* 18 March 1993] Mr Jannie Momberg MP (Independent), who was a member of the African National Congress (ANC), said that the ANC regarded VAT as an 'attack on the living standards of the workers and the poor'. He added that the ANC believed that the 'rumours and reports of corruption [in the government] make it extremely difficult for the person in the street to accept this higher taxation'.²⁹⁶ [²⁹⁶ *Hansard* (joint sitting) 9 cols 4083-4085, 1 April 1993]

Mr Geoff Engel MP (DP) said that the government's intention to shift the burden of taxation from direct to indirect tax was in essence moving a greater proportion of the tax base from the more privileged communities to the poor.²⁹⁷ [²⁹⁷ *Hansard* (joint sitting) 9 col 4076, 1 April 1993]

According to Mr Keys, the estimated cost of zero-rating medical services and medicines at a VAT rate of 14% in 1993/94 would have been R550m. Exempting garbage disposal, rates, sanitary services and water exemptions from VAT would have amounted to an additional R570m, while exempting red and white meat (excluding sausages) would have meant a loss of R1,75bn. Mr Keys said that if all these products and services were zero-rated the VAT rate would have to be set at about 15,5% to generate the same revenue for the state.²⁹⁸ [²⁹⁸ *Hansard* (joint sitting) 9 col 4102, 2 April 1993]

Economic Policy

Regional Industrial Development Programme

The deputy minister for regional development, Mr André Fourie, said in February 1993 that for every R1 that the government paid out in concessions under the regional industrial development programme (RIDP), a contribution of R12,26 had been made to gross domestic product. Mr Fourie added that despite criticism of the programme it had established 4000 projects and created 400 000 direct job opportunities since 1982. The revised scheme, which was announced in May 1991 (see 1991/92 *Survey* pp442–444), had attracted investment worth R4bn, of which about 33% was from foreign sources, he said.²⁹⁹ [²⁹⁹ *The Citizen* 2 February 1993]

In reply to a question in Parliament in March 1993 the minister of regional and land affairs, Mr Jacob de Villiers, said that R631m had been paid out in 1991/92 under the RIDP as concessions to secondary industries. An amount of R684m had been paid out for the same purpose in 1992/93.³⁰⁰ [³⁰⁰ *Hansard* (A) 7 q cols 617-618, 17 March 1993]

The new minister of regional and land affairs, Mr André Fourie, said in Parliament in April 1993 that the RIDP was ‘a viable and very effective method of promoting economic and industrial development throughout the country, of creating wealth in the process, of establishing more employment opportunities and of ensuring a more equitable distribution of development and progress’. He also pointed out that the new scheme was aimed at regional economic development rather than at spreading industry to rural areas and that it was not based on ‘pure political expediency’. Mr Fourie said that the current recession and political instability were inhibiting the planned progress of the scheme.³⁰¹ [³⁰¹ *Hansard* (joint sitting) 13 cols 6525-6526, 30 April 1993]

According to figures supplied by the Board for Regional Industrial Development, the RIDP had attracted investment worth R6,26bn between August 1991 and May 1993. During this period 569 projects had qualified for concessions, of which 280 were approved between September 1992 and May 1993. Most of the investment focused on underdeveloped regions where unemployment was highest.³⁰² [³⁰² *Business Day* 21 June 1993]

At the end of June 1993 decentralisation subsidies on electricity, rentals and transport to industries in the ‘independent’ homelands were stopped, in accordance with the new RIDP. The executive director of the Transkei Chamber of Industries, Mr Les Holbrook, said that the Transkei could lose business if the central government did not take compensatory action. Mr Holbrook added that there had been no new investment in the Transkei for four years.³⁰³ [³⁰³ *Ibid* 1 July 1993]

In 1993/94, R739m was allocated to the RIDP, of which 66% was to be spent on projects approved under the old industrial development programme.³⁰⁴ [³⁰⁴ *Ibid* 15 July 1993]

In September 1993 the Board for Regional Industrial Development announced that the RIDP would be modified to make it easier for smaller businesses to qualify for assistance. The board aimed to create directly 20000 new jobs a year through this more ‘user-friendly’ incentive scheme which would become operational in October 1993. A further 53 000 jobs would also be created indirectly.³⁰⁵ [³⁰⁵ Ibid 24 September 1993]

Economic Policy Proposals

African National Congress

In its document entitled *Ready to Govern*, adopted in May 1992, the African National Congress (ANC) proposed a national economic strategy with two principal components:³⁰⁶ [³⁰⁶ African National Congress, *Ready to Govern, Policy Guidelines for a Democratic South Africa*, adopted at the national conference, 28-31 May 1992]

- redistribution programmes to meet the needs of the people; and
- the restructuring of the South African economy on the basis of new, comprehensive and sustainable growth and development strategies for all sectors of the economy.

The document said that emphasis would be placed on macro-economic balance, including price stability and a balance of payments equilibrium. A ‘dynamic’ private sector was also envisaged and a small business sector would be actively encouraged.³⁰⁷ [³⁰⁷ Ibid]

The deputy head of the ANC’s department of economic planning, Mr Tito Mboweni, said in March 1993 that an ANC government would examine the possibility of privatising Mossgas, the government’s controversial gas-to-liquid-fuel project. Mossgas had come under criticism owing to its high development costs and its poor cost-effectiveness. Mr Mboweni said that the private sector should be offered the opportunity to increase its participation in the project.³⁰⁸ [³⁰⁸ *The Citizen* 11 March 1993]

The head of the ANC’s department of economic planning, Mr Trevor Manuel, said in April 1993 that an ANC government would prefer an endorsement of its policies by the International Monetary Fund (IMF) rather than loans which circumscribed its decision-making. He added that any economic programme for South Africa should be drawn up by South Africans and that it should not be imposed by the IMF.³⁰⁹ [³⁰⁹ *Business Day* 27 April 1993]

In May 1993 Mr Manuel said that the ANC aimed to repeal exchange controls ‘eventually’. Foreign investors should operate under a ‘transparent code’, allowing them to repatriate earnings and capital

freely, Mr Manuel added.³¹⁰ [³¹⁰ *Financial Mail* 28 May 1993]

Addressing the Italian–South African Chamber of Commerce in June 1993, Mr Mboweni proposed a ‘reconstruction levy’ similar to that used after the Second World War to reconstruct West Germany.³¹¹ [³¹¹ *Sunday Tribune* 27 June 1993] Clarifying his proposal for a reconstruction levy later in the same month, he said that individuals and corporate groups would be expected to contribute a once-off proportion of the value of their fixed assets and income for reconstruction (5% and 15% were proposed respectively). He added that such a levy would raise a far greater amount than a capital gains tax would. Funds raised by the reconstruction levy would not be directed to the state treasury but into a special reconstruction fund for socio-economic development programmes, compensation and reparation.³¹² [³¹² *The Star* 30 June 1993, *Business Day* 26 July 1993]

Mr Mboweni’s proposals (which, he said, were not official ANC policy) were criticised in many quarters. However, he said in response that the budget would not be able to cope with the demands on it to finance socio-economic development without increasing the tax burden (which, he said, was already too high) or increasing the budget deficit.³¹³ [³¹³ *Business Day* 19 July 1993] Although Mr Mboweni did not specify how such a levy would be implemented, it was expected that its threshold level would exclude lower-income taxpayers.³¹⁴ [³¹⁴ *The Star* 29 July 1993]

Speaking in Cape Town in September 1993, the president of the ANC, Mr Nelson Mandela, said that ‘there is no danger of [the ANC] dispossessing people of property’. As in West Germany the ANC wanted a clause in the constitution allowing nationalisation. Mr Mandela added that private land would not be affected by redistribution since the ANC would seek to use land under the control of the South African Defence Force when compensating those who had lost their land. He declined to rule out the possibility of a wealth tax or the nationalisation of mines and banks.³¹⁵ [³¹⁵ *Business Day* 9 September 1993]

Mr Manuel said in the same month that the ANC was committed to creating conditions which would support mining investment, including guarantees against nationalisation without compensation.³¹⁶ [³¹⁶ *Ibid* 10 September 1993] Also in September 1993, Mr Mboweni said that the ANC believed that the maximum market share held by any one company should be defined through legislation in order to do away with monopolies. The maximum proportion permissible was currently being discussed, he said. He reiterated that the ANC was in favour of anti-trust legislation which would provide for a separation between interlocking directorships (see also chapter on *Business*).³¹⁷ [³¹⁷ *Business Day*, *The Citizen* 29 September 1993] Mr Mboweni also said that a land tax to induce owners to sell excess land, and legislation imposing a ceiling on land ownership and multiple ownership of farms were among the methods the ANC was considering to redistribute wealth.³¹⁸ [³¹⁸ *The Citizen* 30 September 1993]

Speaking in October 1993 a tax adviser to the ANC, Professor Dennis Davis, said that the reconstruction levy remained a possibility, although it could be replaced by a capital transfer tax. Professor Davis said that a government led by the ANC would probably focus on a capital transfer tax and on narrowing the

gap between effective and nominal rates of company tax as a means of funding social expenditure. He added that value added tax (VAT) would remain unchanged unless poverty relief structures proved inadequate, in which case a multiple VAT rate would be introduced.³¹⁹ [³¹⁹ *The Star* 21 October 1993]

Afrikaner Volksunie

According to the leader of the Afrikaner Volksunie, Mr Andries Beyers, wealth could be created only by a 'fresh commitment to higher productivity' and not by taking wealth from people who created jobs to give it to others for 'political reasons'. A free-enterprise system would be a necessary prerequisite for foreign investment, he said.³²⁰ [³²⁰ *Barometer* May 1993]

Azanian People's Organisation

According to the deputy president of the Azanian People's Organisation (Azapo), Mr Pandelani Nefolovhodwe, the focus of an Azapo-led government would be on economic growth, education, the housing shortage, poverty, unemployment and advancing the interests of the working class. He added that 'successful political change has the effect of creating ... confidence which can attract foreign investors and ... boost the national economy'. He cautioned that foreign investment was not synonymous with economic growth. Mr Nefolovhodwe said that big companies such as the Anglo American Corporation of South Africa, De Beers and Barlow Rand should be 'socialised' (ie such companies should allow greater worker participation in their ownership and management, although this would not necessarily have to occur through nationalisation). Much of the country's wealth would then accrue to the producers of it (ie the labour force), thereby raising their standard of living. Redistribution was a means to ensure that the wealth of the country was not left in the hands of a minority of the total population. 'It has to do with making sure that the wealth is shared equally and that it serves the interests of the majority', he said. Mr Nefolovhodwe added that the 'equalisation process' would take five to ten years.³²¹ [³²¹ *Ibid*]

Congress of South African Trade Unions

At a special congress of the Congress of South African Trade Unions (Cosatu) in September 1993 a draft proposal for a reconstruction and development programme developed by Cosatu and the ANC was accepted as a working document. The document said that the financing of housing and other aspects of social infrastructure was a priority. Reconstruction should be financed partly through contractual savings, it said. According to a member of Cosatu's negotiating team at the National Economic Forum, Mr Alec Erwin, foreign borrowing should be targeted at those areas that would lead most rapidly to increased exports, thus alleviating rather than exacerbating the problem of low foreign-exchange reserves. He added that progressive income tax remained necessary, not only to raise revenue for reconstruction but also to redress income inequality. Furthermore, Cosatu did not believe in a 'low-wage economy path', nor was it advocating high wages in isolation, as the purchasing power of higher wages

would shrink, together with employment, Mr Erwin said. Cosatu favoured wages linked to the restructuring of industry, job creation and training, he said.³²² [³²² *Business Day* 15 September 1993]

Conservative Party

Dr Pieter Mulder MP (Conservative Party) said in May 1993 that a forced redistribution of wealth was not a long-term solution to economic inequalities. He emphasised that in a free-market economy wealth was brought to the poor through development and economic growth. The developed western world should not be regarded as a model for solving South Africa's problems, Dr Mulder said. He added that 'socialism and welfare states are experiments and dreams with which developed countries can afford to experiment. For developing countries these are unaffordable luxuries'.³²³ [³²³ *Barometer* May 1993]

Democratic Party

The Democratic Party (DP) announced a five-point 'economic rescue strategy' in September 1993. The leader of the DP, Dr Zach de Beer, said that economic recovery would not be secured by the lifting of sanctions alone. It was necessary, therefore, to implement a strategy which would create growth and jobs. The policy of the DP was aimed at:³²⁴ [³²⁴ *Business Day* 1 October 1993]

- alleviating the tax burden on middle-income earners through greater efficiency in state expenditure, privatisation and the introduction of a lottery to fund welfare expenditure. Dr de Beer said that a middleincome tax cut was necessary to develop 'latent entrepreneurial potential';
- initiating a massive labour-intensive housing and development programme in conjunction with the private sector;
- establishing export processing zones and redressing tariff imbalances;
- implementing deregulation and rationalisation to improve efficiency in state expenditure; and
- privatising state assets, such as Telkom and the South African Airways, to raise revenue, promote efficiency and reduce the budget deficit.

Government

The Central Economic Advisory Service published a document entitled *The Restructuring of the South African Economy: A Normative Model Approach* in March 1993. According to the minister of public enterprises, Dr Dawie de Villiers, it was to serve merely as a discussion document and did not represent

the views of a specific political party. He believed that the implementation of such a programme should be depoliticised as far as possible.³²⁵ [³²⁵ Central Economic Advisory Service, *The Restructuring of the South African Economy: A Normative Model Approach*, March 1993] The model aimed to recommend policies that would increase growth per capita and employment, as well as reduce inflation and increase the share of income enjoyed by the poorest 40% of households in South Africa. The model also aimed to increase investment, improve the return on investment and re-establish a stable financial environment.³²⁶ [³²⁶ Department of Finance, *The Key Issues in the Normative Economic Model*, March 1993]

The document said that socio-economic upliftment should not be implemented at the expense of development in the 'modern sector' (ie the formal sector) as it would bring only short-term benefits. 'Sustainable solutions to the country's socio-economic problems are, therefore, not to be found in the financing of upliftment programmes through continual increases in the tax burden, but rather in a broadening of the tax base ... the tax burden should actually be lightened to promote economic growth.'³²⁷ [³²⁷ Central Economic Advisory Service, *The Restructuring of the South African Economy: A Normative Model Approach*, March 1993, p34]

In order to increase imports special tariffs should be offered to industries that made a direct contribution to the better use of available capacity, the document said. The strengthening of the competitiveness of South African producers required the removal of import tariffs, taxes and subsidies, it added (see also chapter on *Business*). Investment in socio-economic infrastructure should focus on capital projects that did not have recurring expenditure, the document said.³²⁸ [³²⁸ Ibid, pp60-62]

According to the document, large enterprises did not hamper competition. However, the report added that the deciding factor was the behaviour of such enterprises. Therefore, it was 'essential that both the structure and the behaviour of the market should be monitored thoroughly by ... responsible institutions'.³²⁹ [³²⁹ Ibid, pp71-72]

On the issue of privatisation the document stated that replacing public monopolies with private ones should be avoided. Privatisation would be appropriate where, for example, the relevant activity belonged in the private sector; there was sufficient competition or scope for competition; the involvement of the private sector would lead to greater efficiency and improved utilisation of scarce production factors; political intervention in the functioning of the relevant enterprise was counterproductive; the proceeds of the sale of assets could be used to finance socio-economic infrastructure and promote small business development; and employees could acquire an interest in their own enterprise.³³⁰ [³³⁰ Ibid, pp85-86]

Economic growth would have to create as much employment as possible because employment would in turn increase production, employment opportunities and the income of a larger proportion of the population, the document said. The report emphasised that sustained monetary discipline and positive real interest rates were important for the promotion of employment-creating economic growth.³³¹ [³³¹ Ibid, pp204-206]

A reconsideration of the government's responsibilities and the manner in which they should be fulfilled was also recommended. This would allow the government to curtail growth in its expenditure and would require that spending priorities be rearranged, with the emphasis on socio-economic reform. The model also favoured a reduction of the tax burden, reform of the tax structure and the elimination of price-distorting tax measures.³³² [³³² Ibid, p246]

Inkatha Freedom Party

In its economic policy discussion document, which was updated in 1992, the Inkatha Freedom Party (IFP) reaffirmed its commitment to a 'marketbased, enterprise-driven economy with a concomitant social-welfare component'. The IFP regarded the restructuring of the economy as essential to eliminate structural imbalances. Restructuring should include commercialisation, deregulation, privatisation and the reorientation of the economy from being inward looking to being outward looking. Other aspects of economic reform should include a reduction in the number of tariff barriers; a market-determined exchange rate; no import substitution programmes; limited price controls; a reduced marginal tax rate; uniform tax collection at central, regional and local government level; and the guaranteed right to private property.

The document stated that while the IFP was in favour of minimum intervention by the state in the economy, it was aware of the fact that economic restructuring required some government intervention in order to broaden the country's economic base. Therefore, in the short term, the IFP regarded the government's role as 'decisive' in effecting restructuring, although its role should change later on to become 'more facilitative and promotional'.

According to the IFP, a more equitable allocation of income and wealth could be achieved through creating new wealth than through nationalisation, which the IFP strongly opposed. The IFP believed that the national budget should concentrate on the fundamental areas of economic development, such as education, industrial incentives, infrastructure, select affirmative-action programmes and training. Furthermore, the budget should focus on expansion of the economy and preparing people to take advantage of the opportunities that arose.³³³ [³³³ Inkatha Freedom Party, economic policy discussion document, July 1992]

International Monetary Fund and the World Bank

The removal of sanctions during 1993 opened the way for South Africa to apply for loans from both the International Monetary Fund (IMF) and the World Bank in order to assist it with short-term balance-of-payment problems and socio-economic development respectively. However, both institutions had preconditions for the granting of loans.

In a report entitled *Economic Policies for a New South Africa*, which was published in January 1992, the

IMF said that poverty in South Africa was so severe that redistribution policies had to be supported by policies designed to stimulate economic growth. The IMF added that in the medium term attempts to redress imbalances would have to focus on re-orientating spending priorities rather than resorting to deficit financing. As regards taxation, the IMF recommended that revenue would be raised more effectively by reducing tax expenditure 'substantially', broadening the tax base and changing the mix between direct and indirect taxes.³³⁴ [³³⁴ International Monetary Fund, *Economic Policies for a New South Africa*, January 1992]

The state president, Mr F W de Klerk, announced in July 1993 that South Africa would receive a loan of \$850m from the IMF by the end of the year (see also *Balance of payments* above).³³⁵ [³³⁵ *Business Day* 2 July 1993]

During September 1993 the IMF held discussions with various political players in South Africa to emphasise that no finance would be forthcoming without a written undertaking from them that a new government would adhere to strict monetary and fiscal discipline.³³⁶ [³³⁶ *Ibid* 16 September 1993]

A senior economist in the southern African department of the World Bank, Mr Peter Fallon, said in April 1993 that the bank would encourage a future South African government to choose its own approach to restructuring the economy and then to maintain consistency and openness in the implementation of such a policy.³³⁷ [³³⁷ *The Star* 29 April 1993]

An Economic Perspective on South Africa, which was published by the World Bank in May 1993, was compiled by the bank from a number of informal discussion papers it had prepared since 1991. The document recommended that South Africa should start to revive the private sector, increase employment, and narrow income and other inequalities between blacks and whites in order to attain higher growth. These objectives could be achieved by restructuring government spending and increasing investment in infrastructure and public services, especially for the poor. However, the document emphasised that growth in total spending would have to be restricted to meet budgetary targets. The report also suggested that rapid growth in the skilled labour force had to be encouraged and manufacturing should be reorientated towards exports. Accordingly, it would be essential to follow 'prudent' fiscal and monetary policies.³³⁸ [³³⁸ The World Bank, Southern Africa Department, *An Economic Perspective on South Africa*, May 1993]

The World Bank said that investor confidence was necessary to encourage investment and stimulate growth. The bank added that political and economic uncertainties were disincentives to potential investors. A revival of government investment should focus initially on urban infrastructure in 'deprived areas' and on new schools and clinics. Where possible, emphasis should be placed on labour-intensive public works projects. 'Feasible growth in government investment could result in impressive redistribution,' according to the World Bank.³³⁹ [³³⁹ *Ibid*]

The report also recommended a strategy which the government could adopt to stimulate exports. This

strategy included giving exporters free access to inputs used in export manufacturing, reducing the anti-export bias associated with continued import protection, rationalising tariff schedules and reducing industrial protection.³⁴⁰ [³⁴⁰ Ibid]

Pan-Africanist Congress

In its economic policy document published in November 1992 the Pan-Africanist Congress (PAC) suggested the adoption of a 'socialisation' programme which would phase in a new economic order. Such a programme should shift the ownership and management of economic institutions to individuals directly involved in production. The state would not have an exclusive and unilateral right to make all the decisions affecting the economic, political and social interests of the population, the PAC said. 'Nationalisation of productive resources and institutions is thus not the only key programme of socialisation.' The document also said that the state would not 'endeavour to cripple the private sector [by] punitive actions, damage economic growth or eliminate entrepreneurial initiatives by individual citizens'.³⁴¹ [³⁴¹ Pan-Africanist Congress (PAC), *Economic Policy Positions for a Democratic Economic Order in Azania*, November 1992] In a document published in March 1993 the PAC rejected economic 'growth' in favour of 'economic development' because 'economic growth confines itself to the quantitative increase in the goods and services in a country without taking into account the degree and level of participation by citizens in the production and consumption of produced goods and services'.³⁴² [³⁴² *Business Day* 30 March 1993]

According to the secretary of the economic affairs department of the PAC, Mr Sipho Shabalala, the PAC would not nationalise industry if it came to power.³⁴³ [³⁴³ Ibid 9 June 1993] However, the PAC believed that market forces on their own were not enough to reduce socio-economic inequalities. Redistribution had to encourage beneficiaries to become 'economically effective and efficient'.³⁴⁴ [³⁴⁴ PAC, *Economic Policy Positions for a Democratic Economic Order in Azania*, November 1992]

South African Chamber of Business

The president of the South African Chamber of Business (Sacob), Mr Spencer Sterling, said in March 1993 that a sound economy was needed to generate jobs and to create wealth. He urged the multiparty Negotiating Council to allow Sacob to present its views on the economic and financial factors that should be addressed in the constitutional debate. Mr Sterling said that business and investor confidence would depend largely on the kind of economic system that would be adopted in the new South Africa. The issues which Sacob wished to see addressed were the guarantee of property and other economic rights, the economic implications of regional government and regional boundaries, an appropriate and equitable system of taxation, inter-regional transfers of revenue, fiscal discipline and accountability (including the strengthening of the powers of the auditor general), and the independence of the reserve bank.³⁴⁵ [³⁴⁵ *Business Day* 3 March 1993; Midlands Chamber of Industries, *MCI Bulletin*, 3 May 1993]

In October 1993 Sacob published a discussion document on industrial policy, entitled *The Formulation of a New Industrial Policy for South Africa*, which highlighted the need for ‘a measure of government involvement’ in the economy, actions aimed at creating an enabling environment for growth in the industrial sector, and changes to the structure of industry. Sacob suggested the creation of a special industrial policy forum similar to the ministry of trade and industry in Japan in which government, industry, trade unions and the ‘suppliers of technology’ (such as academics and scientific bodies) were represented.³⁴⁶ [³⁴⁶ *Finance Week* 7 October 1993]

South African Communist Party

According to a spokesman for the South African Communist Party (SACP), Mr Jeremy Cronin, redistribution had to be a ‘sustainable process, a catalyser for development—not a narrow, once-off, punitive act’. Redistribution should focus on a change in emphasis regarding the allocation of resources, infrastructure, skills and opportunities, he said.³⁴⁷ [³⁴⁷ *Barometer* May 1993]

Mr Cronin said that the SACP recognised the need for foreign investment but he emphasised that it was necessary to ensure that it matched the country’s domestic requirements. He said that ‘uncontrolled foreign investment has created crippling balance-of-payment problems, and stunted and skewed growth throughout the third world’. Therefore, foreign investment should be part of a macro-economic approach in which inward industrialisation was the major objective.³⁴⁸ [³⁴⁸ *Ibid*]

National Economic Forum

The National Economic Forum (NEF) was launched in October 1992 and consisted of representatives of organised labour, organised business and the government (see 1992/93 *Survey* p61 and pp324–328). In its founding document the NEF stated that it should be a ‘consensus geared co-operative body’ aiming ‘to provide a mechanism through which economic stakeholders can address the economic challenges facing the country’. Furthermore, it said, any major economic restructuring undertaken, especially during the period of transition, should have the support of all economic stakeholders. The NEF should, therefore, deliberate on any such restructuring. However, the document stated that ‘each party ... retains its freedom of action in its own sphere of responsibilities’.³⁴⁹ [³⁴⁹ National Economic Forum (NEF), founding documents, adopted by NEF participants at the NEF launch, 29 October 1992] The NEF established a short-term working group to focus on issues requiring immediate attention and a long-term working group to focus on longer term macroeconomic and development policy issues.

At its first meeting in November 1992 the short-term working group decided to address immediately the issues of job creation, retrenchments, public sector restructuring, small and medium enterprises, and trade and tariff policy.³⁵⁰ [³⁵⁰ Report of the NEF short-term working group to the NEF plenary, 5 July 1993]

The group economics consultant of Johannesburg Consolidated Investment Company and the chairman of the economic affairs committee of the South African Chamber of Business, Dr Ronnie Bethlehem, said in January 1993 that there was conflict between the objectives of the short-term and long-term working groups of the NEF. While the long-term working group's brief was to formulate a strategy for 'sustainable, noninflationary economic recovery' the short-term working group was 'under pressure to deliver immediate relief to the poor, deprived and disadvantaged'. Mr Bethlehem feared that measures decided on by the short-term working group could 'compromise directly the sustainability of the recovery with which the long-term working group is concerned'.³⁵¹ [³⁵¹ *Business Day* 6 January 1993]

A labour spokesman for the NEF's short-term working group, Mr Tommy Olifant, said in February 1993 that contributions from a wide range of interest groups were vital to developing realistic proposals for a job-creation strategy. The NEF was, therefore, calling for written submissions from interested parties on a programme to tackle unemployment, establish special employment projects and create jobs, particularly through state tenders, such as for the construction of schools and other public works. The job-creation programme should be structured in such a way that it was integrated into a long-term economic strategy, he said.³⁵² [³⁵² *Ibid* 5 February 1993]

In an address to the Midland Chamber of Industries in Port Elizabeth (eastern Cape) in February 1993, the deputy minister of finance, Dr Theo Alant, said that the forum could not 'determine policy, but it can influence policy—particularly in respect of matters on which consensus can be reached'. He added that the NEF was a useful platform for considering ways to improve economic growth.³⁵³ [³⁵³ Dr Theo Alant, deputy minister of finance, address to the Midland Chamber of Industries, Port Elizabeth, 10 February 1993]

The labour convenor of the process committee of the NEF, Mr Jayendra Naidoo, said in the same month that the purpose of the NEF was to ensure that during the transitional period the government did not make unilateral decisions on issues that affected general interests. He added that in the long term, subjecting the government to a tripartite forum would 'create problems for the ruling party and its accountability to the electorate'. At the same time a future government should not take decisions which affected the rights of workers, the poorer sections of the population or business without consulting these groups.³⁵⁴ [³⁵⁴ *Mayibuye* February 1993]

In March 1993 the short-term working group met to consider suggestions on job creation. Some of the issues raised included entrepreneurial development, labour-based construction methods, public works programmes, special employment projects, training and support for small business, and the importance of the construction sector in employment generation.³⁵⁵ [³⁵⁵ *Business Day* 2 March 1993]

The long-term working group agreed in April 1993 that the focus of its work programme would be investment, finance, foreign trade, labour markets, employment creation and productivity. In each of these areas the group's intention was to identify the gap between the current situation and 'what might be needed for the achievement of sustained growth, employment creation and socio-economic upliftment'.³⁵⁶ [³⁵⁶ Report of the NEF long-term working group to the NEF plenary session, 5 July 1993]

The minister of finance, Mr Derek Keys, cautioned in June 1993 that the NEF should avoid becoming a place for accommodating 'elites', while neglecting underdeveloped parts of the country. According to the head of the ANC's department of economic planning, Mr Trevor Manuel (whose organisation was not represented at the NEF), the government had no right as an 'apartheid regime' to play any role in determining economic policy. He added, however, that the ANC was committed to the idea of the NEF. The ANC also believed that the organs of civil society had to participate in making important economic decisions and had, together with the government, to be responsible for their planning and implementation.³⁵⁷ [³⁵⁷ *The Citizen* 19 June, *Business Day* 21 June 1993]

The first plenary session of the NEF was held in July 1993 in order to receive progress reports from the two working groups. The short-term working group reported that it had agreed that:³⁵⁸ [³⁵⁸ Report of the NEF short-term working group to the NEF plenary, 5 July 1993]

- centralised bargaining should be recognised as one of the tiers of the collective bargaining system and 'as a matter of policy' the parties should agree not to undermine this arrangement and not to oppose the establishment of a new centralised bargaining arrangement;
- regarding job security and work security funds, employers should provide full disclosures of all relevant information regarding retrenchment proposals. All parties should jointly consider alternatives to retrenchments and ways to minimise job losses. The establishment of a work security fund should be considered by industries in order to address the social consequences of retrenchments and restructuring;
- restructuring of the Unemployment Insurance Fund should be undertaken to ensure compulsory state funding of it;
- targeted assistance programmes should be developed for declining industries and communities in order to manage the downscaling of specific enterprises;
- job-creation agreements should include the promotion of labour-based construction, the establishment of a programme to allocate funds to viable job-creation projects in the provision and maintenance of urban and rural infrastructure, the establishment of a small business development programme and the provision of assistance to non-governmental organisations involved in small business development. A committee should be set up to investigate a medium-term public-works programme;
- the public tender system should promote the purchase by the public sector of locally manufactured articles with a high local content, in order to maximise local job creation;
- a national development corps should be established to provide a voluntary programme for young people; and

- customs and excise arrangements should be restructured to prevent fraud.

The short-term working group also reported that it had persuaded the government not to proceed with the privatisation of Abacor. However, the group was unable to finalise a policy on export processing zones, nor could it reach agreement on ways of addressing job security in the public sector in the context of restructuring.³⁵⁹ [³⁵⁹ Ibid]

In its investigation of investment the long-term working group focused on the level and nature of public-sector investment which would be compatible with increased private-sector investment.³⁶⁰ [³⁶⁰ Report of the NEF long-term working group to the NEF plenary session, 5 July 1993] It had not arrived at any agreements at the time of writing.

The long-term working group reported that in the area of finance it was examining the role of financial institutions and instruments in the mobilisation and allocation of savings, and the effect of the level and structure of taxation on personal savings. Regarding foreign direct investment, the working group said that in order to attract foreign investment policies should be implemented that would strengthen the country's growth potential and competitiveness in the long term. Incentives should not distinguish between foreign and domestic enterprises with respect to tax rates. The aim should be to apply a 'reasonably' low corporate tax rate.³⁶¹ [³⁶¹ Ibid]

On the issue of foreign trade the working group reported in July 1993 that it had agreed to establish a task force to address all aspects of trade policy (including tariff policy, the sequencing of tariff reductions, institutional roles and export incentives).³⁶² [³⁶² Ibid]

According to a *Business Day* journalist, Ms Greta Steyn, the exclusion of the ANC from the forum 'makes progress on long-term economic policy-making virtually impossible'.³⁶³ [³⁶³ *Business Day* 7 July 1993] Mr Manuel said at the plenary session of the NEF in July 1993 that the NEF was 'usurping the prerogative of a new government' in formulating economic policy and assuming that the present government was in a position to implement recommendations.³⁶⁴ [³⁶⁴ *The Weekly Mail* 9 July 1993] However, the labour convenor of the long-term working group, Mr Alec Erwin, responded by saying that most of the issues that had been dealt with were 'crisis issues. If we don't take action now, it will be very serious'.³⁶⁵ [³⁶⁵ Ibid]

Disagreements over the future powers of the NEF emerged during the period under review. The vice chairman of the South African Consultative Committee on Labour Affairs, Mr André Liebenberg, said in July 1993 that the government of the day should retain the right to make economic policy choices. He added that the NEF's role should be to make policy recommendations which the government should then consider. Cosatu, however, wanted the NEF to have decision-making powers. Although Mr Manuel was concerned that business and labour might not be able to move beyond sectoral interests so as to focus on the development of a macroeconomic policy, Cosatu said that it believed that even the government was a

‘prisoner of its constituency’.³⁶⁶ [³⁶⁶ *The Star* 21 July 1993]

The managing director of Job Creation SA, Mr Ian Hetherington, said in the same month that the small-business sector needed to be represented separately in the NEF because its interests differed from those of the corporate sector. He argued that the government should retain its decision-making powers and that it should take advice from all interest groups, including consumers, the small-business sector, taxpayers and the unemployed, none of which was ‘in any way represented adequately’ on the NEF.³⁶⁷ [³⁶⁷ *Ibid* 27 July 1993]

According to Mr Naidoo, the forum was to work to develop a single South African platform to lobby international investors. Other parties would also be included in the process, Mr Naidoo said.³⁶⁸ [³⁶⁸ *The Citizen* 3 August 1993]

In August 1993 the NEF launched its job-creation programme and called for applications for schemes which would be financed by grants from the programme’s initial fund of R49m (which had been set aside by the government). A tripartite technical committee was set up to assess and allocate funds to proposed job-creation projects. The Development Bank of Southern Africa was to monitor implementation of the projects. Decisions on the allocation of funds would be based on, among other factors, the number of jobs envisaged and the period of employment to be provided, the amount of state funding required, details of supplementary funds available to support the project, the usefulness of the goods and services produced, sustainability of the project beyond the initial funding period, the nature of community involvement, the impact of the job-creation project on undeveloped areas and areas of high unemployment, and its impact on economic growth.³⁶⁹ [³⁶⁹ *Business Day*, *The Citizen*, *The Star* 3 August 1993]

The NEF also announced in August 1993 that the planning committee of the negotiating forum at the World Trade Centre (east Rand) and the NEF had decided to set up an informal liaison committee between the two bodies to continue a dialogue on how constitutional issues affected the economy. According to Mr Naidoo, the NEF was also discussing the restructuring of the board of the Small Business Development Corporation and working on a policy framework for the development of small business.³⁷⁰ [³⁷⁰ *Business Day* 3 August 1993]

The Board of Executors said in *Investment Outlook* in August 1993 that it was unrealistic to expect the NEF to produce anything but ‘platitudes and second-best measures’ because of its conflicting interest groups. Any effective economic reform package would be painful and, therefore, opposed by one or more of the parties to the NEF, it suggested.³⁷¹ [³⁷¹ *The Star* 11 August 1993]

Mr Naidoo reported in September 1993 on progress made regarding the NEF’s job-creation programme. Six hundred individuals and organisations had submitted applications totalling R1,2bn for financial support. Apart from the initial R49m allocated by the government, an additional sum of R225m had been made available. A further R29m was to be made available for training linked to job creation, he

said.³⁷² [³⁷² *Business Day* 28 September 1993, *The Star* 29 September 1993]

The convenor of the small business task force of the NEF, Mr Michael Leaf, said in October 1993 that black business had the opportunity to make only a 'minuscule' input to the forum because it had very limited representation. Out of a total of 17 business organisations participating in the forum only two, the Foundation for African Business and Consumer Services and the National African Federated Chamber of Commerce and Industry, represented black business.³⁷³ [³⁷³ *Business Day* 12 October 1993]

According to the economic policy director of Sacob, Dr Ben van Rensburg, business already regarded the NEF as a permanent body. He said in October 1993 that without the forum there would be an 'enormous gap between the principal economic participants and the new policy makers [who] will soon come on board through the Transitional Executive Council and future democratic government structures'.³⁷⁴ [³⁷⁴ *Ibid* 19 October 1993]

In June 1993, the executive director of the South African Institute of Race Relations, Mr John Kane-Berman, said that economic policy formulation needed to take into account the interests of all South Africans, 'and perhaps especially those who have no access to the mainstream economy'. Referring to the NEF, Mr Kane-Berman said that although business, unions and government were all major stakeholders in the economy, it was important to remember that the unemployed, people engaged in subsistence farming and those working full time in the informal sector were also stakeholders in the economy. He added that there was every reason why business and labour should discuss matters of common interest 'but society needs to be on guard against a corporatist state in which powerful lobbies reach compromises between themselves, and the interests of the less powerful are overlooked, partly because they may not be fully represented'.³⁷⁵ [³⁷⁵ *Ibid* 18 June 1993]

Petrol Price

Following the decision by the minister of mineral and energy affairs, Mr George Bartlett, to increase the price of fuel by 7c a litre in September 1993 despite opposition from both business and labour, the NEF asked Mr Bartlett and Mr Keys to explain the reasons for the increase. Mr Bartlett said that he was willing to talk to all interested parties but that the 'government has the responsibility to make the decision'.³⁷⁶ [³⁷⁶ *Ibid* 16 September 1993] Shortly after the petrol increase came into effect, Mr Bartlett and Mr Keys held a meeting with the NEF at which a special task force (comprising representatives from business, labour and the transport industry) was established by the NEF to draw up proposals for new price structures for petrol and diesel.³⁷⁷ [³⁷⁷ *The Citizen*, *The Natal Mercury* 18 September 1993]

The task force, which presented its proposals to the NEF and the government in October 1993, said that the government should reverse the petrol price increase on 14 October for a two-month period and give the task force the opportunity to investigate all aspects of the liquid-fuel industry. The two-month price reversal would be financed from the sale of strategic oil reserves and from the equalisation fund, the task force proposed. However, the cabinet rejected the proposals. The state president, Mr F W de Klerk, said

that the government's decision to maintain the price increase would prevent another fuel price increase and make possible a price reduction by December. Furthermore, the sale of strategic oil reserves was not advisable at a time when South Africa's oil reserves were so low. However, Mr de Klerk said, the government accepted the necessity for the NEF task force to continue probing the present system of petrol pricing.³⁷⁸ [³⁷⁸ *The Citizen* 5 October 1993, *The Star* 6 October 1993, *Business Day*, *The Star* 7 October 1993]

Following the government's announcement, the secretary general of Cosatu, Mr Sam Shilowa, said that labour and taxi-industry representatives would withdraw from the NEF task force until the government had accepted its proposals.³⁷⁹ [³⁷⁹ *The Star* 7 October 1993] The ANC and Cosatu also announced a meeting of 'a broad front of organisations' to discuss a response to the government's decision.³⁸⁰ [³⁸⁰ *The Citizen* 7 October 1993] The president of the Johannesburg Chamber of Commerce and Industry, Mr Mervyn King, said that 'it is not unlikely that business will join hands with other organisations that have registered their disapproval' of the government's decision.³⁸¹ [³⁸¹ *Ibid* 8 October 1993]

Later in the month the government submitted a proposal to reduce the price of petrol by 2c a litre to the NEF task force. After the government's submission, the task force agreed to resume reviewing all aspects of the fuel industry and submit a report to the NEF process committee by 15 December.³⁸² [³⁸² *Saturday Star* 23 October 1993] Cosatu called off its planned protests against the increase in the price of petrol a few days later.³⁸³ [³⁸³ *Sowetan* 26 October 1993]

Regional Economic Forums

Since 1993 a number of regional development and economic forums have emerged in South Africa. According to the director of the Centre for Social and Development Studies at the University of Natal (Durban), Professor Simon Bekker, and a senior researcher at the Centre for Policy Studies, Mr Richard Humphries, these forums aimed to include as many interest groups as possible in their particular regions and they were committed to the empowerment of disadvantaged groups. They added that some generalisations could be made about the establishment and functioning of the forums, including the following:³⁸⁴ [³⁸⁴ Bekker S and Humphries R, 'Regional forums: new frontiers, new creatures', *Indicator SA*, spring 1993]

- they were not established as a result of central state policies;
- the forums were intended to address 'urban and rural challenges' and the link between these challenges;
- the forums regarded themselves as policy-making structures rather than as structures which would implement decisions; and

- the purpose of the forums was not only to facilitate industrial and formal business development but also to enhance more comprehensive socio-economic development.

Professor Bekker and Mr Humphries said that the ‘one positive factor which holds out hope that [regional economic forums] will be more effective [than previous regional development initiatives] is their more inclusive nature’. They added that the relationship between the forums and the regional governments elected in 1994 would be important as these governments would have some powers over regional development.³⁸⁵ [³⁸⁵ Ibid]

The Border/Kei Development Forum was launched towards the end of 1992 and comprised representatives of the government, the administrations of the Ciskei and the Transkei, political groups, and regional and service organisations. The forum submitted a memorandum to Mr Keys early in 1993 requesting that he treat the Border/Kei region as a ‘special case’ because of its structural economic weaknesses, poverty and stagnation. Four areas required intervention, according to the forum’s memorandum. These were agricultural and rural development projects, housing, human-resource development and industrialisation. The forum proposed a general moratorium on the phasing out of incentive schemes over a two-year period and that the Ciskei and the Transkei be given rand-for-rand compensation for the general export incentive scheme.³⁸⁶ [³⁸⁶ *Business Day* 10 May 1993; *Finance Week* 13 May 1993] In July 1993 the Development Bank of Southern Africa granted the forum about R500 000 to contribute to the investigation of development priorities and perspectives in the region.³⁸⁷ [³⁸⁷ *New Nation* 16 July 1993]

In December 1992 the Western Cape Economic Development Forum was launched. The forum represented 36 organisations, including business, central and local government, development organisations, labour, parastatal organisations and political organisations. Its objectives were to find consensus on appropriate strategies to address regional development challenges and to find ways to implement these strategies. Issues to be tackled included agricultural and rural strategies, black economic advancement, education, export markets, social welfare, tourism, training and youth employment, and urban development.³⁸⁸ [³⁸⁸ *Prodder Newsletter* January 1993]

The Pretoria/Witwatersrand/Vereeniging (PWV) Economic and Development Forum was launched in January 1993 with the participation of government and a range of major political, business and labour groups. The administrations of Bophuthatswana and KwaNdebele were also involved. According to the forum’s interim chairman, Mr Andrew Feinstein, the forum would undertake a six-month review of the local economy and a two-year research project on development and economic strategy.³⁸⁹ [³⁸⁹ *Business Day* 20 January 1993]

The director of the Institute for African Alternatives and an ANC delegate to the PWV forum, Dr Ben Turok, said that the forum had wider representation than the NEF. The PWV forum was to investigate low-cost housing using labour-intensive methods, to investigate using the purchasing policies of large

companies to benefit small and medium-sized enterprises, and to develop specific policy proposals for growth and employment.³⁹⁰ [³⁹⁰ Ibid 22 January 1993, *The Citizen* 23 January 1993]

The Eastern Transvaal Regional Economic and Development Forum and the Natal/KwaZulu Regional Economic Forum were both launched in August 1993.³⁹¹ [³⁹¹ Bekker S and Humphries R, 'Regional forums: new frontiers, new creatures', *Indicator SA*, spring 1993]

Key Projections

- Boland Bank expected the economy to grow at a rate of 2,5% in 1994. Nedbank forecast an economic growth rate of between 2% and 2,5% for 1994 and 1995. The South African Chamber of Business (Sacob) said that it expected a growth rate of 2% in 1994 assuming good seasonal rains fell. Standard Bank expected growth of 1,6% in 1994.
- The government's economic strategy envisaged raising the ratio of gross domestic fixed investment (GDFI) to gross domestic product (GDP) from 15,9% in 1992 to 23,1% by 1997. The ratio of public-sector investment to GDP was expected to increase from 4,5% in 1992 to 7,8% in 1997, while the ratio of private-sector investment to GDP was expected to rise from 11,4% in 1992 to 15,3% in 1997.
- Sanlam expected GDFI to increase by 3,1% in 1994 while Sacob expected a growth of 4,5%. Sacob expected private consumption expenditure to increase by 1,1% in 1994 compared with zero growth in 1993.
- According to Sacob, exports were expected to increase by 4,5% in 1994, while imports were expected to increase by 6,5%.
- Nedbank expected the rate of increase in the consumer price index to be 8,6% in 1994, rising to 10% in 1995. Sanlam estimated that the inflation rate would average about 10% in 1993, falling to less than 9% in 1994. Standard Bank's inflation rate estimate for 1994 was 8%.
- Nedbank predicted that the gold price would rise to \$381 in 1994 and to \$400 in 1995.
- The average exchange rate of the rand was expected to be 27,2 American cents in 1994, according to Nedbank. Standard Bank expected the rand to be worth 28,2 cents in 1994. Nedbank predicted that the value of the rand would fall in 1995 to 25 cents.
- Nedbank expected the surplus on the current account of the balance of payments to be R3,4bn at the end of 1994, with a drop to R2bn by the end of 1995. A current account surplus of R7,3bn was forecast by Standard Bank.

- Nedbank expected the prime overdraft rate to be 'at best' 14,25% by the end of 1994, increasing to 15,25% in 1995. Standard Bank forecast a prime rate of 14,7% for 1994.

EMPLOYMENT

Key Points

- According to the National Manpower Commission (NMC), the economically active population (EAP) of South Africa (excluding the 'independent' homelands) was 12m in 1992 and 12,3m in 1993.
- According to the Central Statistical Service (CSS), 373 600 people were employed in construction and 1 394 419 in manufacturing in June 1992, representing decreases of 4,5% and 2,5% respectively on figures for June 1991.
- There were 1 668 632 people working in the public sector in South Africa (excluding the 'independent' homelands) in June 1992, representing a decrease of 1% on the comparable figure for June 1991.
- The Department of Mineral and Energy Affairs said that the number of people employed on all mines in South Africa decreased from 679 547 in 1991 to 543 629 in 1992, ie by 20%.
- According to the Consultative Business Movement, 5% of managerial positions in South Africa were occupied by Africans in 1992.
- McGregor's Online Information, a business information group, said that in 1993, 49 (1,3%) of the 3 773 directors of the 657 companies listed on the Johannesburg Stock Exchange were women.
- The South African Reserve Bank said that 46% of the EAP was not employed in the formal sector of the economy in 1993, compared with 39% in 1988.
- The number of applications for Unemployment Insurance Fund benefits in 1992 increased by more than 100 000 between 1991 and 1992, to 847 301.
- The 1993/94 budget allocated R246m to job-creation schemes.
- According to Andrew Levy and Associates, the average wage settlement level for 1992 was 12%, compared with 16,1% for 1991 and 17,4% for 1990.
- The Development Bank of Southern Africa said that in 1993 there were some 18m people of all races living below the minimum living level of R750 a family per month and between 8m and 9m people were

‘completely destitute’.

Economically Active Population

According to the National Manpower Commission (NMC), the economically active population (EAP) of South Africa (including the ten homelands) was 12,7m in 1991, which represented an average annual increase of about 3% since 1980. The increase in the EAP between 1980 and 1991 for the various races was as follows: Africans, 3,2%; coloured people, 3,3%; Indians, 3,6%; and whites, 2,1%. Whites and Africans formed about 19% and 68% respectively of the total EAP in 1991. The NMC said that women as a proportion of the EAP had increased from 23% in 1960 to 39% in 1991. Over this period, the average annual rate of increase of the number of women in the economy was 4,1%, compared with 1,6% for men.¹ [¹ National Manpower Commission (NMC), annual report 1992]

According to the 1991 population census, in 1991 the total EAP of South Africa (excluding the ‘independent’ homelands) was 11,6m. The NMC estimated that the EAP of South Africa (excluding the ‘independent’ homelands) was 12m in 1992 and 12,3m in 1993. It estimated further that the EAP would increase to 17,6m in 2000, with Africans comprising 74% of the total EAP; coloured people, 9%; Indians, 3%; and whites, 14%. The NMC said that between 1990 and 2000 there would be an average annual increase in the EAP of 2,7%. The NMC also said that some 300 000 people entered the labour market every year, or 1 200 every working day. However, between 1981 and 1991 only 15 000 jobs in the formal economy had been created each year. The NMC estimated in 1992 that only about 5% of all new entrants to the job market were able to find employment in the formal economy.² [² Ibid]

The following table shows the EAP per sector in various years from 1970 to 1991 in South Africa (excluding the ‘independent’ homelands):³ [³ Ibid]

Economically active population by sector: 1970–1991^a

Sector

1970

1980

1985

1991

Agriculture

2,48m

1,31m

1,41m

1,22m

Commerce and accommodation

0,71m

1,01m

1,08m

1,36m

Construction

0,48m

0,46m

0,67m

0,53m

Electricity, gas and water

0,05m

0,08m

0,11m

0,10m

Finance and insurance

0,19m

0,29m

0,38m

0,50m

Manufacturing

1,02m

1,47m

1,61m

1,42m

Mining and quarrying

0,68m

0,84m

0,95m

0,84m

Social and personal services

1,60m

2,01m

2,23m

2,64m

Transport and communication

0,34m

0,43m

0,49m

0,50m

Unspecified

0,57m

0,81m

1,27m

2,51m

Total

8,11m

8,69m

10,21m

11,62m

a

Figures may not add up owing to

Structure of the Workforce

Public and Private Sectors

The Central Statistical Service (CSS) provided the following racial breakdown of employment in the private sector in June 1992 and the proportional change since June 1991:⁴ [⁴ Central Statistical Service (CSS), *Labour Statistics: Employment and Salaries and Wages*, Statistical news releases as follows: *Building Societies, Banking Institutions and Insurance Companies: March 1993*, PO262, 22 June 1993; *Mining and Quarrying, Manufacturing, Construction and Electricity: September 1992*, PO242.1, 30 December 1992; *Wholesale, Retail and Motortrade, and Hotels: December 1992*,

PO244, 13 May 1993]

Private sector employment: June 1992

Construction

Finance

Manufacturing

Trade and catering

African

266 400

26 379

735 400

367 700

Inc(5,1%)

1,8%

(2,6%)

0%

Coloured

56 100

21 386

261 600

104 700

Inc(1,9%)

3,4%

(3,1%)

2,1%

Indian

6 200

10 410

90 819

44 200

Inc(1,6%)

5,1%

(1,0%)

1,8%

White

44 900

132 328

306 600

258 400

Inc(3,9%)

1,8%

(2,4%)

0,9%

Total

373 600

190 503

1 394 419

775 000

Inc(4,5%)

2,1%

(2,5%)

0,7%

By June 1992 employment in the construction sector had dropped by 1,7% compared with employment levels in June 1980. Employment in finance, manufacturing, and trade and catering had dropped by 3,4%, 0,4% and 2,2% respectively over the same period.⁵ [⁵ CSS, *South African Labour Statistics 1992, Statistical news releases as follows: Building Societies, Banking Institutions and Insurance Companies: March 1993*, PO262, 22 June 1993; *Mining and Quarrying, Manufacturing, Construction and Electricity: September 1992*, PO242.1, 30 December 1992; *Wholesale, Retail and Motortrade, and Hotels: December 1992*, PO244, 13 May 1993]

The racial breakdown of employment in the public sector in June 1992 and the proportional change since June 1991 was as follows:⁶ [⁶ CSS, *Labour Statistics: Employment and Salaries and Wages*, Statistical News Release, *Public Sector: December 1992*, PO251, 7 April 1993]

Public sector employment: June 1992

Central government^a

Local authorities

Transnet

African

322 491

118 676

70 866

Increase (decrease)

(0,4%)

(2,1%)

(3,9%)

Coloured

125 055

38 036

12 566

Increase (decrease)

(0,2%)

(0,4%)

(4,7%)

Indian

30 283

7 738

2 070

Increase (decrease)

4,1%

2,5%

6,0%

White

305 129

62 677

70 567

Increase (decrease)

(1,4%)

1,3%

(3,7%)

Total

782 958

227 127

156 069

Increase (decrease)

(0,6%)

(0,8%)

(3,8%)

a

Figures include the provincial administrations.

Public sector employment: June 1992 (continued)

Posts and telecommunications

Civil services of non-independent homelands^a

Public corporations

African

28 405

216 973

50 216

Inc(0,2%)

6,9%

(20,8%)

Coloured

12 227

—

6 713

Inc(0,5%)

—

(8,4%)

Indian

2 904

—

427

Inc3%

—

(25,2%)

White

51 734

—

48 389

Inc(3,9%)

—

(12,5%)

Total

95 270

216 973

105 745

Inc(2,2%)

6,9%

(16,5%)

a

Coloured, Indian and white civil servants in the non-independent homelands are paid by the South African government and are, therefore, recorded there rather than under the non-independent homelands.

Public sector employment: June 1992 (continued)

Parastatal institutions

Universities and technikons

Agricultural marketing boards

Total

African

10 749

13 329

732

832 437

Inc 15,9%

2,3%

(11,4%)

(0,5%)

Coloured

1 826

5 767

232

202 422

Inc12,4%

0,9%

(6,5%)

(0,7%)

Indian

183

2 581

38

46 224

Inc9,6%

5,3%

18,8%

3,6%

White

11 729

35 557

1 767

587 549

Inc14,6%

5,2%

(6,8%)

(2,0%)

Total

24 487

57 234

2 769

1 668 632

Inc 14,9%

4,1%

(7,7%)

(1,0%)

Male/female Breakdown

The 1991 population census provided the following figures regarding the number of men and women in the public and private sectors in South Africa (excluding the 'independent' homelands):⁷ [7 CSS, *Population census 1991, Summarised Results After Adjustment for Undercount*, Pretoria, December 1992]

Male/female breakdown of employment in public and private sectors: 1991

Male

Female

Number

Propor- tion

Number

Propor- tion

Total

Public sector

Central government

445 922

59%

310 126

41%

756 048

Provincial administrations

94 754

40%

141 927

60%

236 681

Local authorities

166 867

80%

41 177

20%

208 044

Non-independent homelands

81 875

54%

69 405

46%

151 280

Telkom

68 450

73%

25 568

27%

94 018

Public enterprises

219 598

87%

33 589

13%

253 187

Private sector

Private businesses

4 745 681

72%

1 888 923

28%

6 634 604

Nonprofit organisations

30 609

44%

38 751

56%

69 360

Private households^a

108 850

11%

848 242

89%

957 092

Total

5 962 606

64%

3 397 708

36%

9 360 314

a

People employed in dome

Foreign Workers

The NMC said in 1992 that in the period June 1991 to June 1992 a total of 9 584 immigrants entered South Africa (4 656 of whom were economically active) and 3 894 emigrants left the country (1 902 of whom were economically active). Over this period there was a net gain of 5 690 people, of whom 2 754 were economically active, compared with the net gain of 9 001 people (of whom 4 405 were economically active) for the corresponding period in the previous year. The NMC noted that from 1981 to 1991 South Africa had a net gain of 104 268 people, of whom 51 548 were economically active. The NMC said that immigration could play an important part in supplementing the shortage of high-level manpower. It added, however, that South Africa would not be able to depend on immigration for high-level occupations to the same extent as in the past. The following table shows the proportion of immigrants in high-, middle and low-level positions as a proportion of economically active immigrants:⁸ [8 NMC, annual report 1992]

Pro

HigMidUnspecified

1982

32%

62%

7%

1985

29%

70%

1%

1990

34%

59%

7%

1991

40%

47%

13%

a

Figures have been rounded and may, therefore, not add up to 100%.

The NMC said that 61 345 ‘illegal aliens’ were repatriated from South Africa (excluding the ‘independent’ homelands) in 1991 compared to 53 418 in 1990 (see also chapter on *Population*). Most of these people (47074) were repatriated to Mozambique. From January to the end of October 1992 more than 64 700 ‘illegal’ workers were repatriated, the NMC said.⁹ [⁹ Ibid]

The NMC said in its 1992 report that there were few shortages in highlevel manpower owing to the negative economic growth rate. It added, however, that the demand for certain categories of high-level manpower was expected to increase and that there might be ‘serious’ shortages in certain occupational categories in the future. A survey conducted by the NMC showed that in 1991 there was a demand for technicians and artisans and for people in the following fields: engineering, technology, computer science, mathematics and health. The NMC said, however, that many of the occupations under these categories had an oversupply of manpower in 1992, although they had been facing shortages in 1991. Once South Africa achieved a positive economic growth rate there would be serious shortages in the engineering, technological, scientific, health and entrepreneurial occupations, the NMC said. The NMC added that a shortage in high-level manpower of about 288 000 people was expected by 2000 if South Africa achieved a growth rate of 3% a year.¹⁰ [¹⁰ Ibid]

Migrant Workers and Hostels

According to the Human Sciences Research Council (HSRC), there was a total of 411 hostels (excluding mine hostels) in South Africa (excluding the ten homelands) in 1993, of which 214 were owned or controlled by local authorities or provincial administrations and 197 were privately owned. Of the total, 162 were located in the Cape, 28 in Natal, 68 in the Orange Free State and 153 in the Transvaal (see also chapter on *Housing and Infrastructure*).¹¹ [¹¹ *Indicator SA* autumn 1993]

The HSRC said that the number of hostel beds could not be determined with complete accuracy but that the Department of Local Government and National Housing had recorded a total of 308 345 beds in the 402 hostels it listed—50 158 in the Cape, 26 125 in Natal, 24 904 in the Orange Free State and 207 158 in the Transvaal. The De Loor task group estimated that there were 604 000 hostel beds in 1990. (However, these figures included hostels for all races.)¹² [¹² *Ibid*]

The HSRC said that the actual number of hostel residents in South Africa could not be determined accurately and noted that most beds were used for sleeping in shifts, ie beds were used by more than one occupant. The HSRC estimated, therefore, that the total number of hostel residents in South Africa in 1993 was ‘in excess’ of 1m.¹³ [¹³ *Ibid*] It was reported in August 1993 that there were between 0,5m and 1,5m hostel residents in South Africa (excluding the ten homelands), including residents in both private and public-sector hostels.¹⁴ [¹⁴ *Sunday Times* 23 August 1993]

Mining

The Department of Mineral and Energy Affairs said in its 1992 annual report that the average number of people employed on all mines in South Africa declined from 679 547 in 1991 to 543 629 in 1992, ie by 20%. Compared to the 1980 employment figure of 824 432, employment on mines in 1992 had dropped by 34%. The report said that the decline in employment was mainly the result of rationalisation of labour on all mines owing to the economic recession. The distribution of mineworkers in 1991 and 1992 and the decline in numbers between 1991 and 1992 was as follows:¹⁵ [¹⁵ Department of Mineral and Energy Affairs, annual report 1992]

Distribution of mineworkers in South Africa (excluding the ‘independent’ homelands): 1991 and 1992

1991

1992

Decrease

Coal mines

82 790

69 489

16%

Gold mines

426 830

362 196

15%

Other mines

169 927

111 944

34%

Total

679 547

543 629

20%

The number of migrant workers employed on the coal and gold mines of the Chamber of Mines of South Africa declined significantly between 1982 and 1992, as shown below

Migrant workers on Chamber of Mines member coal mines: 1982 and 1992

Place of origin

1982

1992

Proportional increase (decrease)

Bophuthatswana

443

116

(74%)

Botswana

8

50

525%

Ciskei

2 882

378

(87%)

Lesotho

11 823

4 568

(61%)

Malawi

244

—

—

Mozambique

1 378

1 202

(13%)

‘South Africa’^a

36 584

20 710

(43%)

Swaziland

721

400

(45%)

Transkei

11 384

2 723

(76%)

Venda

63

16

(75%)

Zimbabwe

9

2

(78%)

Other areas

1

18

1 700%

Total

65 540

30 183

(54%)

a

Excludes the 'independent' homelands

MigPlace of origin

1982

1992

Proportional increase (decrease)

Bophuthatswana

12 764

7 764

(39%)

Botswana

16 659

11 535

(31%)

Ciskei

15 079

6 331

(58%)

Lesotho

95 731

83 877

(12%)

Malawi

13 565

—

—

Mozambique

42 544

42 749

5%

‘South Africa’ a

86 136

78 412

(9%)

Swaziland

9 294

15 210

64%

Transkei

123 097

77 282

(37%)

Venda

1 989

1 281

(36%)

Zimbabwe

112

1

(99%)

Other areas

1 217

340

(72%)

Total

418 187

324 782

(22%)

a

Excludes the 'independent' homelands

This decline in workers constituted a 27% decrease between 1982 and 1992 or an annual average rate of decrease of 3%. The annual rate of decline in employment on coal mines was more marked (at 8% a year), while the annual rate of decline on gold mines was 3% a year.

Migrant workers from South Africa (including the ten homelands) comprised 55% (195 013) of the total number of migrant workers in 1992. Workers from the 'independent' homelands comprised 49% (95 891) of the labour force from South Africa. In 1992, 55% of all foreign workers were from Lesotho while 27% were from Mozambique.¹⁷ [¹⁷ Ibid]

According to the chamber, 87% of mineworkers on South African mines in 1992 were semi-skilled or unskilled contract workers from rural areas of southern Africa. Their earnings (60% of which ended up in economically depressed areas) supported families and dependants estimated at some 3,1m people.¹⁸ [¹⁸ Department of Mineral and Energy Affairs, annual report 1992]

The Department of Mineral and Energy Affairs said that in 1992 wages and salaries paid to employees in the mining industry in South Africa (excluding the 'independent' homelands) amounted to R11,72bn, compared with R11,66bn in 1991.¹⁹ [¹⁹ Ibid]

The amounts paid out to mineworkers by The Employment Bureau of Africa (Teba) between January and December 1992 were as follows:²⁰ [²⁰ Chamber of Mines of South Africa, annual report 1992, p22]

Amounts paid out by Teba's regional offices: 1991 and 1992

1991 1992 Proportional increase (decrease)

Bophuthatswana

27,1

32,4

20%

Botswana

14,2

24,8

75%

Cape province

9,2

9,8

7%

Ciskei

1,9

2,1

11%

Gazankulu

1,8

1,1

(39%)

KaNgwane

0,7

0,6

(14%)

KwaZulu and Natal

18,9

21,3

13%

Lebowa

3,0

1,5

(50%)

Lesotho

344,4

284,0

(18%)

Malawi

0,3

0,2

(33%)

Mozambique

152,6

160,5

5%

Orange Free State

1,4

2,7

93%

QwaQwa

3,9

4,4

13%

Swaziland

20,8

22,0

6%

Transkei

122,4

131,6

8%

Transvaal

8,0

5,9

(26%)

Venda

0,9

1,1

22%

Total^a

731,7

705,9

(4%)

a

Figures may not add up, owing to ro

Job Advancement

Public Sector

The 1991 *Manpower Survey* provided the following information on the number of people employed in the public sector in South Africa (excluding the 'independent' homelands) between 1989 and 1991:²¹ [²¹ CSS, *Manpower Survey, 1991 Occupational Information*, Pretoria, March 1993]

Public sector employees: 1989–1991

Central and provincial government, and parastatals

1989

African

Coloured

Indian

White

Total

Male

165 326

56 270

14 773

173 383

409 752

Female

99 059

53 948

11 387

140 800

305 194

Total

264 385

110 218

26 160

314 183

714 946

1990

Male

194 502

59 836

14 759

159 231

428 328

Female

113 686

57 324

12 448

145 364

328 822

Total

308 188

117 160

27 207

304 595

757 150

1991

Male

203 439

59 253

14 225

160 299

437 216

Female

120 883

59 773

11 509

149 092

341 257

Total

324 322

119 026

25 734

309 391

778 473

Local government and community councils

1989

African

Coloured

Indian

White

Total

Male

102 178

26 540

5 224

37 990

171 932

Female

8 423

2 752

683

15 625

27 483

Total

110 601

29 292

5 907

53 615

199 415

1990

Male

96 743

26 334

5 644

37 284

166 005

Female

9 110

3 485

793

15 729

29 117

Total

105 853

29 819

6 437

53 013

195 122

1991

Male

97 865

26 287

6 098

38 027

168 277

Female

9 979

3 628

851

16 257

30 715

Total

107 844

29 915

6 949

54 284

198 992

Non-independent homeland administrations

1989

African

Coloured

Indian

White

Total

Male

100 723

1

23

363

101 110

Female

82 893

1

12

169

83 075

Total

183 616

2

35

532

184 185

1990

Male

113 647

2

116

523

114 288

Female

81 395

2

17

324

81 738

Total

195 042

4

133

847

196 026

1991

Male

107 396

4

151

824

108 375

Female

97 067

1

46

498

97 612

Total

204 463

5

197

1 322

205 987

Telkom and South African Post Office

1989

African

Coloured

Indian

White

Total

Male

26 194

11 414

1 833

34 241

73 682

Female

1 833

597

59

19 750

22 239

Total

28 027

12 011

1 892

53 991

95 921

1990

Male

26 400

11 142

2 451

32 807

72 800

Female

1 760

659

82

20 682

23 183

Total

28 160

11 801

2 533

53 489

95 983

1991

Male

26 372

11 278

2 607

33 162

73 419

Female

1 941

886

157

20 508

23 492

Total

28 313

12 164

2 764

53 670

96 911

Transnet

1989

African

Coloured

Indian

White

Total

Male

82 830

13 755

1 654

72 246

170 485

Female

717

367

25

10 205

11 314

Total

83 547

14 122

1 679

82 451

181 799

1990

Male

72 226

12 846

1 704

67 681

154 457

Female

677

423

42

10 450

11 592

Total

72 903

13 269

1 746

78 131

166 049

1991

Male

74 485

12 803

2 031

70 490

159 809

Female

According to the 1991 *Manpower Survey*, between 1989 and 1991 there was an increase of 23% and 22% respectively in the number of African men and women employed by central and provincial government and by parastatals. The number of white men employed by central and provincial governments and by parastatals declined by 8% over the same period, while the number of white women employed increased by 6%. Over the same period the survey recorded an increase in the number of white men (127%), white women (195%) and African women (17%) employed by the nonindependent homeland administrations. The number of white men and women employed by Transnet remained almost constant between 1989 and 1991. However, there was an increase in the number of Indian men (23%) and Indian women (164%) employed by Transnet, and a decrease in the number of African men (10%) employed, the survey noted.²² [²² Ibid]

The minister of justice, Mr Kobie Coetsee, said in February 1993 that the government supported affirmative action to address underdevelopment and 'past discrimination'. He added, however, that affirmative action had many facets and its application in too wide a sense could destroy the economy (see also chapters on *Business* and *The Economy*).²³ [²³ *The Citizen* 4 February 1993] The minister of education and training, Mr Sam de Beer, said in September 1993 that the government was in the process of making the public sector more representative of the South African population. Mr de Beer said, however, that it was not possible to provide a racial breakdown of employment in the public sector since the repeal in June 1991 of the Population Registration Act of 1950.²⁴ [²⁴ *Business Day* 14 September 1993]

The president of the Public Servants' Association, Mr Johan van Wyk, said in the same month that public servants had accepted the need for change in the public service. Claims that public servants could not handle change were unfounded, he said. Mr van Wyk added that public servants would support affirmative-action programmes which favoured phasing in change, rather than a complete overhaul of the public service. He also said that public servants feared that preferential treatment or quotas would amount to 'discrimination in reverse' and lead to lower standards in the recruitment of people and in the services provided by the public sector.²⁵ [²⁵ *The Star* 21 September 1993]

At a conference convened by the constitutional committee of the African National Congress (ANC) in October 1991, it was suggested that a programme of education and training of public servants in preparation for the dispensing of services to 'accommodate the historically disadvantaged' be implemented in an affirmative-action programme. It was also suggested that existing public servants needed to be re-educated to operate more openly and become more accountable to the public. Furthermore, it was recommended that the public service be representative of the composition of the population, and that there be a commitment by public servants to implementing such policies.²⁶ [²⁶ Centre for Development Studies, *Affirmative Action in a New South Africa*, Cape Town, May 1992, pp84–85]

The head of the affirmative-action programme at Telkom, Dr Nono Makhudu, and the general manager of human resources at Telkom, Mr Delano de Witt, drafted an affirmative-action programme for Telkom

at the beginning of 1993. A key aspect of the programme was that African women should occupy 30% of Telkom's management positions before more African men should be considered for employment in such positions. By April 1993 intercultural workshops were being held by Telkom, at which black and white employees were encouraged to express their fears regarding affirmative action. Mr de Witt said that almost half of Telkom's total staff of some 6 400 was African in April 1993, although such employees were mainly concentrated in the lower levels of employment. The representation of blacks in managerial positions was at an 'unacceptable' level, he added.²⁷ [²⁷ *Enterprise* April 1993]

In February 1993 the ANC said a 'democratic South Africa' would need a 'fundamentally' restructured foreign service and suggested a 'deliberate, calculated and conscious' affirmative-action programme to harness talent and to develop potential 'in an effort to redress imbalances which presently prevent parts of the population from entering the foreign service'. The ANC also said that it believed that current foreign service members and political appointees should undergo a 'reorientation' course. A spokesman for the Department of Foreign Affairs (who wished to remain anonymous) said that the department had been recruiting people from all sectors of the population for 'many' years. He said that about half of recruits in 1993 were African but added that the department recognised that 'there was a great deal still to be done' in terms of recruiting from a larger section of the population. However, he did not believe it necessary to introduce a 'stringent' programme of affirmative action in the department.²⁸ [²⁸ *Business Day* 19 February 1993]

The South African Broadcasting Corporation (SABC) said in March 1993 that it had embarked on an affirmative-action programme based on an 'employment equity' policy which sought to redress inequalities in the composition of its staff, especially at managerial and senior level. A steering committee had been appointed to implement the policy. The SABC group personnel manager, Mr Fred Coop, said that the employment equity programme would not take away positions from people who had 'earned' them.²⁹ [²⁹ Ibid 11 March 1993, *Weekly Mail and Guardian* 24 September 1993]

Enterprise reported in April 1993 that in December 1990 there had been one African out of a total of 200 people in an executive managerial position at Eskom. The figure had increased to five by November 1992. In 1992 there were 27 African managers at Eskom. The number had increased to 70 by April 1993.³⁰ [³⁰ *Enterprise* April 1993] The senior manager of human resources at Eskom, Ms Dawn Mokhobo, said in June 1993 that affirmative action had an 'external' and an 'internal' component. As part of its external programme, Eskom aimed to offer effective community support programmes, provide educational support to disadvantaged students and develop links with 'like-minded' organisations, she said. Internally, line management was to be responsible for the implementation of affirmative action. Ms Mokhobo said employee diversity should be valued and employees must be reassured that they did not need to fear affirmative-action programmes.³¹ [³¹ *The Star* 17 June 1993]

In May 1993 Eskom appointed two representatives of trade unions, two representatives of consumer organisations and one representative of a civic association to its nine-member board of directors (the Electricity Council). According to the communications manager at Eskom, Mr Bongani Khumalo, the

appointments represented an effort to make Eskom more aware of the needs of its customers.³² [³² *Sowetan* 27 May 1993]

In July 1993 Eskom launched a senior management development project, called the 'Able Project', for which R3m was set aside to train 100 Africans to be managers by 1997. The project involved the selection of some 15 people by some ten corporations for a two-and-a-half year training and job-placement programme to prepare them for senior executive positions. Eskom enlisted the support of the Harvard Business School (United States), the University of the Witwatersrand and other local and overseas universities for the project.³³ [³³ *Business Day* 29 July 1993]

In May 1993 it was reported that the management committee of the Durban City Council had agreed to implement a programme worth R1,8m to prepare the council's 13 000 municipal employees for affirmative action. The aim of the programme was to create mechanisms within the council to bring about an 'affirmative-change culture' and to set up structures and support mechanisms to ensure that the programme was continued and that change occurred. The chairman of the management committee, Mr Peter Mansfield, said that the council had already begun reassessing its policies with regard to the recruitment, advancement and training of blacks and women. He said that it was in the interests of everyone that the process be hastened or else the council might have to appoint and to promote people irrespective of merit.³⁴ [³⁴ *The Natal Mercury* 26 May 1993]

The chief executive of the South African Airways (SAA), Mr Mike Myburgh, said in June 1993 that the SAA's affirmative action policy, which entailed hiring mainly blacks, had started in 1991. However, by 1993 'less than 20%' of staff was black, he said.³⁵ [³⁵ *The Star* June 1993] The executive manager of flight operations for the SAA, Captain Mickey Mitchell, said that following pressure from the ANC, the SAA was altering entry level requirements for pilots in order to increase the number of black pilots in its employ. Capt Mitchell added, however, that the SAA would not lower its training standards.³⁶ [³⁶ *Sunday Times* 11 April 1993]

In September 1993 the president of the National African Federated Chamber of Commerce and Industry, Mr Archie Nkonyeni, said that the managerial posts of the Small Business Development Corporation (SBDC) were dominated by white Afrikaans-speaking men. In the same month it was reported that owing to pressure from black business organisations, the SBDC was planning to introduce more black people into its top managerial structure. A spokesman for the SBDC, Mr Christo Botha, said the SBDC was 'slowly implementing' its affirmative-action plan.³⁷ [³⁷ *Sunday Nation* 12 September 1993]

It was reported in June 1993 that Eskom had first focused on affirmative-action issues in 1985 after discussions with trade unions had led to a campaign to eliminate overt racial discrimination at Eskom. In 1989 Eskom adopted an employment-equity programme known as 'no potential lost' which was based on training employees and upgrading their skills, and on mentoring junior managers (ie trainee managers were assisted by experienced managers).³⁸ [³⁸ *Business Day* 24 June 1993]

The senior human resources manager of Transnet, Mr Hennie Lourens, said in the same month that Transnet had embarked on a countrywide affirmative-action programme to change from 'a white-male dominated company to one in which diversity is valued'.³⁹ [³⁹ Ibid 22 September 1993] Mr Lourens said the policy had been applied since May 1991 and had, he believed, proved successful despite Transnet's general staff reductions. Training initiatives had been intensified and existing personnel had been retrained to increase productivity, he said. Mr Lourens added, however, that Transnet rejected the use of a quota system to increase the numbers of blacks in management positions at Transnet.⁴⁰ [⁴⁰ *The Citizen* 25 September 1993]

Private Sector

According to the Consultative Business Movement, only 5% of managerial positions in South Africa were occupied by Africans in 1992.⁴¹ [⁴¹ *The Star* 30 March 1993] The Small Business Advisory Bureau based at the University of Potchefstroom said in April 1993 that 'less than 30%' of managers in South Africa were Africans.⁴² [⁴² *New Nation* 23 April 1993] According to a consultant to the African National Congress and the Black Management Forum, Mr Don Mkhwanazi, an analysis of the top 100 companies listed on the Johannesburg Stock Exchange (JSE) in 1992 showed that 1,6% (40) of approximately 2 550 directorships were held by Africans.⁴³ [⁴³ Consultative Business Movement, *Managing Change: A guide to business in transition*, Johannesburg, 1993, p35] Mr Mkhwanazi noted, moreover, that only 11 of the 40 African directors were executive directors. He added that many nonexecutive directors had become disillusioned with their roles on these boards and complained of being 'rubber stamps' (see also chapter on *Business*).⁴⁴ [⁴⁴ *Financial Mail* 7 May 1993]

Mr Simon McGregor, the managing director of McGregor's Online Information, a business information group, said in July 1993 that 49 (1,3%) of the 3 773 directors of the JSE's 657 companies were women. The 49 women shared about 55 directorships between them. Fourteen of the women were either executive directors, chairwomen or managing directors, he said. A senior lecturer in the Graduate School of Business Leadership at the University of South Africa, Dr Delisiwe Dlodlu, said the figures mentioned by Mr McGregor reflected 'old boy' management strategies, ie that affirmative action had thus far concentrated on rectifying racial inequalities to the disadvantage of gender imbalances.⁴⁵ [⁴⁵ *Business Day* 15 July 1993]

The results of a three-year survey conducted by the Collaborative Working Group for the Advancement of Black Managers and published in early 1993 revealed disparities between male and female managers in the areas of responsibility and remuneration, even though average age, experience, qualifications and hours spent at work were almost equal. The survey found that male managers had twice as many subordinates as female managers. Furthermore, for every man earning less than R60 000 a year there were eight women, while twice as many men as women earned more than R100 000 a year. The survey found that these inequalities acted as 'significant disincentives' for women managers to advance, as they were exposed to increasing discrimination the higher they rose in an organisation.⁴⁶ [⁴⁶ Ibid 15 April 1993]

A survey undertaken by FSA-Contact, a human resource consultancy, and published early in 1993 found the following to be the racial composition of a sample of 71 companies in various sectors of the South African economy in 1989 and 1992, and gave the following projections for 1995:⁴⁷ [⁴⁷ *The Star* 31 March 1993]

Racial composition of a sample of South African companies: 1989–1995^a

Position

African

Coloured

Indian

White

Senior managers^b

1989

0,1%

0,3%

0,3%

99,3%

1992

1,1%

0,3%

0,5%

98,2%

1995

6,4%

1,6%

1,7%

90,2%

Middle managers^c

1989

1,0%

0,8%

1,0%

97,2%

1992

1,5%

1,3%

6,5%

91,0%

1995

6,4%

2,5%

2,2%

88,9%

Professionals^d

1989

4,8%

4,5%

4,7%

86,0%

1992

6,0%

5,3%

5,5%

83,2%

1995

9,9%

8,6%

8,6%

72,9%

General staff^e

1989

23,2%

8,7%

6,7%

61,5%

1992

22,4%

9,9%

8,0%

59,7%

1995

26,4%

10,3%

7,1%

56,2%

Lower skilled^f

1989

63,3%

21,3%

14,7%

0,7%

1992

59,0%

23,1%

17,3%

0,6%

1995

61,5%

21,9%

16,0%

0,6%

a

Figures may not add up to 100% owing to rounding.

b

Executives and managing directors

c

Personnel managers

d

People with degrees, such as accountants and engineers

e

Sales, administration and information systems staff

f

Manufacturing and

Unemployment

Statistics

The chief economist of Nedcor, Mr Edward Osborn, said in February 1993 that South Africa had no comprehensive system for the registration of unemployment, which meant that there was no comparable basis for statements about the extent of unemployment. He added that the number of workseekers was 'high' in South Africa but remarked that the manner in which unemployment was calculated was unreliable. Mr Osborn also said that the perception that industrialisation would remedy unemployment was a myth as the modern technology needed for industrial growth meant that only limited job opportunities would be generated.⁴⁸ [⁴⁸ *The Weekly Mail* 12 February 1993]

According to the National Manpower Commission (NMC), during the 1980s one out of every seven entrants to the labour market (or 14%) obtained a formal job, compared with three out of every four (or 70%) during the 1960s. In 1992 the labour absorption capacity of the economy decreased to 5%.⁴⁹ [⁴⁹ NMC, annual report 1992, p37]

According to the 1991 population census, some 2,1m people in South Africa (excluding the 'independent' homelands) were unemployed, representing an unemployment rate of 18%. (The NMC defined the unemployed as those people who were seeking employment but unable to find it.) Some 53% of the unemployed were women. The NMC noted, however, that since many unemployed people were not actually seeking employment and were, therefore, not included in this definition, the actual number of people who were out of work could be much higher. The NMC also said that the collection of data for the census, particularly in informal settlements, had been 'unsatisfactory'. According to the census, the unemployment rate for Africans was 23,3%; for coloured people, 16,9%; for Indians, 12,7%; and for whites, 4%.⁵⁰ [⁵⁰ Ibid]

The NMC estimated the 'actual' extent of people without employment in the formal economy in 1991 in South Africa (including the ten homelands) to be 4,9m, representing 39% of the economically active population (EAP). The NMC said that the average total registered unemployment for January to June 1992 amounted to 261 810, some 69% of whom were men. The figure represented an increase in registered unemployment of 38 763 people (17,4%) on figures for the first six months of 1991, the NMC said.⁵¹ [⁵¹ Ibid, pp36-37]

According to the Small Business Development Corporation (SBDC), between 300 000 and 400 000 jobs had been lost in South Africa since 1990 owing to retrenchments.⁵² [⁵² *Sunday Times* 14 February 1993] The South African Institute of Race Relations said in February 1993 that only 85 of every 1 000 people entering the job market found employment in the formal economy. The Institute quoted the SBDC as saying that some 45% of the EAP was not formally employed. The Development Bank of Southern Africa said that the formal sector of the economy could accommodate only 49% of the EAP, the Institute noted.⁵³ [⁵³ *Fast Facts* no 2, 1993] In the same month the Central Statistical Service (CSS) said that over 2m

people (ie 18% of the total workforce) were unemployed in South Africa (excluding the ‘independent’ homelands).⁵⁴ [⁵⁴ *Cape Times* 3 February 1993]

In April 1993 Sanlam said that there were some 3m unemployed people with no source of employment at all and another 3m people were working in the informal sector of the economy.⁵⁵ [⁵⁵ *Sanlam Economic Survey* April 1993] A survey of 157 companies in different sectors of the economy, conducted by Andrew Levy and Associates and published in the same month, found that 43% of the respondents had retrenched more than 20 000 workers (or about 4% of their workforce) between 1991 and 1992. The retrenchments in 1991 and 1992 represented a decline on comparable figures for the period 1989 to 1990, in which 68% of 217 companies had reduced their workforce by about 27 000 (representing 4% of the respondents’ total workforce). The survey also found that between 1990 and 1991, 60% of the companies surveyed had retrenched managerial staff, including executive personnel.⁵⁶ [⁵⁶ *Business Day* 16 April 1993]

The CSS said in May 1993 that between August and November 1992 the number of people employed in the mining and quarrying industries had decreased by almost 10 000 (or 1,7%) to 588 966, and in the construction industry by 7 700 (or 2%) to 360 700. The number of people employed by the manufacturing industry had increased over the same period by 32 400 (or 2,4%) to 1 400 516, the CSS said. It also noted that during 1992 some 11 000 jobs had been lost in retailing and more than 3 000 in wholesale businesses. Some 1 500 jobs (1,3%) were lost in the motor trade, while employment in the hotel trade dropped by 5,6% (or 2 400) to 40 700, the CSS said.⁵⁷ [⁵⁷ *Ibid* 19 May 1993]

The general manager of NedEnterprise, Mr Neville Edwards, said in June 1993 that only 1% of graduates, matriculants and other school leavers in 1993 would find employment in the formal sector of the economy. He said that the formal sector would be ‘virtually closed’ until the end of 1995.⁵⁸ [⁵⁸ *Ibid* 2 June 1993] In the same month the South African Chamber of Business (Sacob) said that some 300 000 people left school and university each year to enter the job market. It added in September 1993 that official figures showed that some 340 000 people had been retrenched since the beginning of the recession in 1989.⁵⁹ [⁵⁹ *The Star* 8 September 1993] Sacob pointed out, however, that these figures excluded people in the agricultural sector and employees who had been encouraged to retire early. Some 250 000 farmworkers had been retrenched over this period, Sacob added.⁶⁰ [⁶⁰ *Sunday Times* 20 June 1993]

The South African Reserve Bank said in June 1993 that some 1,5m new job seekers had been unable to find employment in the formal economy since the beginning of the recession in 1989. The bank added that since 1989 formal employment in the non-agricultural sectors of the economy had decreased by more than 5% (or by 288 000 people).⁶¹ [⁶¹ *Business Day* 25 June 1993] In the same month the National Productivity Institute (NPI) said that employment in the formal economy had increased by 0,7% a year between 1980 and 1990, while the population had grown by about 2,6% a year over the same period (see also chapter on *The Economy*).⁶² [⁶² *The Citizen* 29 June 1993]

Research undertaken by the Community Agency for Social Enquiry (Case) and published in July 1993 found that in South Africa (including the ten homelands) 52% of people between the ages of 16 and 30 years (or 3m) who were able to work were not employed. Fifty-seven percent of young Africans, 46% of young coloured people, 17% of young Indians and 4% of young whites fell into this category, Case said.⁶³ [⁶³ *Work in Progress* July 1993] According to the South African Council of Churches, 3,5m South Africans between 16 and 30 years of age had been 'marginalised' by apartheid and were currently unemployed.⁶⁴ [⁶⁴ *The Citizen* 9 July 1993]

The reserve bank said in August 1993 that in 1992, 46% of the economically active population (EAP) was not employed in the formal sector of the economy, compared with 39% in 1988.⁶⁵ [⁶⁵ *The Star* 23 August 1993] The bank said that employment had grown by an average of only 0,5% a year between 1983 and 1989 and had declined by 1,5% a year thereafter. The EAP had increased by 2,9% a year in the 1980s, the bank said. It added that South Africa had to create 400000 jobs a year to accommodate people entering the job market and to deal with the backlog which had developed in the 'work drought' of the 1980s.⁶⁶ [⁶⁶ *Sunday Times* 29 August 1993]

The chairman of the Community Banking Project, Mr Bob Tucker, said in February 1993 that unemployment was expected to rise to 7,5m (ie 40% of the EAP) by 2000.⁶⁷ [⁶⁷ *Business Day* 1 March 1993] The managing director of the Small Business Development Corporation, Dr Ben Vosloo, said in April 1993 that more than 5m people would be without jobs by 2000.⁶⁸ [⁶⁸ *African Business* April 1993]

A researcher at the Centre for Social and Development Studies at the University of Natal (Durban), Professor Valerie Möller, said in July 1993 that by 2000 more than 8m people (ie 44% of the EAP) would be unemployed. Professor Möller said that 350 000 new jobs would have to be created every year at a rate eight times faster than in 1993 so as to reduce the absolute number of unemployed. She estimated that the number of unemployed in South Africa (including the ten homelands) in 1992 exceeded 6m and that 90% of the unemployed were younger than 30 years of age. Fewer than 10% of new job seekers had found work in the formal sector of the economy in 1992, she said. Research undertaken by Professor Möller in the late 1980s in various townships around Durban, in Mdantsane (eastern Cape) and in Soweto, and published in July 1993 found that 10% of workseeking respondents had been looking for work for a period of between five and nine years, 18% for three to four years, 31% for one to two years, and 41% for less than a year. Half of the respondents suffered from feelings of depression, anxiety and anger, and indicated that they were unable to concentrate or to sleep at night. Professor Möller also found that there was a strong commitment among unemployed respondents to work. A quarter of the respondents said that they had felt so discouraged that they had given up seeking employment. However, she found that 'most' of the respondents were free of self-pity and envy of those who were employed.⁶⁹ [⁶⁹ *The Natal Witness* 28 July 1993]

It was reported in February 1993 that the number of applications for Unemployment Insurance Fund (UIF) benefits in 1992 had increased by more than 100 000 (or 13%) over the comparable figure for

1991. In 1992 the number of beneficiaries averaged about 227 000 a month compared with fewer than 200 000 a month in 1991.⁷⁰ [⁷⁰ *Business Day* 9 February 1993] The Department of Manpower said in May 1993 that UIF payments had increased dramatically during the first four months of 1993 and that measures might have to be taken to protect reserves. Payments in the first three months of 1993 amounted to R476m, compared with R361m in the first quarter of 1992.⁷¹ [⁷¹ *Ibid* 6 May 1993]

According to the 1992 annual report of the Department of Manpower, in 1992 the total expenditure of the fund exceeded its total income by R210m. The fund's reserves stood at R918m in 1992. There had been some 800 000 UIF claims in 1992, totalling R1,56bn, with about 72 000 new applications each month.⁷² [⁷² *The Star* 13 May 1993]

The minister of manpower, Mr Leon Wessels, said in August 1993 that the contributions of employers and employees to the fund were to increase from 0,9% to 1% of earnings from 1 October 1993. He said that the increase was necessary owing to poor economic conditions and high unemployment.⁷³ [⁷³ *Business Day* 25 August 1993] It was reported in September 1993 that UIF reserves stood at R750m, compared with R918m at the end of 1992. It was reported in September 1993 that the fund was paying out some R165m a month in 1993 to about 250 000 people, compared with R135m a month to 227 000 beneficiaries in 1992.⁷⁴ [⁷⁴ *Ibid* 6 September 1993]

Regional Disparities

Mr Peter Kenyon, the co-ordinator of the Natal/KwaZulu job creation and enterprise development initiative (a nonprofit organisation), said in May 1993 that some 500 000 people were unemployed in the greater Durban area by the beginning of 1993.⁷⁵ [⁷⁵ *The Natal Mercury* 28 May 1993] The Development Bank of Southern Africa said that between 1960 and 1965, 81% of job seekers in Natal had secured employment. Between 1985 and 1990 some 8,4% secured employment, while between 1985 and 1991 the proportion had decreased to 0,5%.⁷⁶ [⁷⁶ *Sunday Tribune* 10 January 1993]

Research by the head of the employment research unit at the Vista University campus in Port Elizabeth (eastern Cape), Professor Michael Levin, showed that in 1993 there were 160 000 unemployed people out of a total population of 1,2m in the Port Elizabeth/Uitenhage metropolitan area. In 1992 some 13 800 had been retrenched in the metropolitan area, Professor Levin said. He added that 750 000 people out of a total population of 5m were unemployed in the eastern Cape (including the Ciskei and the Transkei). In the Transkei 76% of the workforce was unemployed. In the Ciskei the figure was 64%, he said.⁷⁷ [⁷⁷ *Eastern Province Herald* 6 March, 18 May 1993]

Job Creation

According to the 1992 report of the Department of Manpower, no funds were allocated for the special job-creation programme in the 1992/93 financial year. The department said, however, that an amount of R22m had been carried over from 1991/92 to 1992/93, of which R8m would be spent in order to complete job-creation projects. A further amount of R6,3m had been allocated by the Central Economic Advisory Service to complete job-creation projects.⁷⁸ [⁷⁸ Department of Manpower, annual report 1992]

Between October 1991 and October 1992 the Department of Manpower spent R17,7m on job-creation projects and created 18 123 jobs. Between April 1985 and 1992 more than R809m had been spent on job-creation programmes by the department. During 1992 an amount of R10,2m was spent by other government organisations on job creation, according to the department.⁷⁹ [⁷⁹ Ibid]

The minister of finance, Mr Derek Keys, said in March 1993 that the government had allocated R246m in the 1993/94 budget to job-creation schemes. Mr Keys said that R73m had been allocated to the Department of Manpower, which had expanded its training scheme for the unemployed to include a new 'in-task training scheme' aimed at ensuring that training become more effective. The Small Business Development Corporation was to receive R113m, he said. Mr Keys added that some 400 projects with the potential to create some 29 000 jobs had been approved by the Regional Industrial Development Programme. The Development Bank of Southern Africa was to receive about R30m from the department in 1993/94 to assist small businesses in the non-independent homelands. The balance of funds (R30m) would be allocated to a variety of organisations, he said.⁸⁰ [⁸⁰ *Business Day* 18 March 1993] Mr Keys said that an additional R60m had been allocated to the National Economic Forum (NEF) for job creation. He said that he believed the forum would be able to 'use the funds more effectively' than government departments.⁸¹ [⁸¹ Ibid 5 April 1993]

Mr Keys said in Parliament in April 1993 that an amount of R685m out of a total of R1bn, which had been allocated to government departments for labour-intensive projects in 1991, had not been spent yet. Mr Keys blamed 'bureaucratic logjams' and 'lack of community involvement' for the failure to spend the funds. He said that non-governmental organisations working together with government departments could play an important role in ensuring that funds for redressing socio-economic backlogs were disbursed effectively.⁸² [⁸² Ibid]

In March 1993 the Building Industries Federation of South Africa announced a plan whereby the government was to guarantee investments made by the private sector (including banks, building societies, insurance companies and pension funds) in low-cost housing. This initiative was expected to create some 800 000 jobs (see also chapter on *Housing and Infrastructure*).⁸³ [⁸³ *The Star* 8 March 1993]

In the same month the Congress of South African Trade Unions (Cosatu) called for the implementation of a national public-works programme to alleviate unemployment and appealed to the civil engineering industry to commit itself to labour-intensive construction methods on government-funded projects.⁸⁴ [⁸⁴ *Business Day*, *The Star* 4 March 1993; *Mayibuye* April 1993]

It was reported in June 1993 that the NEF was close to finalising a proposal for a public-works programme worth between R5bn and R6bn, which was to be launched in 1994/95. The special economic adviser to the minister of finance, Dr Japie Jacobs, said in June 1993 that the government had accepted the proposal for a public-works programme in principle but mentioned that the funding of such a programme was still under discussion. The Development Bank of Southern Africa said in the same month that investment of R5bn had the potential to create direct employment for more than 300 000 people.⁸⁵ [⁸⁵ *Business Day* 7 June 1993]

In the same month an agreement was signed between Cosatu, the national committee for labour intensive construction (representing five national civil engineering associations) and the South African National Civic Organisation, in terms of which more labour-intensive methods would be used in construction. The chairman of the committee, Mr Graham Power, said that the agreement opened the way for an increase in the labour component of construction costs from 10% to between 25% and 40%. Mr Power added that within three years up to 50% of all government expenditure on construction could be spent on projects with some labourintensive component. He added that employment levels in the construction industry as a result of this measure were expected to increase. Employment levels had decreased from 135 000 in 1985 to 55 000 in 1993, he said.⁸⁶ [⁸⁶ *The Star* 24 June 1993]

In July 1993 the NEF announced that it would spend R49m on job creation and R30m on small business development programmes (see also chapter on *The Economy*).⁸⁷ [⁸⁷ *Business Day* 6 July 1993] In August 1993 the forum invited the public to apply for funds for job-creation and small business programmes. According to the forum, funding decisions would be based on the following criteria:⁸⁸ [⁸⁸ *Ibid* 3 August 1993]

- the number of jobs to be created and the period of employment to be provided;
- the amount of government funding needed and supplementary funds available to the project in question;
- the usefulness of the goods and services emanating from the project;
- the proposed and required financial controls for the envisaged project;
- the sustainability of the project beyond the funding period;
- the project's training component and the value of skills acquired;
- the nature of community involvement;
- the impact of the job-creation project on undeveloped areas and areas of high unemployment; and

- the impact on social conflict and economic growth.

In the same month Dr Jacobs said that if the forum's job-creation scheme 'went according to plan' the government would allocate more funds to the initiative. The director of industrial relations at the Anglo American Corporation of South Africa, Mr Bobby Godsell, said that allocating funds in an open manner was more important than having a large amount of money allocated to the scheme.⁸⁹ [⁸⁹ *The Weekly Mail* 6 August 1993]

The Department of Manpower said in August 1993 that R255m was to be set aside for job-creation schemes from the sale of strategic oil reserves, of which R25m was to be set aside for training, R25m for supporting people who wanted to start farming, R20m for the maintenance of government buildings by small businesses and subcontractors, and R5m for the erection of facilities and shelters for the youth. The balance (R180m) would be used by the NEF for labour-intensive projects, the department said. Cosatu said that it welcomed the government's announcement of additional funds for job-creation programmes, adding that the funds should be seen as part of a process and not as the solution to unemployment (see also chapter on *The Economy*).⁹⁰ [⁹⁰ *Business Day* 6 August 1993]

The Independent Development Trust (IDT) set aside R215m for job creation and skills development in 1992. The amount was to be disbursed through the Development Bank of Southern Africa, 'approved' non-governmental organisations, development corporations in the homelands and various skills-training initiatives. The beneficiaries of the funds were to be small or emerging entrepreneurs across the country (including the ten homelands). The IDT said that loans could be used as working capital by existing small business in the informal sector or in skills training aimed at developing self-employment and independence. The IDT said, however, that progress in disbursing the R215m to recipients had been slow owing to the lack of expertise effectively to manage budgets and projects within the communities the IDT served.⁹¹ [⁹¹ *Financial Mail* 21 May 1992; Independent Development Trust, *The Second Year*, August 1992]

The Industrial Development Corporation (IDC) said in August 1993 that it had allocated R100m to create some 5 000 new jobs in the formal manufacturing sector over the following two years. In 1993 the IDC was responsible for providing finance to some 700 companies through its various schemes.⁹² [⁹² *Business Day* 10 August 1993]

The managing director of the Small Business Development Corporation (SBDC), Dr Ben Vosloo, said in the same month that the SBDC in its first 12 years of operation (ie between 1981 and 1993) had granted loans of over R1,8bn to 42 000 small businesses and had created some 330 000 jobs, of which 80% were for Africans.⁹³ [⁹³ *Ibid* 17 August 1993]

Skills and Training

Skills Shortages

While skilled workers continued to leave the country in 1992, a net increase occurred in all occupational categories (except farming and related occupations) outlined in the table below. There was a net increase of 215 engineers and related technologists in 1992, compared with a net increase of 288 in 1991. South Africa also had a net gain of 290 medical practitioners and specialists in 1992 and a net gain of nine dental practitioners, while in accounting and related occupations there was a net gain of 14 (see also chapter on *Population*). According to the Central Statistical Service (CSS), the following number of professional people left South Africa in 1991 and 1992 (with the net gain or loss in each occupational category owing to immigration also provided):⁹⁴ [⁹⁴ CSS, *Tourism and Migration: December 1992*, Statistical News Release PO351, 7 April 1993]

Emigrants by occupation: 1991 and 1992

	1991	1992	Occupation	Emigration	NetEmigration
NetProfessional, semi-professional and technical	803	1 031		898	710
Managerial, executive and administrative	221	561		242	

278

Clerical and sales

531

1 042

526

471

Transport, delivery and communications

9

75

9

44

Service

55

191

54

126

Farming and related

8

59

19

(2)

Artisans, apprentices and related

281

506

244

181

Production foreman and supervisor, miner and quarry worker, operator, production and related

55

163

33

97

Occupation unspecified and not classified elsewhere

45

404

52

150

Total

2 008

4 032

2 077

2 055

Total not economically active

2 248

4 091

2 212

2 342

Grand total

4 256

8 123

4 289

4 397

The *Financial Mail* reported in August 1993 that the CSS did not record ‘many’ professionals who left South Africa as tourists, yet did not return to the country. A survey conducted by the Graduate School of Business Leadership at the University of South Africa and International Survey Research (Chicago) and published in August 1993 showed that a third (167) of the 500 managers in South African industry who were interviewed would emigrate if they had the opportunity to do so.⁹⁵ [⁹⁵ *Financial Mail* 6 August 1993] A total of 38% of managers interviewed said that if more Africans were promoted their company’s work standards would be affected. However, over half of the respondents (56%) said that their companies would suffer serious skills and management shortages if they did not advance more Africans.⁹⁶ [⁹⁶ *Sunday Times* 18 July 1993]

The Foundation for Research Development in Pretoria launched a programme in July 1993 to halt the ‘brain drain’ and to encourage expatriate scientists and engineers to return to South Africa. The foundation aimed to target people with skills in biotechnology, communications, construction technology, information technology, manufacturing, research and development, and science education. It hoped to rekindle the interest of expatriates in South Africa by stimulating collaboration between expatriates and local industry, research organisations and science councils, and by offering leading expatriate scientists financial assistance to return to South Africa.⁹⁷ [⁹⁷ *Financial Mail* 6 August 1993]

The executive director of technology at Altron, Mr David Jacobson, said in June 1993 that future improvement in the economy could be retarded by a ‘serious’ shortage of skilled workers. He estimated

that South Africa required an additional 250 000 skilled people, adding, however, that the shortage was currently not particularly evident owing to the economic recession. A survey of the manufacturing sector undertaken by the Bureau for Economic Research at the University of Stellenbosch at the beginning of 1993 found that 4% of the respondents said that a shortage of skilled labour was 'seriously' constraining their activities. A further 35% said they felt a 'slight' constraint owing to such a shortage.⁹⁸ [⁹⁸ *The Star* 18 June 1993]

The chief of the infrastructure division for southern Africa of the World Bank, Dr Isaac Sam, said in July 1993 that South Africa could not expect to make rapid economic progress while 60% of its economically active population was functionally illiterate. Dr Sam added that the 'most urgent' task facing a new government would be to improve the skills of the workforce.⁹⁹ [⁹⁹ *Ibid* 27 July 1993]

Training

Mr Alistair Manchin, the training and grading co-ordinator of the Australian Confederation of Unions, who had been seconded to the Congress of South African Trade Unions (Cosatu), said in February 1993 that industrial training would become an essential part of industrial bargaining in the near future. Workers should demand paid leave to upgrade their skills, he said. The present task-based grading systems should be replaced by competencygrading systems, Mr Manchin added. He believed that opportunities for job advancement would do more to encourage productivity than the current inflation-based wage bargaining. Mr Manchin also said that programmes to retrain and relocate workers who had lost their jobs during economic restructuring would have to be introduced.¹⁰⁰ [¹⁰⁰ *Business Day* 25 February 1993]

The general secretary of Cosatu, Mr Jay Naidoo, said in March 1993 that a key component of Cosatu's programme of reconstruction and development was a programme to restructure education and develop a national training system that addressed the high level of illiteracy, the low skills base and the 'inefficiencies' of the economy (see also chapters on *Labour Relations* and *Education*).¹⁰¹ [¹⁰¹ *Sowetan* 4 March 1993]

The World Bank said in April 1993 that the development of skilled labour, particularly the upgrading of the skills of existing semi-skilled and unskilled workers, should be encouraged. The South African economy could then achieve a higher growth rate and undertake the redistribution of wealth.¹⁰² [¹⁰² *The Weekly Mail* 23 April 1993] The bank also said that the expansion of skilled labour of all races was needed to ease the upward pressure on wages as the South African economy moved back to full capacity. It added that this step would remove the link between the growth of skills and growth in the supply of white labour. The bank suggested further a pact between business and trade unions on training, whereby employers would agree to upgrade workers' skills and unions would agree to limit strikes and other industrial action.¹⁰³ [¹⁰³ *Ibid* 9 July 1993]

The managing director of NCP Chloorkop, Mr Pieter Gildenhuys, said in July 1993 that in order for South African industry to become competitive globally and to achieve the productivity levels of countries such as Japan, training, particularly on a technical level, needed to be given priority.¹⁰⁴ [¹⁰⁴ *Engineering News* 30 July 1993] The executive director of the National Productivity Institute, Mr Jan Visser, said in September 1993 that South African companies were spending less on human resources and thus contributing to the country becoming less competitive. Mr Visser said that in South Africa the proportion of the payroll spent on training was between 0,5% and 1,5%, compared with an average of 10% in Japan and 5% in the United States. An integrated and restructured education and training system that was geared to supply the required manpower was needed to ensure productivity and international competitiveness, he said.¹⁰⁵ [¹⁰⁵ *Business Day* 29 September 1993]

Training Schemes

The Building Industries Federation of South Africa (Bifsa) trained 3 153 trainees in 1992, compared with 2 495 in 1991 (an increase of 26%). In addition, Bifsa training colleges in Cape Town and Springs (east Rand) had been accredited for trade testing and 541 trainees underwent trade testing during 1992.¹⁰⁶ [¹⁰⁶ Building Industries Federation of South Africa, *Statistical Yearbook* 1992, p49]

Murray and Roberts Construction and the Department of Manpower had trained some 55 000 people in bricklaying, home building and plastering between 1985 and April 1993 as part of the Sunflower Project, a training project initiated jointly. Profits generated from the project were not distributed to shareholders of Murray and Roberts but reinvested in social investment programmes focusing on training.¹⁰⁷ [¹⁰⁷ *African Business* April 1993]

It was reported in April 1993 that the Department of Trade and Industry had committed R8m to the Foundation for Research Development to use in its programme to train people in technology for industry. The programme had been initiated by the Steel and Engineering Industries Federation of South Africa in 1990 in an attempt to solve the 'looming crisis in engineering education'.¹⁰⁸ [¹⁰⁸ *Engineering News* 23 April 1993]

The minister of home affairs, Mr Danie Schutte, said in June 1993 that the government had proposed a 'multimillion rand' programme to set up a service and training 'battalion' to address the issue of 'marginalised' youth. The proposal envisaged a training programme of six months to a year, during which time participants would be paid an allowance and receive a lump sum on completion of the course. It was suggested that the programme be created under the auspices of the national peace committee and obtain funding from the government, the private sector and international agencies. The proposal recommended service and training in agriculture, the building of houses in informal settlements, car repairs, masonry and electrical repairs, the planting of grass and trees, the repairing of facilities and the cleaning of roads.¹⁰⁹ [¹⁰⁹ *Business Day* 16 June 1993]

The Joint Management Development Programme had been launched in 1985 on the initiative of the Paris Chamber of Commerce and Industry with the aim of developing middle managers of all races in South Africa, owing to the shortage of skills in this field. Some 300 people had attended the programme by August 1993 and 97% had been promoted in their jobs or had 'improved' their job positions.¹¹⁰ [¹¹⁰ Ibid 11 August 1993]

According to the Department of Manpower, between 1 November 1991 and 31 October 1992 training of unemployed people was undertaken by 401 contractors at 553 training venues in South Africa (excluding the 'independent' homelands). The number of people trained (137 324) was 15% lower than in 1991 (160 555). The number of unemployed people trained annually by the Department of Manpower had been declining since 1986.¹¹¹ [¹¹¹ Department of Manpower, annual report 1992]

The training conducted in terms of the scheme could be classified broadly into the following categories (with the proportion of funds allocated shown in brackets):¹¹² [¹¹² Ibid]

- training for entry into the formal sector (35%). Seventeen percent of those trained obtained employment, compared with 15% in 1991;
- training for entry into the informal sector (53%). Some 27% of those trained were able to find employment, compared with 21% in 1991;
- training in building-related skills (10%). While the department did not specify how many of the trainees were able to find jobs, it said that most were accommodated in projects under the department's special job-creation programme;
- training of the disabled (2%). Of those trained 37% were placed in employment, compared with 20% in 1991; and
- training of entrepreneurs (0,2%). The department did not note the number of people who were trained as entrepreneurs.

The Department of Manpower provided the following figures for people trained in various programmes in 1991 and 1992:¹¹³ [¹¹³ NMC, annual report 1992]

People trained in various programmes: 1991 and 1992a

Type of training

1991

1992

Artisan training

Apprentices

26 714

28 301

Trainees enrolled

349

325

In-service training

Regional training centres

24 160

23 560

Private training centres and training schemes

262 511

211 829

Training schemes where levies apply

13 475

19 259

Training schemes of industrial councils

9 185

13 667

Training of unemployed and workseekers

160 555

137 655

Total

496 949

434 596

a

For the period 1 November 1990 to 31 October 1991 and 1 November 1991 to 31 Oct

Apprentices

According to figures provided by the Department of Manpower in its 1992 annual report, the number of apprentices registered decreased from 10 758 in 1991 to 7 492 in 1992, ie by 30%. The department noted that the number of people who had acquired artisan status decreased from 12 933 in 1985 to 5 588 in 1992, ie by 57%. There was a decrease in the number of current contracts from 33 752 in 1985 to 25 785 in 1992, ie by 24%.¹¹⁴ [¹¹⁴ Ibid]

The following tables give a breakdown of the number of apprenticeships that were registered, in operation, completed and rescinded in 1991 and 1992:¹¹⁵ [¹¹⁵ Department of Manpower, annual report 1992]

Number of apprenticeship contracts registered and in operation: 1991 and 1992

Registered

In operation

Sector

1991

1992

1991

1992

Aerospace

259

257

501

386

Automobile manufacturing^a

187

109

499

450

Building

417

348

786

853

Diamond cutting

7

1

9

5

Electrical contracting

162

322

397

437

Electricity supply

225

156

453

754

Explosives and allied industries

126

64

266

195

Furniture

179

136

271

309

Government undertakings

202

208

476

457

Hairdressing

335

462

695

632

Jewellers and goldsmiths

63

21

127

103

Local authority undertakings

566

296

574

628

Metal engineering

3 911

1 940

9 567

8 472

Mining

880

1 200

3 929

4 703

Motor

1 855

1 217

5 033

4 547

Printing

422

400

1 236

1 035

Sugar manufacturing and refining

43

19

119

99

Transnet

907

332

1 704

1 689

Tyre and rubber manufacturing

12

4

72

31

Total

10 758

7 492

26 714

25 785

a

Port Elizabeth and the northern Transvaal

Number of contracts completed and rescinded: 1991 and 1992

Completed

Rescinded

Sector

1991

1992

1991

1992

Aerospace

299

98

9

25

Automobile manufacturing^a

73

29

23

13

Building

442

133

39

44

Diamond cutting

5

—

1

—

Electrical contracting

82

83

23

22

Electricity supply

115

16

39

16

Explosives and allied industries

118

16

8

3

Furniture

15

22

9

32

Government undertakings

189

32

26

13

Hairdressing

391

367

125

231

Jewellers and goldsmiths

22

4

6

3

Local authority undertakings

82

87

4

65

Metal engineering

2 067

1 977

479

235

Mining

1 326

1 352

148

184

Motor

1 222

498

467

184

Printing

310

429

58

219

Sugar manufacturing and refining

45

6

5

2

Transnet

162

47

30

60

Tyre and rubber manufacturing

22

16

6

–

Total

6 987

5 212

1 505

1 351

Civil Service Training

A director of the Institute for a Democratic Alternative for South Africa, Dr Fredrik Van Zyl Slabbert, said in August 1993 that to ‘a very large extent’ the success of the forthcoming political transition would depend on the administrative efficiency and support of the public service. He said that state structures and the public service had been moulded to pursue the policy of apartheid and needed to be ‘reconstructed’ to ensure stability, growth, redistribution and legitimacy. He emphasised the need for the training of civil servants and the need to limit the size of the bureaucracy after the elections scheduled for April 1994.¹¹⁶ [¹¹⁶ *Business Day* 19 August 1993]

Research undertaken by the public and development management programme of the University of the Witwatersrand and published in June 1992 found that there were 26 institutions (ie technikons and universities) in South Africa (including the ten homelands) which trained people in the field of public administration. Another institution was planning to do so in the near future. In 1992 some 10 647 people were being trained for public administration at these institutions, of which 6 677 were black and 3 970 were white. Of the 26 institutions, seven said that they followed an affirmative-action programme in recruiting students, one had adopted an ‘equal opportunities’ programme, 11 did not follow such programmes and seven did not reply. The institutions said that on completing such courses graduates found work mainly in the public service.¹¹⁷ [¹¹⁷ Public and Development Management Programme, Faculty of Management, University of the Witwatersrand, *A Register of Available Training Opportunities in the Field of Public Administration*, June 1992]

It was reported in October 1993 that while the universities of Pretoria and Stellenbosch were the 'old powerhouses' that had trained most of South Africa's bureaucrats, liberal and historically black universities were presently developing programmes to train future public administrators. It was also reported that in 1994 the Kagiso Trust was to make available some R7m from the European Community to various institutions for the training of civil servants. The South African Foundation for Public Management and Development, established in June 1992 with funding from the United States Agency for International Development, was to spend some R3m in 1994 to fund programmes aimed at training civil servants, particularly at the historically black universities.¹¹⁸ [¹¹⁸ *The Star* 26 October 1993]

Productivity

A senior economic and investment adviser to Credit Guarantee Insurance Corporation of Africa, Mr Luke Doig, said in February 1993 that South African companies were complacent about their productivity rate, which was 'well below' what it should have been, taking into account their high operating costs. He suggested a 'multipronged strategy' which would be designed to educate people about productivity in order to redress the problem.¹¹⁹ [¹¹⁹ *Business Day* 17 February 1993]

The general secretary of the Congress of South African Trade Unions, Mr Jay Naidoo, said in March 1993 that education and training, and worker commitment to employers were essential to unlocking the productive potential of South Africans.¹²⁰ [¹²⁰ *Enterprise* March 1993] The African National Congress (ANC) said in May 1993 that the key to improving output per worker involved focusing on skills training. Skills development should be geared towards greater flexibility so that skills could be transferred from one job to another. Skills should also be designed to develop cognitive and problem-solving skills at all levels of the workforce, the ANC said.¹²¹ [¹²¹ *Financial Mail* 7 May 1993] The manager of human resources services at the National Productivity Institute (NPI), Mr George Chamberlain, said in the same month that low productivity among employees was largely owing to inadequate communication with employers and employees' lack of understanding of business concepts.¹²² [¹²² *Enterprise* March 1993]

The International Institute for Management Development in Switzerland said in April 1993 that South Africa's competitiveness and productivity were rated among the lowest of 14 newly industrialised countries. The institute found that South African employees were poorly motivated and attitudes and values were not conducive to high productivity.¹²³ [¹²³ *Business Day* 23 April 1993] In the same month the International Monetary Fund said that high priority would have to be given to labour productivity in South Africa.¹²⁴ [¹²⁴ *Ibid* 27 April 1993]

According to the Department of Manpower, labour productivity increased by 2,3% in 1991 and by a further 1% from 1 January to 30 September 1992. The department said in 1991 multifactor productivity (ie both labour and capital productivity) increased by 0,3% while capital productivity decreased by 1,7%.¹²⁵ [¹²⁵ *Ibid* 29 April 1993]

The executive director of the NPI, Mr Jan Visser, said in July 1993 that the main cause of low productivity in South Africa was the lack of management skills and an understanding of what productivity involved.¹²⁶ [¹²⁶ Ibid 23 July 1993] In the same month, Mr Martin Westcott, the managing director of PE Corporate Services, a training and management consultancy group based in Johannesburg, said that high rates of staff turnover were contributing to South Africa's poor productivity record and were delaying economic recovery. He noted that the average annual rate of staff turnover had increased to 8% during 1992, compared with average rates of between 3% and 5% during the 1980s.¹²⁷ [¹²⁷ *The Star* 27 July 1993]

According to the NPI, the productivity of South African industry increased by an average of 1% a year between 1980 and 1990, compared with annual rates over the same period of 6,5% in South Korea, 5,4% in Taiwan and 2,9% in Japan. Labour productivity in the private sector in South Africa increased by an annual average rate of 1,1% between 1970 and 1991, the NPI noted. The biggest improvements were registered in agriculture (3,9% a year), transport (2,3% a year) and electricity (2,2% a year). Between 1990 and 1991 labour productivity grew fastest in electricity (8,1%), mining (4,3%) and transport (3,8%). The NPI said that all sectors (except agriculture and manufacturing) achieved higher average annual labour productivity growth rates between 1990 and 1991 than between 1970 and 1991. The NPI said, however, that there had been a decline in capital productivity in all sectors except agriculture between 1970 and 1991, with a decline of 1% between 1990 and 1991.¹²⁸ [¹²⁸ *Sunday Times* 25 July 1993]

The South African Reserve Bank said in August 1993 that in 1991 and 1992 the output per worker rose at a rate of 1,3%, adding that the rise in real output per worker was achieved not so much by a stronger commitment to work by employees as by the retrenchment of workers at a faster rate than the contraction in output volumes.¹²⁹ [¹²⁹ *Business Day* 23 August 1993]

A survey by the Human Sciences Research Council in mid 1993 found that more than half of a sample of 2 000 respondents living in South Africa did not know the meaning of the word 'productivity'. The survey comprised 1 100 Africans, 300 coloured people, 200 Indians and 400 whites. Results showed, however, that respondents with a matriculation certificate or a higher level of education understood the concept. The survey also found that respondents believed that 'education', 'the provision of employment' and 'hard work' were the best ways to improve productivity.¹³⁰ [¹³⁰ *The Star* 26 October 1993]

Income

Income Levels

In March 1993 the household subsistence levels (HSLs) for a lower-income family of six for Cape Town, Durban, Johannesburg, Port Elizabeth (eastern Cape) and Pretoria were R887,19; R910,69; R930,46; R882,46; and R946,65 respectively. The average HSLs for a lower-middle income family of five in these areas in March 1993 were R895,97; R1 034,07; R997,73; R913,50; and R1 125,37

respectively.¹³¹ [¹³¹ University of Port Elizabeth, Institute for Planning Research, *The Household Subsistence Level in the Major Urban Centres of the RSA—March 1993*, Fact Paper no 94, April 1993]

HSLs for September 1991 and September 1992 for a lower-income family of six and a lower-middle income family of five, as calculated by the Institute for Planning Research at the University of Port Elizabeth, are shown in the tables below:¹³² [¹³² University of Port Elizabeth, Institute for Planning Research, *The Household Subsistence Level in the Major Urban Centres of the RSA—September 1992*, Fact Paper no 93, September 1992]

HouCentre

SepSepIncrease

Benoni

730,41

917,39

25,6%

Bloemfontein

714,32

900,90

26,1%

Boksburg

767,10

910,18

18,7%

Brakpan

734,11

864,22

17,7%

Brits

748,08

885,58

18,4%

Cape Town

725,79

860,50

18,6%

Durban

743,50

887,01

19,3%

East London

698,26

839,14

20,2%

George

692,98

845,34

22,0%

Germiston

741,47

874,13

17,9%

Johannesburg

760,60

922,30

21,3%

Kimberley

808,57

900,57

11,4%

Krugersdorp

711,29

855,01

20,2%

Mossel Bay

668,63

831,83

24,4%

Pietermaritzburg

677,65

832,37

22,8%

Port Elizabeth

757,69

871,89

15,1%

Pretoria

716,86

897,65

25,2%

Springs

731,27

872,78

19,4%

Uitenhage

740,15

886,20

19,7%

Vaal Triangle

702,76

875,87

24,6%

HouCentre

SepSepIncrease

Bloemfontein

816,49

1 007,56

23,4%

Cape Town

710,04

849,66

19,7%

Durban

834,10

963,91

15,6%

East London

788,46

977,16

23,9%

George

734,42

912,26

24,2%

Johannesburg

839,54

966,37

15,1%

Kimberley

799,38

980,04

22,6%

Mossel Bay

698,79

855,70

22,5%

Port Elizabeth

773,68

909,90

17,6%

Pretoria

888,36

1 080,65

21,6%

Uitenhage

746,62

905,12

21,2%

A survey conducted by the South African Advertising Research Foundation (as part of the All Media and Products Survey (AMPS)) between 1987 and 1992 found that the average monthly household income of Africans, coloured people, Indians and whites was R912, R1 793, R2 880 and R5 163 respectively. The average household income of these race groups increased by 17%, 12%, 16% and 10% respectively over that of the previous year. The table below gives the AMPS breakdown of monthly household income according to race:¹³³ [¹³³ All Media and Products Survey, *AMPS '92 and Trends 1987/88-1992*, September 1992]

*Monthly household income: 1992^a**IncAfrColIndWhi1-399*

30,1%

12,4%

3,0%

1,0%

400–699

23,7%

13,0%

4,7%

1,9%

700–1 199

26,0%

22,3%

14,4%

5,4%

1 200–1 999

11,2%

21,0%

23,0%

8,5%

2 000–2 499

3,6%

7,8%

12,2%

7,2%

2 500–3 999

3,5%
14,6%
19,7%
20,8%
4 000–5 999
1,1%
6,0%
15,7%
22,4%
6 000–10 999
0,7%
2,9%
6,3%
25,3%
11 000+
0,0%
0,0%
1,1%
7,6%

a

Figures may not add up to 100% owing to rounding.

According to the Department of National Health and Population Development, in 1992 per capita monthly incomes (at 1990 prices) for Africans, coloured people, Indians and whites were R160, R270, R470 and R1 300 respectively.¹³⁴ [¹³⁴ Department of National Health and Population Development, *Health Trends in South Africa*, 1992, April 1993]

Regional Disparities

See 1992/93 *Survey* pp192–193. No new information was available.

Wages

According to an industrial relations consultancy, Andrew Levy and Associates, the average level of wage settlement for January to June 1993 was 10%, compared with an average of 13% to 14% for the same period in 1992. The average wage settlement level for 1992 was 12%, compared with 16,1% for 1991 and 17,4% for 1990. The consultancy said that trends in the first six months of 1993 indicated that wage settlements would be below the inflation rate for the rest of 1993. The consultancy found that wage settlement trends for January to June 1993 in the lower-base sectors were generally lower than average, with construction averaging between 5% and 8%, clothing at 9%, hotels and catering between 5% and 10% and the public sector at 5%. Trends in the higher-base sectors were as follows: banking and insurance, 8% to 11%; chemical and petroleum, 10% to 13%; food, 8% to 13%; and wholesale and retail, 10% to 15%.

The consultancy noted that the average level of settlement of 12% in 1992 in lower-base and higher-base sectors was below the inflation rate of 13,9% for the year. In comparison, wage settlements during 1991 averaged 16,1%, with the inflation rate at 15,3%.¹³⁵ [¹³⁵ Andrew Levy and Associates, *Bargainers' Bulletin*, June 1993]

The Bureau for Economic Research at the University of Stellenbosch said in May 1993 that the average rate of wage increases was expected to be 10,6% in 1993 and 9% in 1994 (or real decreases of 0,9% and 0,1% respectively). The bureau added that the decreases were to be attributed to trade unions favouring job security over high wage increases, people being willing to work for less pay in real terms because of the possibility of retrenchments, and scarcity of employment, which had caused an imbalance between labour supply and demand.¹³⁶ [¹³⁶ *Business Day* 5 May 1993]

A survey undertaken by Kelly Personnel between January and June 1993 found that the average monthly wage of an executive secretary in Johannesburg (R3 500) was 25% higher than in Durban (R2 800). On average, secretaries in the Orange Free State and the western Cape earned the lowest monthly wages (R1 960 and R2 195 respectively) in the areas surveyed.¹³⁷ [¹³⁷ *Sunday Tribune* 11 July 1993]

The Central Statistical Service (CSS) said in August 1993 that publicsector salaries, wages and bonuses had increased on average by 14,7% in the first quarter of 1993 compared with the first quarter of 1992.¹³⁸ [¹³⁸ *Business Day* 3 August 1993]

HAY Management Consultants said in September 1993 that wage increases in the industrial and services sector, and the financial services sector for July 1992 to July 1993 were 10,7% and 8,1% respectively, compared with 13,7% and 10,7% for the corresponding period in 1991/92. The consultancy expected average wage increases for the two sectors of between 5% and 9,9% for the period July 1993 to July 1994.¹³⁹ [¹³⁹ *Ibid* 22 September 1993]

The South African Reserve Bank's 1993 annual economic report, published in August 1993, said that the real remuneration per worker rose at an average rate of 2% per year from 1988 to 1992 and by 2,7% in 1992. In 1992 the average increase in nominal salaries and wages per worker in the formal nonagricultural sectors of the economy was 15,2%, compared with 15,8% in 1991.¹⁴⁰ [¹⁴⁰ South African Reserve Bank, annual economic report 1993]

Wage Gap

The ratio of average earnings of whites and blacks generally narrowed between 1991 and 1992. Figures provided by the CSS showed that the ratio of average real earnings of whites and Africans in the construction sector in 1992 was 4,3:1, compared with 4,7:1 in 1991 and 4,5:1 in 1990. The ratios of average real earnings of whites and coloured people, and whites and Indians, in the construction sector were 3,4:1 and 2,1:1 respectively in 1991 and 2,9:1 and 1,8:1 respectively in 1992.¹⁴¹ [¹⁴¹ CSS, *Labour Statistics: Employment and Salaries and Wages: Mining and Quarrying, Manufacturing, Construction and Electricity: September 1992*, Statistical News Release PO242.1, 30 December 1992]

The ratio of average white to African and Indian earnings in the finance sector remained constant in 1990, 1991 and 1992 at 2,1:1 and 1,4:1 respectively, while the ratio of white to coloured earnings remained constant in 1991 and 1992 at 1,7:1.¹⁴² [¹⁴² CSS, *Labour Statistics: Employment and Salaries and Wages: Building Societies, Banking Institutions and Insurance Companies, March 1993*, Statistical News Release PO262, 22 June 1993]

The ratio of white to African and white to coloured earnings in the manufacturing sector decreased from 3,6:1 in 1991 to 3,4:1 in 1992, and from 3,2:1 in 1991 to 3,1:1 in 1992 respectively. The ratio of white to Indian earnings remained constant at 2,2:1.¹⁴³ [¹⁴³ CSS, *Labour Statistics: Employment and Salaries and Wages: Mining and Quarrying, Manufacturing, Construction and Electricity: September 1992*, Statistical News Release PO242.1, 30 December 1992]

The ratio of the average earnings of whites and coloured people and whites and Indians in the trade and hotel industry remained constant at 2,5:1 and 1,8:1 respectively for 1991 and 1992. The ratio of the

average earnings of whites and Africans declined from 3,4:1 in 1991 to 3,2:1 in 1992.¹⁴⁴ [¹⁴⁴ CSS, *Labour Statistics: Employment and Salaries and Wages: Wholesale, Retail and Motor Trade and Hotels: December 1992*, Statistical News Release PO244, 13 May 1993]

The ratio of the average earnings of whites and Africans in the public sector declined from 2,5:1 in 1991 to 2,4:1 in 1992. The ratio of the earnings of whites and coloured people declined from 2:1 in 1991 to 1,8:1 in 1992, while the ratio for whites and Indians declined from 1,3:1 in 1991 to 1,2:1 in 1992.¹⁴⁵ [¹⁴⁵ CSS, *Employment and Salaries and Wages: Public Sector: December 1992*, Statistical News Release PO251, 7 April 1993]

According to the National Manpower Commission (NMC), the average real annual increase in earnings in the non-primary sectors (ie excluding the agricultural and mining sectors) between June 1991 and June 1992 was 2% for coloured people, 0,9% for Indians, 0,2% for Africans, and -0,3% for whites.¹⁴⁶ [¹⁴⁶ NMC, annual report 1992]

The CSS said in January 1993 that white households' share of total personal income in South Africa (excluding the 'independent' homelands) decreased from 62% in 1978 to 54% in 1988, while African households increased their share from 27% in 1978 to 34% in 1988. Over the same period coloured and Indian households increased their share from 7% to 9% and from 3% to 4% respectively, the CSS said. The CSS noted that over the ten-year period the per capita income of whites had grown by 14,4% a year, while the per capita income of blacks had grown by 17% a year.¹⁴⁷ [¹⁴⁷ *Business Day, The Citizen* 15 January 1993]

Earnings Per Sector

The average monthly salaries and wages by race in the private sector in June 1992 and the actual and constant percentage changes over June 1991 were as follows (decreases are indicated in brackets):¹⁴⁸ [¹⁴⁸ CSS, Statistical news releases as follows: *Labour Statistics: Employment and Salaries and Wages: Building Societies, Banking Institutions and Insurance Companies: March 1993*, PO262, 22 June 1993; *Labour Statistics: Employment and Salaries and Wages: Mining and Quarrying, Manufacturing, Construction and Electricity: September 1992*, PO242.1, 30 December 1992; *Labour Statistics: Employment and Salaries and Wages: Wholesale, Retail and Motor Trade and Hotels: December 1992*, PO244, 13 May 1993]

Average monthly salaries and wages for the private sector for June 1992

Construction

Finance

Manufacturing

Trade and catering

African^a

R/month

916

2 049

1 281

1 002

Change

18,8%

17,6%

21,3%

14,1%

Real change

3,6%

2,5%

5,7%

(0,4%)

Coloured^b

R/month

1 371

2 504

1 427

1 288

Change

27,4%

19,5%

20,2%

16,4%

Real change

11,2%

4,3%

4,9%

1,6%

Indian^b

R/month

2 213

3 046

2 022

1 784

Change

26,0%

19,6%

17,0%

14,9%

Real change

10,0%

4,4%

2,2%

0,3%

White^c

R/month

3 921

4 384

4 353

3 174

Change

9,1%

20,8%

14,8%

15,3%

Real change

(3,6%)

6,6%

1,3%

1,8%

Total ^d

R/month

1 367

3 772

2 032

1 807

Change

16,9%

20,2%

17,8%

15,0%

Real change

2,6%

6,1%

3,4%

0,9%

a

Lower-income group consumer price index (CPI) used

b

Middle-income group CPI used

c

Higher-income group CPI used

d

All items CPI used

The average monthly salaries and wages by race in the public sector for June 1992 and the actual and constant percentage changes over June 1991 were as follows (decreases are in

Average monthly salaries and wages for the public sector for June 1992

Central Government^a

Local authorities

Posts and tele- communications

Transnet

African^b

R/month

2 149

1 311

2 085

2 143

Change

N/A

29,4%

69,2%

69,4%

Real change

N/A

12,8%

47,5%

47,7%

Coloured^c

R/month

2 756

1 767

2 857

2 142

Change

N/A

19,6%

82,6%

69,9%

Real change

N/A

4,4%

59,4%

48,3%

Indian^c

R/month

4 004

2 676

4 412

1 999

Change

N/A

31,7%

77,5%

61,5%

Real change

N/A

15,0%

55,0%

41,0%

White^d

R/month

3 991

4 826

4 801

5 199

Change

N/A

21,3%

69,9%

14,4%

Real change

N/A

7,1%

50,0%

1,0%

Total^e

R/month

3 042

2 395

3 731

3 526

Change

N/A

24,9%

70,3%

28,4%

Real change

N/A

9,6%

49,4%

12,6%

a

Includes provincial administrations

b

Lower-income group CPI used

c

Middle-income group CPI used

d

Higher-income group CPI used

e

All items CPI use

*Average monthly salaries and wages for the public sector for June 1992 (continued)**CiviPubParAgriStaAfrican^b*

R/month

1 854

1 509

1 106

1 291

2 014

Change

18,5%

41,7%

64,6%

49,6%

46,6%

Real change

3,3%

23,5%

43,5%

30,4%

27,8%

Coloured^c

R/month

—

2 865

1 528

1 160

3 112

Change

—

62,5%

34,3%

37,0%

78,1%

Real change

—

41,9%

17,3%

19,6%

55,5%

Indian^c

R/month

–

4 415

2 840

2 921

3 664

Change

–

45,6%

34,3%

37,5%

30,5%

Real change

–

27,1%

17,3%

20,0%

14,0%

White^d

R/month

–

5 414

4 908

5 213

5 435

Change

–

31,6%

25,8%

39,5%

29,9%

Real change

–

16,2%

11,0%

23,1%

14,7%

Total^e

R/month

1 854

3 393

2 974

3 801

4 197

Change

18,5%

38,8%

31,9%

41,8%

34,6%

Real change

3,2%

21,8%

15,7%

24,4%

18,1%

a

Coloured, Indian and white civil servants were paid by the South African government and were, therefore, not recorded under the non-independent homelands

b

Lower-income group CPI used

c

Middle-income group CPI used

d

Higher-income group CPI used

e

All items CPI used

Wage Policy

The Pretoria Afrikaanse Sakekamer said in February 1993 that 'drastic action' needed to be taken to reduce government spending and suggested that the entire public service accept salary reductions. The sakekamer said that the 5% increase in public service salaries in 1993/94 was 'far too big'. It added that it believed that a reduction in earnings would bring salaries more in line with productivity and expand job creation. The sakekamer recommended that such a strategy should also be applied in the private sector.¹⁵⁰ [¹⁵⁰ *Business Day* 9 February 1993]

In May 1993 the Basic Conditions of Employment Act of 1983 was extended to the farming industry. The Congress of South African Trade Unions (Cosatu) called in March 1993 for the Wage Act of 1957 and the Labour Relations Act of 1956 to include agricultural workers so as to 'protect' them from exploitation. The South African Agricultural Union said in the same month that it was opposed to a minimum wage for farm workers, calling the Wage Act 'archaic'. It said that the act had 'no place in modern South African labour legislation' (see also chapter on *Labour Relations*).¹⁵¹ [¹⁵¹ *Ibid* 27 April 1993]

The president of the Cape Town Chamber of Commerce, Mr Herbert Hirsch, said in May 1993 that a freeze should be placed on all remuneration paid to directors and managers in public and private enterprises until workers had been granted wage increases at least in line with the inflation rate. He also

suggested that the remuneration of directors and top management should be performance related.¹⁵² [¹⁵² Ibid 14 May 1993]

The state president, Mr F W de Klerk, said in June 1993 that profitsharing schemes in the private sector linked to productivity represented a 'laudable breakthrough that would contribute to better team work in the future'. In the same month the outgoing president of the Chamber of Mines of South Africa, Mr Bobby Godsell, said that mining houses needed to become more flexible in order to organise 'around new technologies and economic realities'. He said that flexibility had been achieved in some cases by the introduction of new forms of remuneration packages linked to cost-containment or profit-sharing schemes.¹⁵³ [¹⁵³ Ibid 9 June 1993]

In May 1993 the Transkei administration announced that it was to table legislation for a minimum wage. It was reported in July 1993 that the wage regulation was being challenged in the Transkei Supreme Court in Umtata by six industrial companies (employing a total of 3 000 workers) which said that they would 'suffer severe financial prejudice' if they abided by the minimum wage regulations.¹⁵⁴ [¹⁵⁴ Ibid 14 July 1993]

Poverty

According to the Development Bank of Southern Africa (DBSA), constraints on the alleviation of poverty in South Africa included:¹⁵⁵ [¹⁵⁵ *Social Work Practice* November 1992]

- the absence of policies that provided opportunities for the poor to improve their lives;
- the inability of existing institutions to plan, implement, manage and monitor poverty alleviation projects;
- the absence of reliable data, which was regularly updated, to provide information on poverty;
- the lack of co-ordinated efforts for poverty eradication;
- the failure to acknowledge the social and political dimensions of poverty; and
- an overemphasis on examining the causes of poverty rather than formulating practical strategies that sought to eradicate poverty.

The DBSA said in November 1992 that it had established farmerand community-support programmes to eradicate rural poverty. Farmer-support programmes were designed to assist farmers to develop commercial agricultural production and to gain access to agricultural infrastructure and inputs.

Community-support programmes were aimed at building the capacity of nonfarming communities to take control of the development process and become self-sufficient.¹⁵⁶ [¹⁵⁶ Ibid]

In December 1992 the Human Sciences Research Council published the results of research it had conducted in formal and informal settlements in the five main metropolitan areas of certain non-independent homelands. It found that the majority of the 800 respondents surveyed believed that the most important factor contributing to poverty was the lack of employment. The majority also believed that job creation would be the best way to assist the poor. Forty-seven percent of the respondents said that 'insufficient job opportunities' contributed most to poverty, 20% blamed 'apartheid policies and legislation', 14% blamed 'sanctions against South Africa', 10% blamed 'unequal educational opportunities' and 9% said that the problem was a result of a 'lack of economic growth'. Sixty-six percent of the respondents said that the best way of assisting the poor was to provide job opportunities, 21% said that 'formal education and skills training' should be provided, 7% said that the poor should be assisted to become self-employed and 7% said the poor should be given 'direct financial assistance'. The survey also found that respondents who were currently living in, or were originally from, the eastern Cape, Natal and the north eastern Transvaal regarded job creation and self-employment as possible solutions to poverty.¹⁵⁷ [¹⁵⁷ Human Sciences Research Council, *Prospects: South Africa in the nineties*, December 1992]

According to research conducted by the Department of Sociology at the University of Cape Town, which was published in January 1993, poverty rather than sexual promiscuity was responsible for the rapid spread of the human immuno-deficiency virus (HIV) among Africans in South Africa. The research found that poverty-stricken people had a lower physical resistance to disease. Research into the sexual behaviour of migrant workers in the mining industry indicated that they were 'not very promiscuous'. Malnutrition, crowded living conditions and poverty-related diseases resulted in a person being more vulnerable to HIV infection, the department said (see also chapter on *Health and Welfare*).¹⁵⁸ [¹⁵⁸ *Business Day* 5 January 1993]

According to the National Council of Women of South Africa, in 1992 some 1,9m households in South Africa (including the ten homelands) were headed by women. The council said that women were the worst affected by poverty because they were unable to obtain employment owing to lack of language and technical skills and to the collapse of extended family or neighbourhood networks which had previously assisted women with domestic tasks.¹⁵⁹ [¹⁵⁹ *Prodder Newsletter* March 1993]

The South African Reserve Bank said in March 1993 that living standards (as measured by real gross national product) had dropped by more than 13% since the start of the recession in 1989.¹⁶⁰ [¹⁶⁰ *The Star* 17 March 1993]

The Department of National Health and Population Development said in April 1993 that the poverty level in rural areas of South Africa (excluding the 'independent' homelands) was approximately twice as high as in urban areas. In rural areas 68% of Africans lived below the minimum living level. The department said that 45% of rural coloured people and Indians also lived below the minimum living

level but that in urban areas Indians showed 'greater prosperity', with only 8% below the minimum living level. In urban areas 32% of Africans, 23% of coloured people and 1% of whites lived below the minimum living level.¹⁶¹ [¹⁶¹ Department of National Health and Population Development, *Health Trends in South Africa: 1992*, April 1993]

Research undertaken by the head of the employment research unit at the Vista University campus in Port Elizabeth (eastern Cape), Professor Michael Levin, found that in 1993 there were 95 000 African households, 22600 coloured households and 8 300 white households living below the poverty line (R1 200 per family per month).¹⁶² [¹⁶² *Eastern Province Herald* 6 March, 18 May 1993]

The executive director of Operation Hunger, Mrs Ina Perlman, said in April 1993 that poverty was affecting people across the divide of race and political affiliation. She added that there was little doubt that poverty was worse now than it had been during the depression of the 1930s.¹⁶³ [¹⁶³ *Business Day* 21 April 1993] The chief economist of Sanlam, Mr Johan Louw, said in the same month that the standard of living of all South Africans had fallen by 13,5% since the start of the recession in 1989. He said that the decline of 13,5% in real gross domestic product (GDP) per capita between 1989 and 1992 was 'considerably worse' than the decline of 7,3% and 8,2% during the 1984–85 and 1981–83 economic downturns respectively.¹⁶⁴ [¹⁶⁴ *Ibid* 26 April 1993]

In July 1993 it was reported that Operation Hunger was feeding some 2,5m people. Operation Hunger estimated that the Transkei region needed the most assistance, followed by Lebowa.¹⁶⁵ [¹⁶⁵ *Ibid* 26 July 1993] Research undertaken by the Centre for Social and Development Studies at the University of Natal (Durban), which was published in July 1993, found that in 1992, 17m people were living below the minimum subsistence level and that between 6m and 7m people were unemployed.¹⁶⁶ [¹⁶⁶ *The Natal Witness* 28 July 1993] The secretary general of the Congress of South African Trade Unions, Mr Jay Naidoo, said in August 1993 that of an estimated 17m people living below the poverty line more than 11m lived in rural areas.¹⁶⁷ [¹⁶⁷ *The Star* 31 August 1993]

Regional Disparities

According to a report published in November 1992 by the Development Bank of Southern Africa (DBSA), the worst poverty was to be found in rural areas. The DBSA said that rural areas were populated by a greater number of the unemployed and unemployable people (ie children, the handicapped and the elderly) than able bodied, employable people. The eastern Cape (including the Ciskei and the Transkei), in which 80% of the population was rural, had the highest rates of unemployment. The DBSA said rural poverty was characterised by the following:¹⁶⁸ [¹⁶⁸ *Social Work Practice* November 1992]

- a lack of housing which resulted in overcrowding;

- dependency on migrant earnings;
- fragmented families, with the majority of people in these areas being the elderly and children;
- low food production resulting in nutritional disorders;
- high rates of illiteracy and lack of skills; and
- high rates of mortality and morbidity.

Poverty in urban areas, according to the DBSA, was characterised by high unemployment rates; the lack of adequate shelter; rapid population increases; unaffordable health care; inappropriate educational and welfare policies to cater for children, the aged and the disabled; and escalating crime and violence.¹⁶⁹ [¹⁶⁹ Ibid]

Research undertaken by the Centre for Social and Development Studies for the World Bank, and published in January 1993, found that the number of poor people as a proportion of the total rural population had decreased: the 'very poor' made up 55% of the African rural population of South Africa (including the ten homelands) in 1990, which was down from 58% in 1985. (The 'very poor' were defined as those living in rural households with annual incomes of R2 000 or less at 1985 prices.) The study noted that economic growth in the ten homelands had been more rapid than in the rest of South Africa, both in aggregate and per capita terms. Gross geographic product per capita in the homelands increased at a rate of almost 6% a year in the 1980s, compared with less than 4% a year in the 1970s and 5% a year in the 1960s.¹⁷⁰ [¹⁷⁰ *Business Day* 25 January 1993]

The study found that between 1985 and 1990 the number of poor people in urban areas had risen by 28%. The researchers believed that the rapid rise in the numbers of urban poor represented poverty being 'exported' from rural areas to urban areas. In commercial farming areas a preference for skilled labour, together with the drought and increased farm debt, appeared to have displaced 'significant' numbers of unskilled farmworkers and their families. The researchers argued that rapid growth in the 'core economy' would benefit poverty-stricken households but believed that the rural poor would probably be the last to gain from any economic growth. They added that transfer payments from the government might be creating a 'dependent welfare culture' in the absence of a viable rural economy which could provide employment and opportunities for production. Measures recommended to alleviate poverty were: education and skills training, effective rural government to break the isolation of rural communities and public works programmes linked to infrastructure and service provision.¹⁷¹ [¹⁷¹ Ibid]

It was reported in May 1993 that 80% of the inhabitants of the BorderKei region lived in 'underdeveloped' rural areas and that the region's GDP per capita was 28% of the average for South Africa (including the ten homelands).¹⁷² [¹⁷² Ibid 10 May 1993]

According to the KwaZulu Finance and Investment Corporation, 80% of rural households and 40% of urban households in KwaZulu were living below the breadline in 1993—the average household subsistence level in the region was R785 in 1993. The average rural monthly household income in KwaZulu was R833 or 43% below the average monthly urban income of R1 462. The study also found that each employed person in the urban areas of KwaZulu supported 2,5 people, while each worker in the rural areas supported four people. The average monthly income per head for urban and rural residents of KwaZulu was R301 and R134 respectively, the study showed. Furthermore, almost 25% of the urban respondents had formal employment, compared with 16% of rural respondents.¹⁷³ [¹⁷³ *Sunday Tribune* 22 August 1993]

The ‘Underclass’

According to the Department of National Health and Population Development, 9m people in South Africa (including the ten homelands) or 24% of the population were ‘down and out, at rock bottom without access to any resources’ in 1992. The Bureau of Market Research at the University of South Africa said in March 1993 that some 18m people (ie 47% of the population of South Africa, including the ten homelands) were living below the poverty datum line. The bureau added that based on a minimum subsistence level of R300 per person a month, 11,8m people were living below the subsistence level in 1988 and 13m in 1991.¹⁷⁴ [¹⁷⁴ *The Star* 15 March 1993]

Mrs Perlman said in August 1993 that more than 4m people in South Africa (including the ten homelands) were ‘ultra poor and completely destitute’ and faced ‘life-threatening malnutrition’. She said that a further 17m people lived in ‘extreme poverty’, with 12m of these ‘too poor to eat properly’.¹⁷⁵ [¹⁷⁵ *Business Day* 3 August 1993]

The DBSA said in October 1993 that some 18m Africans were ‘struggling to survive’ in households with incomes below the minimum living level. The bank said that between 8m and 9m people were ‘completely destitute’.¹⁷⁶ [¹⁷⁶ *The Star* 25 October 1993]

Key Projections

- The National Manpower Commission estimated that the economically active population (EAP) of South Africa (including the ten homelands) would increase to 17,6m by 2000, with Africans comprising 74% of the total EAP, coloured people 9%, Indians 3% and whites 14%.
- FSA-Contact, a human resources consultancy, estimated that Africans would fill 6% and whites 90% of senior management positions by 1995, compared with figures of 1% and 98% respectively for 1992. The consultancy estimated that while Africans filled 59% and whites 0,6% of lower skilled jobs in 1992,

Africans would fill 53% and whites 0,6% of such jobs in 1995.

- The chairman of the Community Banking Project, Mr Bob Tucker, said that unemployment in South Africa (including the ten homelands) was expected to increase to 7,5m by 2 000 (or 40% of the EAP).

CONSTITUTIONAL CHANGE

Key Points

- A multiparty planning conference was held in March 1993 and multiparty constitutional negotiations proper were resumed in April 1993.
- New participants in the multiparty negotiations in 1993 were the Afrikaner Volksunie (AVU), the Conservative Party (CP), the KwaZulu administration, the Pan-Africanist Congress, and delegations of traditional leaders from the Cape, the Orange Free State and the Transvaal.
- The Afrikaner Volksfront (AVF) was launched officially on 19 May 1993 by 21 conservative parties and organisations, including the AVU, the Afrikaner Vryheidstigting, the Afrikaner Weerstandsbeweging and the CP.
- On 17 June 1993 the President's Council was dissolved.
- The first draft of a transitional national constitution, which made provision for a bicameral legislature consisting of a national assembly and a senate, was tabled in the Negotiating Council in July 1993. The fourth draft was agreed to by a plenary session of the multiparty Negotiating Forum held on 17 November 1993.
- In July 1993 three acts providing for the possible joint administration of the non-independent homelands and the adjoining provinces were gazetted. These were the Regulation of Joint Executive Action Regarding Certain Land Act, the Joint Administration of Certain Matters Act, and the Revocation and Assignment of Powers of Self-governing Territories Act.
- A plenary session of the multiparty negotiating process confirmed 27 April 1994 as the date for South Africa's first democratic elections.
- Those Concerned South Africans' Group members involved in multiparty negotiations walked out of the multiparty negotiations in July 1993 after the chairman of the Negotiating Forum ruled that the forum had approved the election date with 'sufficient consensus'. They had not returned to talks at the time of writing although they were involved in bilateral talks with the government.

- In September 1993 the Supreme Court dismissed an application by the KwaZulu administration which had challenged the validity of the application of the 'sufficient consensus rule' employed in the multiparty negotiating process.
- A package of legislation for the transitional period, including the Independent Media Commission Bill, the Independent Electoral Commission Bill and the Independent Broadcasting Authority Bill, was passed by Parliament in September 1993. The legislation had been agreed upon earlier in the Negotiating Council.
- The Transitional Executive Council (TEC) Bill was passed by Parliament in September 1993. The act described the object of the TEC as being to facilitate, in conjunction with all legislative and executive governmental structures at national, regional and local levels, the transition to and preparation for the implementation of a democratic order in South Africa.
- The Freedom Alliance, comprising the AVF, the Inkatha Freedom Party, and the administrations of Bophuthatswana, the Ciskei and KwaZulu, was formed in October 1993. The alliance committed itself to, inter alia, recognising the right of self-determination of the people of southern Africa and protecting and promoting freemarket enterprise and private ownership.
- A plenary session of the multiparty negotiations process held on 17 November 1993 agreed that a single ballot paper would be used to elect both national and regional legislatures in the elections to be held on 27 April 1994.
- The final draft of the transitional national constitution, tabled in December 1993, provided for nine provinces in South Africa.
- On 2 December 1993 the Negotiating Council approved a draft bill providing for the return of South African citizenship to residents of the 'independent' homelands as from 1 January 1994 and the reincorporation of the territories into South Africa on the day of elections, 27 April 1994.
- In December 1993 the Negotiating Council adopted a resolution calling for Walvis Bay and the Penguin Islands to be transferred to Namibia on 28 February 1994.
- The TEC held its inaugural meeting on 8 December 1993, when 16 political parties and organisations took their places on the council.
- The Local Government Negotiating Forum, an unelected non-statutory body operating at national level, was established on 22 March 1993. The forum agreed on a draft Local Government Transition Bill which required present local authorities to be replaced by nominated councils until municipal general elections were held in October 1994.

Constitutional Changes

Legislation Proposed

Local Government Transition Bill

In November 1993 the Local Government Transition Bill was published.¹ [¹ *Draft Local Government Transition Bill*, 4 November 1993] After further negotiations it was updated and approved by the Local Government Negotiating Forum (LGNF) on 18 November 1993.

The bill provided for the Transitional Executive Council (TEC) to establish a regional committee for local government in each province. Each regional committee was to consist of six members who were living in the province concerned and who would be appointed by the TEC, plus a member of one of the parties participating in the TEC. Once the TEC ceased to exist the provincial administration concerned would decide who would fill vacancies on the regional committee. The bill provided further that all functions allocated to a provincial administrator under its provisions would only be exercised in concurrence with the regional committee. Where the administration and regional committee did not agree the matter would be referred to the special electoral court established in terms of the Independent Electoral Commission Act of 1993 for its decision. The administrator would then act in accordance with the court's decision.

The bill required local government bodies to establish negotiating forums in which transitional local government structures would be negotiated. It also empowered the relevant provincial administrator to recognise any forum established before or after the commencement of the act. Such recognition would be granted subject to the proviso that the forum was established 'substantially' in accordance with the principles and procedures contained in the schedules of the act. These principles included the requirement that forums had to be inclusive and that they had to be established for each urban area, ranging from a town on its own to a complex metropolitan area, and taking into account economic and historical factors.

Unlike the first directive issued by the LGNF (see *Initiatives for Non-racial Local Government* below), the bill provided forums with a choice regarding the type of structures that they could negotiate for the pre-interim phase. The first option was the negotiation of transitional councils for local areas (including ward councils) or metropolitan areas. The second option was the creation of umbrella transitional executive councils alongside present local government structures, and composed of members of the present local authorities and civic organisations within the forum area. Present local government bodies would be entitled to continue to exist in their present form alongside such executive councils. The representation that each constituent local authority 'and such other persons nominated by the forum' would have on such an executive council would be subject to negotiation. Such an executive council would have certain specified powers, duties and functions with the individual local government bodies retaining all other powers. A list of minimum powers was, however, prescribed for such a structure,

while the rest were subject to negotiation. The following minimum functions and powers were prescribed:

- the establishment of a single budget for all local authorities concerned;
- the approval of capital projects of individual local authorities budgeted for but not yet contracted out;
- the allocation and distribution of intergovernmental grants to individual local government bodies;
- the redistribution of an equal proportion of the operating budget of individual local government bodies; and
- the establishment of a single administration of individual local government bodies (including personnel, land use and transport planning) and the management of the process of urbanisation.² [2 Ibid]

The bill prescribed the nomination procedure which would apply to both options in the pre-interim phase. It included the establishment of a 'representative committee' comprising members from both 'statutory and the non-statutory' bodies which would attempt to reach consensus on the people to be nominated to the transitional council. The statutory bodies were defined as existing local government bodies and the political parties or organisations represented on them, while non-statutory bodies were defined as any other bodies not contemplated in the definition of statutory bodies (excluding observers). The bill provided for at least half of the nominees to be acceptable to the statutory bodies and at least half of them to be acceptable to the non-statutory bodies. Half of the nominations had to include members of the local government bodies involved in the forum, so as not to disturb the proportionate representation of parties in those local government bodies. The remaining nominations had to consist of 'equitable representation of all those sectors of society which in the past did not participate in the electoral process in the area of that forum'.

Where neither of the two options had been adopted by a date determined by the provincial administrator concerned, he or she was entitled to confer one of the options upon the local government bodies in the area concerned.³ [3 Ibid]

In the interim phase the bill provided for the election of members to 'transitional councils of national unity'. Forty percent of the members of a transitional local council were to be elected on the basis of proportional representation (PR), while the remaining 60% were to be elected on the basis of each member representing a ward of such a council. Half of the ward-based seats were reserved for existing councils.⁴ [4 *Business Day* 19 November 1993]

Half of the members of a transitional metropolitan council were to be elected on the basis of PR while the remainder were to be nominated by the metropolitan substructures from among their member bodies

on a pro-rata basis according to the number of regional voters in the areas of jurisdiction of the metropolitan substructures, provided that each metropolitan substructure was entitled to at least one representative.⁵ [⁵ *Draft Local Government Transition Bill*, 4 November 1993]

The bill was scheduled for debate in the November 1993 sitting of Parliament.

Draft Electoral Bill

The bill provided for the TEC to establish an interim party liaison committee until a national party liaison committee had been established by the Independent Electoral Commission (IEC). This committee was to consist of the national election agents of all parties participating in the elections. The body was not allocated any decision-making powers but was mandated to establish liaison between the IEC and the parties on matters such as the administration of electoral agreements, staffing, the location of voting and counting stations, the demarcation of voting districts, and the number and location of foreign voting districts.⁶ [⁶ *Seventh Version of the Draft Electoral Bill*, technical committee on the Electoral Bill, 16 November 1993]

The bill also provided for the appointment, powers, duties and functions of various electoral personnel. It was to contain a chapter on the franchise which granted the vote to all people of 18 years' and older who were citizens of, or permanently resident in, South Africa and had a document showing eligibility to vote. Those not entitled to vote included people serving prison sentences without the option of a fine for offences involving violence and dishonesty (including bribery, corruption, fraud, malicious injury to property, murder, rape and robbery).

The bill specified that only parties registered as participants in such an election would be eligible to participate in the election. It set out the criteria for registration, which included a deposit of R25 000 for parties contesting national assembly elections and R5 000 for parties contesting provincial elections in respect of each provincial legislature which they wished to contest. Such deposits would be forfeited to the state if a party failed to win at least one seat. Each party was required to submit a list of candidates to the chief director of administration (appointed by the IEC) in respect of both national and provincial legislatures that it wished to contest.

The bill provided for the setting up of voting stations (including foreign voting stations), as well as the supply of voting materials and the size and style of the ballot box and voting compartments. It also provided for ballot papers to carry the names of participating parties in alphabetical order, their distinguishing marks or symbols in colour, their abbreviated names, and photographs of their leaders or one of their candidates. The form of the ballot paper was to be described in a schedule to the bill.

The bill provided for each voter to receive two ballot papers, one for the national assembly elections and one for the relevant provincial legislature. However, as a result of an agreement between the African National Congress and the government (which was accepted by the Negotiating Council), special provision was made for a single ballot paper to be used in the first elections for both national and

provincial legislatures.

The bill prescribed the manner of voting and the procedure for the sealing of ballot boxes. It also provided for certain categories of people, including ill and physically infirm people, to be issued with special votes and prescribed the manner of voting in such cases. The bill also provided for the setting up of counting stations and outlined the procedure for counting the votes. It stipulated that if the IEC was of the opinion that there could not be a free and fair election in an area in which a voting station was located owing to factors such as intimidation or violence, the IEC was entitled to relocate such a station before the commencement of the voting period or to close it if the voting period had already commenced.

The bill also contained a section which provided for the state to provide financial assistance to registered political parties for election purposes. A state electoral fund under the administration of the IEC was to be set up for this purpose. A registered party was entitled to an initial grant before elections if an independent opinion poll held more than six months before the election, and recognised and accepted by the IEC, showed that the party, if it was contesting an election for the national assembly, had the potential support of at least 2% of voters and, if it was contesting a provincial legislature, had the support of at least 5% of voters for the relevant provincial legislature. This grant was to be equal for all political parties. However, a party contesting a regional election only would be entitled to only a quarter of the amount payable to one contesting a national election.

Parties were, however, also to be entitled to prove their potential support by submitting a list containing the signatures of 10 000 eligible voters, of which at least 1 000 signatures were to be those of voters from each of at least five regions in the case of a national assembly grant. Parties contesting regional elections were to submit the signatures of 3 000 eligible voters from each region in respect of which they had applied for a grant. Parties employing this method, however, would be eligible for only half of the amount allocated to parties whose support was corroborated by an acceptable opinion poll.

The remainder of the money in the fund was to be paid out as follows:

- 50% was to be distributed equally among all parties entitled to at least one seat in the national assembly, provided that a party which contested a regional legislature would be entitled to a quarter of the grant payable to one which contested a national legislature; and
- the remaining 50% was to be paid to each party in proportion to the number of votes cast nationally and regionally in its favour.

The bill provided further for an electoral code of conduct to which all registered parties and their candidates were to subscribe. The code was to include a list of actions considered breaches of conduct, as well as penalties and fines.

The bill also provided for the repeal of a number of acts, including the Electoral Act of 1979, the Population Registration and Elections Act of 1984, and the Filling of Casual Vacancies in Parliament Act of 1992.⁷ [⁷ *Ibid*]

The bill was approved by the Negotiating Council subject to technical redrafting by the technical committee concerned. The council's decision was endorsed by the plenary session of the multiparty negotiations held on 17 November 1993 and was scheduled to be submitted to Parliament for tabling in its November sitting.

Legislation Passed

Constitution Amendment Act

In June 1993 the Constitution Amendment Bill, which provided for the abolition of the President's Council, was passed by all three houses of Parliament. The bill provided for the state president to refer disagreements between the three houses of Parliament to a joint sitting of the houses for a majority decision, where previously the state president was empowered to refer such disagreements to the President's Council for its decision.

The Conservative Party (CP) opposed the bill on the grounds that the council would be necessary to deal with the far-reaching constitutional legislation due to come before Parliament in 1993. The Democratic Party (DP) supported the bill and said that the council had become irrelevant to the reform process, while the Inkatha Freedom Party (IFP) said that the council had been flawed from the outset and was a travesty of the democratic process. The National Party (NP) said that the council had been an essential element in the country's constitutional development.⁸ [⁸ *The Citizen* 17 June 1993] The Labour Party said that it would not support the bill as it provided only for joint sittings in the event of deadlocks.⁹ [⁹ *Ibid* 10 June 1993] On 17 June 1993, following the passage of the legislation, the President's Council was dissolved.¹⁰ [¹⁰ *RSA Policy Review* July 1993]

General Law Fourth Amendment Act

At the end of June 1993 the Promotion of Equality between Men and Women Bill was published. The bill was subsequently replaced by the General Law Fourth Amendment Bill. The latter provided, inter alia, for the repeal of the courts' power to direct that a woman was not permitted to be present at certain court trials; to remove differential treatment of men and women in the South African Citizenship Act of 1947, the Identification Act of 1986 and the Aliens Control Act of 1991; to make the provisions of section 3(g) of the Sexual Offences Act of 1957 equally applicable to men and women; to amend certain provisions discriminating against married or pregnant women; to repeal provisions prohibiting women from entering premises where liquor was sold; and to repeal the prohibition on the performance by

women of risky or underground work in mines.¹¹ [¹¹ *The Citizen* 25 June 1993] The bill was passed in September 1993.

Regulation of Joint Executive Action Regarding Certain Land Act

In July 1993 three acts providing for the joint administration of the non-independent homelands and the adjoining provinces were gazetted. These were the Regulation of Joint Executive Action Regarding Certain Land Act, the Joint Administration of Certain Matters Act, and the Revocation and Assignment of Powers of Self-governing Territories Act.

The Regulation of Joint Executive Action Regarding Certain Land Act provided for the regulation of joint or co-ordinated executive action by the South African government and the administrations of the non-independent homelands in respect of certain land outside of such homelands, including state land and land belonging to a development body. The act also made provision for the state president to repeal or amend any law, including that of a legislative authority, in order to give effect to such agreements. He was also empowered to authorise a minister of a non-independent homeland to exercise any power, carry out any duty or perform any function entrusted under any law to a minister of South Africa or to a provincial administrator, either generally or for a particular purpose. Proclamations in terms of the act had to be tabled in Parliament within 14 days of promulgation or in the relevant homeland's legislative assembly if it amended the legislation of a homeland.¹² [¹² *Government Gazette* no 14947, 16 July 1993] The act was gazetted in July 1993.

Revocation and Assignment of Powers of Self-Governing Territories Act

The Revocation and Assignment of Powers of Self-governing Territories Act provided for the state president, with the consent of the administration of the non-independent homeland concerned, to revoke by proclamation the legislative powers of its legislative assembly, or the executive authority of its cabinet, or both. Under this legislation he was also entitled to assign the administration of any law in the territory to any person or body. He was also empowered to take other measures, including the amendment or repeal of legislation. However, the act provided that within 14 days of promulgation, such a proclamation should be tabled in Parliament for its approval. If it amended an act of a homeland then the proclamation was also to be tabled in that homeland's legislative assembly.¹³ [¹³ *Ibid*] This act was also gazetted in July 1993.

Joint Administration of Certain Matters Act

The Joint Administration of Certain Matters Act provided for the state president to decree by proclamation joint administration of matters previously administered by separate departments. Where a department of an 'independent' homeland was affected then the homeland administration's concurrence

had to be obtained. The act empowered the state president to take any measure or repeal or amend any law in order to facilitate such joint administration. Such proclamation had to be tabled in Parliament within 14 days for its approval. Where the amendment or repeal affected the legislation of a homeland then it also had to be tabled in that homeland's legislative assembly.¹⁴ [¹⁴ *Ibid*] This act was also gazetted in July 1993.

Mr Kobus Jordaan (DP) proposed that the Revocation and Assignment of Powers of Self-governing Territories Act and the Joint Administration of Certain Matters Act be amended to give the state president the necessary powers to deal with the possibility of the leader of a particular homeland being opposed to the homeland's reincorporation into South Africa. This proposal was, however, rejected by the minister of regional and land affairs, Mr André Fourie.¹⁵ [¹⁵ *Hansard* (A) 22 (interpellation debate) cols 2132–2134, 23 June 1993]

Transitional Executive Council Act

The Transitional Executive Council (TEC) Bill was tabled in Parliament in September 1993. The bill described the object of the TEC as being to facilitate, in conjunction with all legislative and executive governmental structures at national, regional and local levels, the transition to and preparation for the implementation of a democratic order in South Africa. The TEC was to achieve this object through the creation and promotion of a climate of free political participation by endeavouring to:

- eliminate any impediments to legitimate political activities;
- eliminate any form of intimidation which had a bearing on the process of transition;
- ensure that all political parties were free to canvass support from voters; and
- ensure that no government or administration exercised any of its powers in such a way as to give advantage to or prejudice any political party.

The council was also mandated to promote conditions conducive to the campaigning for, and holding of, free and fair elections.¹⁶ [¹⁶ *Transitional Executive Council (Draft) Bill—Final*, 9 September 1993] The bill provided for the government and each of the administrations and organisations involved in constitutional negotiations, and which undertook in writing to be bound by and to implement the decisions of the TEC and to renounce violence as a means of achieving political objectives, to be entitled to one representative on the council. However, provision was made for the council to nominate additional members from parties not involved in the talks, provided that such parties committed themselves to be bound by and to implement the decisions of the council. Appointments to the TEC were to be made by the state president.

The bill provided that the administrations of the 'independent' homelands and any political party or organisation operating only from these homelands would be participants in the TEC only if: the provisions of the TEC Act, as well as the provisions of the Independent Electoral Commission Act, the Electoral Act, the Independent Media Commission Act, and the Independent Broadcasting Authority Act, were incorporated into the laws of the homeland concerned; or formal provision was made by the legislation of such a homeland for these acts to apply to the homeland concerned (see below).¹⁷ [¹⁷ *Ibid*]

The bill provided, inter alia, for a subcouncil on regional and local government and traditional authorities to:

- monitor developments in relation to regional and local government, and traditional authorities during the transition period;
- propose amendments to, repeal or enact legislation in this regard;
- initiate proposals regarding regional and local government budgets, powers and functions, restructuring and rationalisation, and transitional measures;
- make recommendations and render assistance regarding the collapse of services and any shortfall of finances in local government;
- make recommendations on legislative and executive measures which affected the powers of traditional leaders during the transitional period;
- make recommendations regarding matters of material concern to traditional leaders; and
- approve any amendment of the terms of conditions of, and any decrease or increase in the remuneration of, traditional leaders.¹⁸ [¹⁸ *Ibid*]

The bill provided for a subcouncil on law and order, stability and security to:

- establish a national inspectorate comprised of both police officers and such other people as the council might nominate to investigate and monitor all police agencies, and to liaise with all inspectorates in relevant agencies so as to achieve the general objectives of the TEC (see above);
- investigate any matter relating to its objectives;
- interview people, have access to documents and have reasonable access to police facilities;

- establish a national independent complaints mechanism under civilian control to investigate complaints of police misconduct;
- be given access to any information or crime intelligence reports compiled by any policing agency;
- evaluate the impact of steps taken by policing agencies to prevent political violence;
- make recommendations to improve the effectiveness of, and community co-operation with, policing agencies and make recommendations for adoption by participants in the TEC in this regard;
- issue recommendations on controlling the policing agencies of participants in the TEC;
- formulate a statement of values and objects for the promotion of law, order, peace, stability and security for policing agents and paramilitary organisations; and
- introduce and/or amend a code of conduct for any policing agency.

The bill provided further that a government minister or ministers with the authority to declare a state of emergency or unrest areas could make such a declaration only in consultation with the subcouncil, except where circumstances were such that consultation with the subcouncil was not possible before such a declaration. If, however, agreement was not then reached between the relevant minister or ministers and the subcouncil on the desirability of such action then either party was entitled to request a subcommittee composed of the civilian members of the Police Board to resolve such a disagreement. The findings of the board were to be final.

The bill provided further for ministers both in the South African government and the administrations of the 'independent' homelands to exercise certain powers in terms of police legislation and to act in consultation with the subcouncil. Furthermore, the bill provided that the subcouncil be permitted to ask the government, or any homeland administration or political party not to proceed with legislation or executive actions if it felt that these could have an adverse effect on the objects of the TEC.

The bill provided for a subcouncil on defence. This subcouncil was to be kept informed of the activities of any military force likely to have an adverse impact on the objects of the TEC. Each military force was required to renounce violence as a means of attaining political objectives and to acknowledge the authority of the council.

The bill provided further for the council, in consultation with the minister of defence, to make regulations on the deployment of any defence force unit in crime prevention or peacekeeping. It provided for the ministers of defence of South Africa and the 'independent' homelands to act in consultation with the subcouncil with regard to amendments to legislation or the repeal of defence regulations. Where no agreement could be reached the matter was to be referred to the special electoral

court for its determination. The legislation provided further that the commander of any military force was to ensure that any directive of the subcouncil was to be incorporated in the relevant standing orders and military code of such a force.

The subcouncil on defence was also empowered to establish and maintain a national peacekeeping force to ensure peace and public order in South Africa. This force was to be composed of members of all military forces in equal numbers and was to be under the control of a national peacekeeping force command comprised of representatives of all military forces and policing agencies participating in the peacekeeping force.

The bill also established a finance subcouncil and provided, inter alia, for it to be informed regularly of economic policy objectives and targets for the 1994/95 fiscal year and to be represented in the budgetary committees for the budget in order to ensure that no party was favoured by the budget. This subcouncil was also required to advise state departments on the privatisation of their functions and to approve any measures designed to rationalise treasury functions in the process of the realignment of government structures. The subcouncil was also empowered to review existing public service disciplinary codes and to request disciplinary investigations into the conduct of public servants.

The bill provided for an intelligence subcouncil to constitute a joint co-ordinating intelligence committee, comprised of the heads of all intelligence services, to monitor and promote the objectives of the council. It also provided for this subcouncil to adopt a set of principles to serve as the basis for a national intelligence capability in a new dispensation and to formulate a code of conduct and to monitor compliance with such a code.

The bill provided for a subcouncil on foreign affairs to monitor, liaise with the Department of Foreign Affairs and make recommendations on foreign policy with a view to:

- achieving maximum consensus on foreign policy;
- securing agreements with the international community on how it could contribute to the peaceful transition to democracy in South Africa;
- securing international assistance for the socio-economic wellbeing of 'the people' as a whole;
- ensuring that foreign policy initiatives benefited the country as a whole, and not one political grouping only; and
- promoting international relations to benefit the country as a whole.

The bill provided further for a subcouncil on the status of women to ensure the full participation of women in the preparation for, the implementation of, and the transition to, a free and democratic order in

South Africa at national, regional and local levels.

The legislation was to apply to South Africa and all the non-independent homelands. The bill provided that agreements reached in terms of its provisions would have force of law in the 'independent' homelands only if the administrations of these homelands decided to incorporate the provisions of the bill into their laws.

In terms of the bill, the TEC was entitled to be provided with copies of all proposed legislation and could, where it saw such legislation having a negative impact on the transition process, request that it not be implemented. The government and the homeland administrations were required to keep the TEC informed of proposed executive actions. This provision also applied to all other participants in the multiparty negotiations process. All participants in the TEC, the government and the homeland administrations were required to comply with requests made to them by the TEC or its subcouncils and such requests were binding on all parties concerned.¹⁹ [¹⁹ *Ibid*]

If the government, an administration or a political party felt that the necessity for executive action or proposed legislation outweighed the adverse impact it might have on the 'levelling of the playing fields', it was entitled to refer the matter to the special electoral court (provided for in the Independent Electoral Commission Act described below) for its decision.

Decisions of the TEC were to be made on the basis of consensus. However, in the event of there not being consensus, the agreement of 75% of the members of the TEC was sufficient to make a decision. In the subcouncil on law and order, stability and security; the subcouncil on defence; and the subcouncil on intelligence the agreement of 75% of the members was deemed necessary to make a decision where consensus could not be reached. In the cases of the other subcouncils a two-thirds majority of the members was deemed sufficient.

The bill dealt extensively with the procurement of information by the council and its various subcouncils. The point of departure was that they would have access to information except for certain specified documents—classes of which were specified in the bill. Furthermore, an access to information committee, consisting of four people of 'integrity', would have access to all such restricted information and documents (except information that could reveal the source thereof) with a view to verifying whether or not they contained anything that affected adversely the attainment of the objectives of the TEC. The TEC was entitled to request that the actions contemplated in such documents not be proceeded with where such actions could affect adversely the attainment of the objectives of the TEC.²⁰ [²⁰ *Ibid*]

The TEC Bill was duly passed in September 1993. It was introduced by the minister of constitutional development, Mr Roelf Meyer, who said that the bill was aimed at ensuring transparent and honest conduct by all role players in the process of transition.²¹ [²¹ *The Citizen* 21 September 1993]

The secretary general of the African National Congress (ANC), Mr Cyril Ramaphosa, hailed the

adoption of the draft bill as ‘paving the way for the final steps in bringing down the apartheid edifice’.²² [22 *Ibid*] However, the Pan-Africanist Congress (PAC) said that it opposed the bill and that it would not participate in the proposed council on the grounds that the bill ‘prevented the government from committing itself to a mutual cessation of hostilities’—a condition which the PAC required for the ending of its armed struggle.²³ [23 *Sowetan* 21 September 1993]

A director of the Afrikaner Volksfront (AVF), General Tienie Groenewald, said that if the government and the ANC tried to implement the act, the AVF and other members of the Concerned South Africans’ Group would not accept the TEC’s authority. He said that the adoption of the bill would be considered a declaration of war. However, the chairman of the directorate of the AVF, General Constand Viljoen, said that war was not necessarily the best way of achieving Afrikaner self-determination as negotiations would have to follow even after a war.²⁴ [24 *Business Day* 9 September 1993]

The Negotiating Council agreed that since the Negotiating Forum had not had the opportunity to rule on the draft bill it would not be implemented until ‘an explicit decision to that effect has been taken by a plenary session of the multiparty negotiating process’.²⁵ [25 *The Citizen* 8 September 1993]

During the September parliamentary sitting only the CP and the IFP opposed the bill.²⁶ [26 *Business Day* 24 September 1993] The CP registered its disapproval of the bill by walking out of Parliament and giving notice that it would not participate in proceedings for the rest of the parliamentary session.²⁷ [27 *Ibid*] The leader of the CP, Dr Ferdi Hartzenberg, described the legislation as ‘a constitutional revolution that will transfer power to the ANC/South African Communist Party alliance’. He said that ‘elections’ would be held among Afrikaners and a ‘separate government for Afrikaners’ would be established if and when the TEC was implemented.²⁸ [28 *Ibid*] Mr Meyer disputed the CP’s claims, saying that the TEC would give all parties an opportunity to participate in democratic preparations for an election. This, he said, was different from taking over the functions of government. He added, however, that the legislation would be implemented only after agreement had been reached on a transitional constitution.²⁹ [29 *The Citizen* 24 September 1993] He said that he expected the TEC to be operational by the middle to the end of October 1993.

The ANC welcomed the passage of the bill and described it as ‘a major victory for the forces of democracy’ which would mean that the NP could no longer be ‘both a player and the referee’.³⁰ [30 *Ibid*]

In its reaction to the passage of the legislation, the AVF warned that the establishment of the TEC could lead to a full-scale civil war. The organisation said that it was planning for possible action and that this action would become apparent ‘in time’.³¹ [31 *Beeld* 24 September 1994]

The Bophuthatswana administration said that it had registered formally its ‘fundamental opposition’ to the TEC bill and would, therefore, not be bound by its provisions. It added that it could not allow interference in the administration of Bophuthatswana by a body which did not have jurisdiction over its

internal affairs.³² [³² Information Service of Bophuthatswana, press release, 9 September 1993]

The IFP strongly rejected the proposed TEC and called on Zulus to be prepared to fight to rule themselves. Addressing a series of Shaka Day celebration rallies on 26 September 1993, the president of the IFP and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said that the proposed TEC did not include the IFP or the KwaZulu administration and that allowing the TEC to govern KwaZulu was akin to allowing ‘foreigners’ to rule ‘the Zulu nation’. Chief Buthelezi asked for support from Zulus to help establish armed protection units to defend ‘the Zulu nation’.³³ [³³ *The Star* 27 September 1993]

Following the bill’s approval by Parliament the United States (US) Senate approved legislation lifting US government sanctions against South Africa (see also chapter on *The Economy*).³⁴ [³⁴ *The Citizen* 25 September 1993]

Independent Media Commission Act

The Independent Media Commission Bill was passed by Parliament in September 1993. It provided for the establishment of an independent media commission whose primary aim would be to contribute to the promotion and creation of a climate favourable to free political participation and a free and fair election by ensuring equitable treatment of political parties by broadcasting services, and by ensuring that state-financed publications and information services were not used to advance the interests of any political party.

The commission was to consist of no more than seven members, including a chairman, and was to be appointed by the Negotiating Forum or the TEC. Certain categories of people—including the office bearers of political parties; people with financial interests in the telecommunications, broadcasting or print media industry; and members of Parliament, members of the TEC and members of homeland legislatures—were disqualified from being members of the commission.

The act established a broadcasting subcommittee to monitor broadcasting services and to ensure that such services complied with guidelines on party election broadcasts, political advertisements and fairness concerning broadcasts relevant to the election. The state-financed publication and state information services subcommittee was empowered in terms of the act to monitor state publications and state information services to ensure that they did not favour any particular party.³⁵ [³⁵ *Special Report on the Ninth Draft of the Independent Media Commission Bill*, 2 August 1993]

The act compelled public sound broadcasting services to permit political parties to make election broadcasts during the period before the election proposed for April 1994. (Private sound broadcasting services were, however, not compelled to allow political parties to make election broadcasts.) While the act did not compel sound broadcasting licencees to broadcast political advertisements, it provided that where such advertisements were broadcast the broadcaster would be compelled to afford all other

political parties, should they so request, a like opportunity.

In the case of both election broadcasts and political advertisements the act provided that these should not be broadcast within 48 hours of the commencement of the polling period and should be of a broadcast standard acceptable to the commission. The act compelled broadcasters to afford reasonable opportunities for the discussion of conflicting views and to treat all parties equally. It also obliged broadcasting licensees to afford political parties a reasonable opportunity to reply to criticisms levelled against them on any broadcasting service.

The act provided that no state-financed publication should advance the interests of any political party or carry advertisements in support of any political party. The act provided further for any political party which felt that the provisions of the act had been contravened to lodge a complaint with the independent media commission, whereafter the commission would afford the affected parties a public hearing. The commission was to report to the Negotiating Forum or to the proposed TEC.³⁶ [³⁶ Ibid]

The Independent Media Commission Bill was passed by Parliament with only the CP voting against it. Mr Petrus Groenewald (CP) told Parliament that his party opposed the measure because the government had yielded to the ANC, which he claimed had always wanted to take control of broadcasting.³⁷ [³⁷ *The Citizen* 24 September 1993]

Independent Electoral Commission Act

The Independent Electoral Commission Act, also tabled in Parliament in September 1993, made provision for an independent electoral commission comprising not less than seven and not more than 11 members appointed by the state president upon the advice of the Negotiating Forum. The commission was to ensure free and fair elections for a transitional government, and free and fair subsequent elections. The commission's responsibilities included:

- the registration of voters and political parties;
- the supervision of the electoral process;
- the monitoring and evaluation of the process;
- determination of the election results; and
- adjudicating issues affecting the transitional elections and the conduct of political parties during elections.³⁸ [³⁸ *Independent Electoral Commission Bill* [WISIB—95 (AS)]]

A subcouncil of the commission, the Election Administration Directorate, was charged with ensuring voter education; establishing procedures for determining the eligibility and identification of voters; determining whether voter lists should be prepared and supervising such lists; determining polling districts and electoral divisions; registering political parties and candidates; providing for the registration of political parties and their logos, symbols and campaign colours; enforcing the electoral code of conduct; appointing returning officers and other electoral personnel; identifying the locations and operating hours of polling stations; determining the conditions applicable to special votes; deciding on the form and content of ballot papers; ensuring secrecy of the vote and the protection of ballot papers; arranging for the counting of votes; determining the circumstances under which ballot papers would be rejected; and determining legitimate electioneering expenses.

Another subcouncil of the commission, the Election Monitoring Directorate, was charged with the following tasks: the appointment of local and international observers, scrutineers and election support staff; the establishment of investigative facilities and review procedures for alleged infringements of the electoral code of conduct; the drawing up of guidelines to prevent the intimidation of voters, candidates and political parties; the investigation and prosecution of any infringement of the electoral code of conduct; and the issuing of infringement and warning notices concerning alleged breaches of the electoral code of conduct.³⁹ [Ibid]

The Election Adjudicating Directorate, another subcouncil of the commission, was charged with the task of serving as a final arbiter of disputes (subject to appeal to the commission) concerning matters affecting the campaigning for, conduct of and results of the April 1994 elections. It was also charged with the establishment and determination of the powers and procedures of appropriate special tribunals for investigating and adjudicating complaints of electoral irregularities.

The Independent Electoral Commission Act was passed in the September 1993 session of Parliament.

Independent Broadcasting Authority Act

The Independent Broadcasting Authority Bill, published in September 1993, provided for the establishment of an independent broadcasting authority consisting of a chairman and six other members. In the period before the first national election the bill provided for the Negotiating Forum or the TEC to establish a committee to appoint the members of the authority. It also provided that after the first national election the transitional legislature would establish a new committee which would again appoint the broadcasting authority. However, the legislature to be elected under the final constitution would again appoint a new committee for the same purpose.

Two standing committees, the broadcasting technical committee and the broadcasting monitoring and complaints committee, were also provided for in the bill. The bill also included a code of conduct for broadcasting services.

The primary purpose of the bill was stated as the regulation of broadcasting activities in South Africa in the public interest through the Independent Broadcasting Authority.⁴⁰ [⁴⁰ *Special Report on the Sixth Draft of the Independent Broadcasting Authority Bill*, technical committee on the Independent Media commission and the Independent Telecommunications Authority, 20 August 1993] The bill was passed in September 1993.

National Negotiations

Not all the organisations and parties listed hereunder participated in multiparty constitutional talks at the World Trade Centre, near Kempton Park. Some, such as the Afrikaner Volksunie, the Conservative Party, and the Pan-Africanist Congress, were new participants to the talks, not having participated in the earlier rounds of talks in the Convention for a Democratic South Africa. Others, such as the members of the Freedom Alliance (see *Synopsis and Update*), originally participated in multiparty negotiations but then subsequently withdrew from them but continued to conduct bilateral constitutional negotiations with the government and the African National Congress respectively. Still others, such as the Azanian People's Organisation, the Boerestaat Party and the Workers' Organisation for Socialist Action, did not participate in the multiparty negotiations process at all (either out of choice or because they did not qualify for participation). However, they have expressed views on constitutional issues and have, therefore, been included in this section.

African National Congress

Membership

At the beginning of April 1993 the African National Congress (ANC) claimed to have some 900 000 members in 1 400 branches across the country.⁴¹ [⁴¹ *The Natal Mercury* 29 March 1993] In September 1993 six members of the Labour Party's parliamentary caucus joined the ANC.⁴² [⁴² *The Citizen* 24 September 1993] At the time of writing there were five ANC-aligned members in the House of Assembly and none in the House of Delegates.

Constitutional Issues

In January 1993 the director of foreign affairs of the ANC, Mr Thabo Mbeki, announced that the organisation's national executive committee (NEC) had decided that there was a need for a government of national unity of limited duration composed of all parties which had achieved a minimum of 5% of the seats making up the constitution-making body. The ANC said that the government of national unity should exist for a period of 'not more than five years'. The organisation, however, rejected a proposal by the government that it share power with the National Party for a similar period of time. The NEC's plan called for a new president to appoint representatives of minority parties to the cabinet. It also provided for the president to exercise executive powers after consultation with the cabinet but in the case of

certain specified powers (which were to be decided on in the multiparty negotiations) he would consult other parties and their leaders. In the event of a disagreement the plan provided for the president's decision to have to win the support of two thirds of the cabinet in order to be effected. The plan also called for the legislative assembly to adopt a new constitution within nine months after being established.⁴³ [⁴³ Ibid 19 February 1993]

In March 1993 the ANC held a national consultative conference on regional policy at which it adopted a resolution calling for a maximum of ten regions. The ten regions accepted by the conference were the Border/Kei, eastern Cape, eastern Transvaal, Natal, northern Cape, northern Transvaal, Orange Free State, Pretoria/Witwatersrand/Vereeniging (PWV) region, western Cape and western Transvaal. (The organisation had suggested earlier that the country could be divided into 16 regions.) The proposal also called for elections for regional representatives in a constituent assembly on the basis of electoral regions—preferably the four provinces based on the 1910 boundaries.⁴⁴ [⁴⁴ *The Star* 2 March 1993] The organisation called for the powers of regions to be entrenched in the constitution.

The ANC's spokesman on regional and local government, Mr Thozamile Botha, said, however, that where regional functions were entrenched in the constitution the central government would have overriding powers if violation of the constitution occurred. In areas such as education, the ANC proposed that the central government have powers concurrent with those of the regional governments. The ANC did not envisage direct regional elections until after the final constitution had been adopted. The organisation rejected the notion that regions should draft their own constitutions, saying that this was tantamount to confederalism.⁴⁵ [⁴⁵ *Business Day* 23 March 1993]

In May 1993 a member of the NEC, Mr Mohammed Valli Moosa, said that the ANC was opposed to the idea of a white 'volkstaat' because it considered it unworkable. He maintained that there was no area of South Africa that lent itself to such an arrangement because Afrikaners were dispersed throughout the country.⁴⁶ [⁴⁶ *The Citizen* 26 May 1993]

Negotiations

In October 1992 the NEC of the ANC resolved to return to negotiations following its withdrawal in June 1992.⁴⁷ [⁴⁷ *Business Day* 1 October 1992] The government was subsequently involved in a series of talks with the ANC with a view to getting the negotiations process restarted. At one such meeting towards the end of January 1993 the ANC accepted a proposal by the government that a multiparty planning conference be convened.⁴⁸ [⁴⁸ *Beeld* 28 January 1993] The ANC participated in the conference convened in March 1993 and the subsequent multiparty negotiations that resulted from it.

In March 1993 the president of the ANC, Mr Nelson Mandela, held talks with the leader of the Afrikaner Vryheidstigting, Professor Carel Boshoff. Mr Mandela told a press conference after the meeting that the talks had focused on self-determination and that he had informed Professor Boshoff that

the ANC was sympathetic to this demand.⁴⁹ [⁴⁹ *The Citizen* 3 March 1993] In April 1993 an ANC-aligned MP, Mr Dave Dalling, called on the state president, Mr F W de Klerk, to ensure that an election date for the transitional government was finalised before the end of May 1993.⁵⁰ [⁵⁰ *Hansard* 12 (joint sitting) col 5414, 20 April 1993]

In an interview in the same month Mr Mandela and Mr de Klerk said that their parties were ready to share power with each other despite their differences.⁵¹ [⁵¹ *Business Day* 30 April 1993] In May 1993 Mr Mandela called for the minimum voting age to be lowered to 14 years. He justified his statement by saying that many of the youth had left school at the age of 12 years and joined the ANC's military wing, Umkhonto we Sizwe. He said that 'now that democratic elections are close at hand we are being told that those who had been at the forefront of the struggle cannot vote'.⁵² [⁵² *The Natal Witness* 20 May 1993] The minister of home affairs, Mr Danie Schutte, criticised the call, saying that it would not receive serious consideration in any civilised country.⁵³ [⁵³ *Ibid* 24 September 1993] The Democratic Party rejected Mr Mandela's suggestion as 'ridiculous' and said that reducing the voting age would not serve the interests of the youth.⁵⁴ [⁵⁴ *The Citizen* 17 July 1993] However, the ANC later issued a statement saying that Mr Mandela would abide by the NEC's view that the minimum voting age should remain at 18 years.⁵⁵ [⁵⁵ *The Star* 27 May 1993]

Alliances

In January 1993 the ANC's PWV region and KwaNdebele's ruling party, Intando ye Sizwe, resolved to establish a united front 'on all levels'.⁵⁶ [⁵⁶ *Business Day* 12 January 1993] At the end of March 1993 about 50 political, religious and homeland organisations attended a patriotic front conference convened by the ANC in Lenasia near Johannesburg. Participants included the Congress of South African Trade Unions (Cosatu), the Labour Party (LP), Intando ye Sizwe, the Inyandza National Movement, the Natal Indian Congress, the Transvaal Indian Congress, the South African Communist Party (SACP), the South African Democratic Teachers' Union, the South African National Civic Organisation, the Transkei administration, the United People's Front, the Venda administration, and various church and business organisations. The conference resolved, in principle, to fight the forthcoming elections under an ANC-led alliance banner. The Pan-Africanist Congress and the Azanian People's Organisation did not attend the conference, saying that the ANC had acted unilaterally in calling the conference.⁵⁷ [⁵⁷ *The Citizen* 29 March 1993]

In July 1993 an ANC spokesman, Mr Carl Niehaus, said that the ANC was in the process of forming a united front similar to the patriotic front and which was to conduct elections under the banner of the ANC. He said that the tripartite alliance (ANC/SACP/Cosatu) had already agreed to this step and that the ANC was holding talks with other parties, such as the LP, the Inyandza National Movement, the United People's Front, the Transvaal Indian Congress and the Transkei administration, to ascertain whether they wanted to join such a front.⁵⁸ [⁵⁸ *Barometer on Negotiations* July 1993]

At a special conference in September 1993 Cosatu nominated a list of 20 trade union leaders to be included in the top 51% of the ANC's electoral list for a transitional government. The list was headed by the federation's general secretary, Mr Jay Naidoo, who had stood down from his position as general secretary after he had been nominated for the list. Others on the list were Mr John Copelyn, Mr Philip Dexter, Mr Chris Dlamini, Mr Siphso Gcabashe, Mr Marcel Golding, Mr Don Gumede, Mr Alec Irwin, Mr Serake Leeuw, Mrs Joyce Mabudhafasi, Mr Thaba Mafumadi, Mr Sali Manie, Mr Kgabisi Mosonkuthu, Mr Moses Mayekiso, Mr Nathi Nhleko, Mr Duma Nkosi, Mr Danny Oliphant, Mr Godfrey Oliphant, Miss Susan Shabangu and Miss Elizabeth Thabethe.⁵⁹ [⁵⁹ *Sowetan* 13 September 1993]

Afrikaner Volksfront

The Afrikaner Volksfront (AVF) was initiated in May 1993 by a committee of generals under the chairmanship of a former chief of the South African Defence Force, General Constand Viljoen. This committee had been mandated by meetings of right-wing organisations in April 1993⁶⁰ [⁶⁰ *The Star* 6 May 1993] to bring the 'Afrikaner volk' together under the banner of the AVF. A member of the committee, General Tienie Groenewald, outlined the objectives of the committee as being:

- to unify the fragmented right wing;
- to maximise pressure for a volkstaat at the negotiating table; and
- to bolster the Concerned South Africans' Group at the multiparty talks.

Gen Groenewald sketched a three-phase plan of action for supporters of the volkstaat concept:

- political pressure for the establishment of a system of national states;
- passive resistance, including mass action, boycotts and strikes; and
- as a last resort, secession from South Africa by an Afrikaner state.⁶¹ [⁶¹ *Ibid*]

The AVF was launched officially on 19 May 1993 by 21 right-wing parties and organisations, including the Afrikaner Volksunie (AVU), the Afrikaner Vryheidstigting, the Afrikaner Weerstandsbeweging and the Conservative Party (CP).⁶² [⁶² *Beeld* 4 June 1993] At the launch the leader of the CP, Dr Ferdi Hartzenberg, was elected as the chairman of the executive committee.⁶³ [⁶³ *Ibid*]

Membership

Gen Viljoen announced later in May 1993 that the AVF was aiming to become a mass-based organisation in its own right and that it would begin immediately to canvass for members. He called on Afrikaners to join the AVF.⁶⁴ [⁶⁴ *Rapport* 30 May 1993] In June 1993 Gen Viljoen claimed that the AVF was encountering so much support from the Jewish and English-speaking communities that the organisation had been under pressure to change its name to the 'Volksfront' so as to accommodate these communities.⁶⁵ [⁶⁵ *Beeld* 21 June 1993]

In August 1993 two members of the AVU's parliamentary caucus, Mr Rosier de Ville and Mr Chris de Jager, resigned from the AVU because of differences over the question of negotiations and joined the AVF. They said subsequently that they would sit as independents and represent the AVF in Parliament.⁶⁶ [⁶⁶ *The Citizen* 6 August 1993]

In the same month Gen Viljoen's secretary, Mr Koos van Rensburg, claimed that the AVF represented about 2,5m people.⁶⁷ [⁶⁷ *Ibid* 5 August 1993]

Constitutional Issues

At its official founding meeting in May 1993 the AVF rejected a unitary state and said that Afrikaners wanted a volkstaat which could be part of a confederation of states.⁶⁸ [⁶⁸ *The Star* 20 May 1993] In June 1993 the AVF said that Afrikaner selfdetermination was not negotiable.⁶⁹ [⁶⁹ *Business Day* 8 June 1993] In July the AVF revealed its provisional map for a future constitutional dispensation in which South Africa would be divided into eight regions. The AVF said that the opinion of Afrikaners in each of these regions would be tested separately as to where they wished a 'boerestaat' to be. Gen Viljoen said that until Afrikaner opinion had been ascertained in this way his organisation would refuse to draw up proposals for a new regional dispensation.⁷⁰ [⁷⁰ *The Citizen* 9 July 1993]

In reaction to the AVF's proposal for an Afrikaner opinion poll, the chairman of the Democratic Party's policy advice committee, Mr Hennie Bester, said that the AVF had not defined what an Afrikaner was, which indicated 'the political poverty and dishonesty of the organisation'. Mr Bester said that the front's proposals were based on the same economic incoherence as the 'Verwoerdian dream' and that it could never support autonomous and credible regions.⁷¹ [⁷¹ *Ibid*]

The National Party said that the AVF's proposal for an Afrikaner poll confirmed what the majority of voters had already known—'that they [the AVF] don't have a plan'. The NP added that the majority of the Afrikaners had already decided to share the country with other South Africans.⁷² [⁷² *Ibid*]

In the same month the *Sunday Star* claimed that an AVF document leaked to it called for the outlawing of political parties in the proposed Afrikaner homeland. The report said that all representatives in the homeland's parliament should be elected as independents and should be accountable to their constituents only. An executive state president elected by a majority of fellow MPs was allegedly proposed in the document. The document was said to distinguish between 'staatsburgers' and 'volksburgers'; 'volksburgers' being defined as Afrikaners or members of related ethnic groups who would have the vote, while 'staatsburgers' were defined as members of other ethnic groups such as 'Zulus, Tswanas and coloureds' living in the volkstaat and who would have all civic rights except the vote.⁷³ [⁷³ *Sunday Star* 18 July 1993]

In August 1993 Gen Groenewald said that his organisation was demanding that political power be vested in separate states which would decide which powers should be allocated to the central authority.⁷⁴ [⁷⁴ *Business Day* 20 August 1993]

Negotiations

In June 1993 the AVF met the government to discuss calls by the front for the temporary suspension of multiparty constitutional negotiations until political violence had abated.⁷⁵ [⁷⁵ *Beeld* 7 June 1993] At the talks the organisation made the following demands:

- that plans for a general election on 27 April 1994 be dropped;
- that the government restore law and order;
- that the government take steps to accommodate the 'right to self-determination'; and
- that a white election or referendum be called before any constitutional changes were made.⁷⁶ [⁷⁶ *The Citizen* 12 June 1993]

At the meeting the organisation said that it would consider a proposal by the government that it take a seat at the Negotiating Forum, or alternatively, prepare proposals on how regions should be defined.⁷⁷ [⁷⁷ *Ibid*] The organisation subsequently presented a provisional map of its proposed volkstaat to the Negotiating Council (see *Constitutional Issues* above).⁷⁸ [⁷⁸ *The Weekly Mail* 9 July 1993]

On 25 June 1993 the AVF held a protest march outside the World Trade Centre (east Rand), where negotiations were in progress. The organisation demanded that negotiations be stopped and that Afrikaners be granted a white homeland. The crowd of 2 000 protestors subsequently broke through the gates and occupied the World Trade Centre and the negotiating chamber (see also chapter on *Political*

Developments).⁷⁹ [⁷⁹ *Sunday Times* 27 June 1993] At a news conference afterwards Gen Viljoen said that the AVF had pleaded with the government to slow down negotiations so that the right wing could negotiate its case but that these efforts had been ignored.⁸⁰ [⁸⁰ *Sunday Star* 27 June 1993]

In August 1993 Gen Groenewald said that South Africa had never been so close to a civil war. He added, however, that the AVF felt positive that a constitutional compromise would be reached before civil war broke out. Gen Groenewald said that the organisation was involved in intensive bilateral talks and that the African National Congress (ANC) and the government realised that the 'Afrikaners and the Zulus' would not allow a communist government to take power.⁸¹ [⁸¹ *Beeld* 3 August 1993]

Also in August 1993 the government and the AVF established a committee to determine ways of promoting Afrikaner self-determination within the constitutional framework. Gen Viljoen said that when his organisation deemed it 'sensible and in the interests of Afrikaners' it would take part in negotiations but added that there was no hope of this at present.⁸² [⁸² *The Citizen* 7 August 1993] Gen Viljoen urged Afrikaners to reject the negotiations process and the scheduled general election and to prepare to defend themselves. He added that the negotiators had rejected everything that the AVF had proposed, including the idea of an Afrikaner volkstaat.⁸³ [⁸³ *Ibid* 20 August 1993]

In September 1993 Gen Viljoen said that after failing to achieve its goals at multiparty talks the AVF was trying to sell its volkstaat ideal through meetings with the leaders of various parties. He said that the talks were proceeding well and that he was full of hope that the AVF would be able to bargain for something for the Afrikaner and to achieve peace.⁸⁴ [⁸⁴ *Business Day* 9 September 1993]

Towards the end of September 1993 the *Christian Science Monitor* reported that the AVF had agreed to take part in forthcoming elections in return for a semi-autonomous Afrikaner volkstaat. The newspaper said that the agreement was the result of secret negotiations between Gen Viljoen and Mr Nelson Mandela, the president of the ANC.⁸⁵ [⁸⁵ *The Citizen* 25 September 1993] However, the AVF denied that such a deal had been struck and said that anything that emerged from negotiations with the ANC or the NP would be communicated publicly.⁸⁶ [⁸⁶ *Ibid*] However, the AVF and the ANC issued a joint statement confirming that proposals for an Afrikaner homeland had been tabled during a series of bilateral discussions between the AVF and the ANC. Both parties described the talks as 'encouraging' and said that they would be continued as a matter of urgency.⁸⁷ [⁸⁷ *Ibid*] Subsequent claims of a split in the ranks of the right wing were denied by the CP.⁸⁸ [⁸⁸ *Ibid*]

Afrikaner Volksunie

Membership

In March 1993 Mr Koos Botha MP (Independent), who had formerly been a member of the Conservative Party (CP), joined the Afrikaner Volksunie (AVU). In August 1993 two members of the AVU's parliamentary caucus, Mr Rosier de Ville and Mr Chris de Jager, resigned from the party and joined the Afrikaner Volksfront (AVF), an alliance of right-wing Afrikaner political groups formed on 19 May 1993 (see above). In the same month a third AVU MP, Mr Moolman Mentz, resigned from the party, saying that he had done so because the AVU had 'softened its stance on self-determination'.⁸⁹ [⁸⁹ *Business Day* 13 August 1993] In September 1993 another member of the AVU's parliamentary caucus, Mr Cehill Pienaar, resigned from the party, saying that he was tired of the 'opportunistic and cynical viewpoint of the head committee'.⁹⁰ [⁹⁰ *Ibid* 9 September 1993] In the same month the general secretary of the AVU, Mr Andries Beyers, and Mr Botha also resigned from the party, thus leaving it with no parliamentary representation.⁹¹ [⁹¹ *Ibid* 17 September 1993]

Constitutional Issues

Addressing a media conference in February 1993, Mr Beyers said that the AVU believed that it was possible to negotiate for a smaller Afrikaner region with Pretoria as its main centre and including parts of the east Rand and eastern Transvaal. He said that the AVU would come to the negotiating table seeking a geographic division which would provide Afrikaner majorities in one or two regions under a federal system. Mr Beyers added that it must be accepted that there had to be equal citizenship and voting rights for all in South Africa as a whole and in any federal state.⁹² [⁹² *The Citizen* 4 February 1992]

After a meeting with the government in March 1993 to discuss the AVU's proposals for Afrikaner self-determination, Mr Beyers said that his party had proposed eight regions, two of which would have Afrikaner majorities—an Afrikaner state in the Transvaal with Pretoria as its core and another in a part of the Cape province.⁹³ [⁹³ *The Star* 3 March 1993]

In July 1993 the AVU tabled its proposals for regional government with the commission for the demarcation of states/provinces/regions. The proposal called for eight regions, two of which would be set aside for Afrikaners. One region—Afrikanerland—included the Pretoria/Verwoerdburg/Akasia metropolitan area, parts of the eastern Transvaal, the north eastern Transvaal and the southern Transvaal (excluding the Witwatersrand area and Johannesburg). The other region—Oranje—included the western Orange Free State, Bloemfontein and a large portion of the Cape province (excluding the south western Cape).⁹⁴ [⁹⁴ *Beeld* 8 July 1993] The AVU said that its identification of Oranje as a state which would be 'Afrikaans-friendly' and where the majority of the population would be Afrikaans-speaking people, should satisfy the aspirations of a large group of Afrikaners. The party said, however, that Oranje should not be a substitute for Afrikanerland, where the greatest number of Afrikaners would be found.⁹⁵ [⁹⁵ *Ibid*]

Negotiations

On 2 March 1993, after a meeting between the two groups, the government and the AVU established a

mechanism to examine the possibility of Afrikaner states in a federal South Africa.⁹⁶ [⁹⁶ *The Citizen* 3 March 1993]

In May 1993 the AVU threatened to withdraw from multiparty negotiations, saying that it would seek urgent meetings with the government and the African National Congress (ANC) to determine whether the AVU's participation in the negotiations served any purpose. Mr Beyers said that the haste with which the ANC's demands were being accommodated and the way in which the National Party was dealing with the AVU's 'reasonable' proposals for self-determination were causing his party's members to lose confidence in the negotiations process.⁹⁷ [⁹⁷ *Beeld* 6 May 1993] At a press conference after a meeting between the government and the AVF in the same month, Mr Beyers announced that the government had said that it had no objection in principle to the AVU's ideal of Afrikaner self-determination in a federation. He declared the announcement an 'historic breakthrough' and said that it made it possible for the AVU to continue purposefully in negotiations.⁹⁸ [⁹⁸ *The Citizen* 12 May 1993]

Towards the end of May 1993 Mr Beyers announced that the ANC and the AVU had created a joint committee to discuss the AVU's proposals for self-determination.⁹⁹ [⁹⁹ *Beeld* 22 May 1993] The president of the ANC, Mr Nelson Mandela, said that his organisation was sensitive to the needs of minority groups.¹⁰⁰ [¹⁰⁰ *Ibid*] Despite the resignation of the entire parliamentary caucus of the AVU, the party continued to participate in negotiations. In September 1993 a member of the AVU's negotiating team, Mrs Corlia Kruger, said that the party would seek closer links with the AVF and would continue to be the 'lone voice for Afrikaner self-determination at the negotiating table'.¹⁰¹ [¹⁰¹ *The Star* 17 September 1993]

Alliances

Mr Beyers said in April 1993 that the AVU was striving for an alliance of all those parties in favour of strong regional government.¹⁰² [¹⁰² *Beeld* 14 April 1993]

The AVU was one of the founding members of the AVF. While the AVU signed the AVF's founding document, it recorded its opposition to a clause implying that only white Afrikaners could become part of a future volkstaat.¹⁰³ [¹⁰³ *The Citizen* 20 May 1993] However, shortly afterwards Mr Beyers declared that the AVF was a racist organisation which wanted to reinstate racism and apartheid, something which his party could not go along with. He revealed that the AVU had joined the AVF only to 'remain in contact' as the AVF was 'dominated by the CP' and the AVU would, therefore, not be able to influence its course of action.¹⁰⁴ [¹⁰⁴ *Business Day* 21 May 1993]

In August 1993 the secretary of the AVU, Mr Schalk Burger, said that the creation of a broadly based party consisting of groups that supported federalism was under discussion. He added that two options for the new party were being considered. The first option was to create a new party out of the Concerned South Africans' Group and the CP (even though the CP supported confederalism). The second option

would be to create a party out of the AVF under the leadership of the chairman of the AVF's directorate, General Constand Viljoen. Mr Burger said that such an option was more likely to include the CP.¹⁰⁵ [¹⁰⁵ Ibid 24 August 1993] In September 1993, after all its MPs had resigned from the party, Mrs Kruger said that the party would seek closer links with the AVF.¹⁰⁶ [¹⁰⁶ *The Star* 17 September 1993]

Afrikaner Vryheidstigting

Constitutional Issues

In August 1993 the leader of the Afrikaner Vryheidstigting (Avstig), Professor Carel Boshoff, said that his organisation agreed with the delimitation of the north-western Cape as one of the proposed regions and that it saw the region as a settlement area for Afrikaners campaigning for self-determination.¹⁰⁷ [¹⁰⁷ *Beeld* 3 August 1993] He added that the aim of Avstig was to make the region autonomous and to promote the welfare of all its inhabitants. He added, however, that preferred settlement zones for Afrikaners should be identified where they could eventually achieve self-determination and freedom in their own fatherland.¹⁰⁸ [¹⁰⁸ Ibid]

Negotiations

Avstig was one of 11 organisations granted observer status at the multiparty planning conference in March 1993.¹⁰⁹ [¹⁰⁹ *The Citizen* 6 March 1993]

Prof Boshoff said later that his organisation wanted to participate as a full member in the multiparty negotiations and that it had applied to the Negotiating Council for inclusion in the process.¹¹⁰ [¹¹⁰ Ibid] This application was not approved by the council.

Afrikaner Weerstandsbeweging

Membership

In April 1993 the head of the Witwatersrand region of the Afrikaner Weerstandsbeweging (AWB), General Japie Oelofse, claimed that the Witwatersrand branch of the Wenkommando (the armed wing of the AWB) had 12 000 members and that it was gaining new members at the rate of 800 a week, while the organisation also had about 5 000 ordinary members in the region.¹¹¹ [¹¹¹ *The Weekly Mail* 30 April 1993]

In October 1993, a spokesman for the AWB, Colonel Nico Prinsloo, claimed that the number of Wenkommando members in the Witwatersrand area had doubled since April 1993.¹¹² [¹¹² Response to

questions posed to Colonel Nico Prinsloo, 14 October 1993]

Col Prinsloo said that the AWB had 66 000 Wenkommando members nationally, excluding ‘non-active’ members. He claimed that the organisation had a branch in every town in South Africa.¹¹³ [¹¹³ Ibid]

Constitutional Issues

The leader of the AWB, Mr Eugene TerreBlanche, said in September 1993 that the AWB was demanding an Afrikaner homeland of up to 25% of South Africa’s territory. He added that he was not prepared to negotiate with the African National Congress (ANC) for a smaller area. Mr TerreBlanche said that the AWB and the Inkatha Freedom Party would fight together against any ANC-led government which came to power in the election scheduled for April 1994.¹¹⁴ [¹¹⁴ *The Citizen* 25 September 1993]

Negotiations

In March 1993 Mr TerreBlanche said that his organisation would not join multiparty negotiations and added that those who took part in the multiparty talks did not have the legal right to ‘make decisions on the future of the Afrikaner and his country’.¹¹⁵ [¹¹⁵ Ibid 9 March 1993]

In reaction to an announcement in April 1993 by the Negotiating Council of an agreement on an election date, the AWB announced that it would hold a ‘volksverkiesing’ (people’s election) for white people at the same time as the planned general election because the general election would result in ‘free nations losing their sovereignty and being forced into servitude under a communist government’. Elaborating on the process, the organisation said that ‘volksraad’ (parliamentary) candidates would be elected by the white electorate in each constituency while a president would be elected directly by the white electorate. The president would then appoint a shadow cabinet and immediately find ways to guarantee the freedom of the ‘volk’.¹¹⁶ [¹¹⁶ *The Weekly Mail* 30 April 1993]

In June 1993 members of the AWB took part in the protest march and occupation of the World Trade Centre by the Afrikaner Volksfront. The AWB also sent a memorandum to the Negotiating Council in which it gave negotiators six months to come up with a constitution that did not ‘interfere with boer sovereignty’ (see *Afrikaner Volksfront* above).¹¹⁷ [¹¹⁷ *The Citizen* 4 June 1993]

Azanian People’s Organisation

Membership

Membership figures for the Azanian People's Organisation (Azapo) were not available at the time of writing. However, the organisation's national organiser, Mr Fundile Mafungose, claimed that Azapo comprised 16 regional structures across the country, each of which contained at least ten branches. He said that there were 412 branches in total, each of which was constituted by not less than 50 members.¹¹⁸ [118 *Echo* 26 August 1993]

Constitutional Issues

Azapo's western Cape publicity secretary, Mr Jimmy Yekiso, confirmed in July 1993 that Azapo was striving for a unified country 'with one people'. He said that Azapo wanted an 'anti-racist society' where political rights were guaranteed to individuals, regardless of race, religion or sex. All would be free to speak, write and develop their languages without hindrance, he said. Mr Yekiso added that while Azapo was not opposed to the demarcation of the country into regions in order to facilitate cohesiveness and economic viability, it was against any demarcation that aimed at regional political autonomy.¹¹⁹ [119 *South* 24 July 1993] Mr Yekiso said that the demarcation process which was taking place at multiparty negotiations was aimed at balkanising the country in such a way as to turn the 'discredited bantustans' into respectable concepts and to give whites their own state. Azapo opposed this process, he said.¹²⁰ [120 *Ibid*]

In the same month the deputy president of Azapo, Mr Pandelani Nefolovhodwe, said that Azapo would not support a transitional constitution resulting from the present round of negotiations. He said that deciding on the democratic principles to be contained in the constitution was the responsibility of a constituent assembly.¹²¹ [121 *Barometer on Negotiations* July 1993]

In August 1993 Mr Nefolovhodwe said that Azapo did not believe in ethnicity or ethnic programmes, but rather in 'one undivided Azanian nation'. He added that Azapo did not accept power sharing and was fighting for majority rule.

Negotiations

Towards the end of February 1993 Azapo announced that it would not participate in the multiparty planning conference as it had been constituted undemocratically. The organisation said that it would engage in talks with the government only if these took place in a neutral territory and if there was neutral mediation.¹²² [122 *The Citizen* 26 February 1993] In March an Azapo delegation led by its president, Professor Itumeleng Mosala, met a delegation of the Black Consciousness Movement of Azania in Harare (Zimbabwe) to discuss whether or not to participate in multiparty talks. The results of the meeting were not disclosed.¹²³ [123 *City Press* 21 March 1993] In the same month Azapo's deputy head of education, Mr Molatlhegi Thlale, said that the organisation preferred bipolar negotiations where the liberation movements sat on one side and the 'regime' sat on the other.¹²⁴ [124 *The Citizen* 22 March 1993]

In March 1993 the chairman of Azapo's western Cape region, Mr Siphso Maseko, argued for a transitional authority consisting of international representatives, which would be charged with demobilising the government's armed forces, appointing independent commissions for the media and for the elections, and preparing the country for the election of a constituent assembly. He added that Azapo wanted a settlement that would lead to two elections: one for a constituent assembly and the other—immediately after the drawing up of a constitution—for a new government.¹²⁵ [¹²⁵ *South* 13 March 1993]

At the end of July 1993 Mr Yekiso said that his organisation would continue the liberation struggle if negotiations did not bring into being a constituent assembly whose sole purpose was to draft a democratic constitution. He added that Azapo was against a constituent assembly such as that proposed at the multiparty talks, which would draft the constitution and govern at the same time.¹²⁶ [¹²⁶ *Ibid* 31 July 1993]

Opening the organisation's national executive meeting in Durban in August 1993, Professor Mosala said that Azapo would contest the scheduled April 1994 elections only if they were aimed at the election of a constituent assembly that would draw up a new constitution for South Africa. He ruled out participation in constitutional negotiations.¹²⁷ [¹²⁷ *Sowetan* 16 August 1993] The deputy secretary general of Azapo, Mr Lybon Mabasa, added that Azapo would participate in the proposed constituent assembly only if it was not 'constrained' by constitutional principles adopted at multiparty negotiations.¹²⁸ [¹²⁸ *The Star* 8 June 1993]

Later in August the organisation decided against participating in the April 1994 elections, saying that the outcome would not result in the transfer of power to a black majority, which was the goal for which Azapo was striving.¹²⁹ [¹²⁹ *The Citizen* 16 August 1993] Azapo announced that it would launch an anti-election socialist front on 5 September 1993 to fight against 'fraudulent elections'. The campaign was to include protest marches, demonstrations and memorial lectures.¹³⁰ [¹³⁰ *City Press* 29 August 1993]

Alliances

In March 1993 Professor Mosala told a press conference in Johannesburg that his organisation wanted an election pact with the African National Congress and the Pan-Africanist Congress which would guarantee a unified black majority vote.¹³¹ [¹³¹ *Sowetan* 8 March 1993]

However, despite having received an invitation to participate in a patriotic front summit meeting in Lenasia (Johannesburg) on 27 and 28 March 1993, Azapo did not attend and said that it would stay out of such a front 'as long as homelands and parties in the tricameral system are represented on it' (see also *African National Congress* above).¹³² [¹³² *City Press* 14 March 1993]

Black Consciousness Movement of Azania

Negotiations

In April 1993 the secretary general of the Black Consciousness Movement of Azania, Mr Jairus Kgokong, said that the organisation would have nothing to do with the multiparty talks and added that there was no fundamental difference between the present round of talks and the previous Convention for a Democratic South Africa (see 1992/93 *Survey* pp499–509).¹³³ [¹³³ *Sowetan* 7 April 1993]

Boerestaat Party

Constitutional Issues

Reacting to the release of the proposals of the delimitation commission in August 1993 (see below), the Boerestaat Party said that the proposals made no provision for the fact that the country was composed of different peoples, including the ‘boerevolk’. The party added that the ideal constitutional solution would be the establishment of 15 separate ‘volkstate’ which would co-operate only on an economic basis.¹³⁴ [¹³⁴ *The Citizen* 12 August 1993]

Negotiations

Commenting on the multiparty planning conference in March 1993 (see *Constitutional Negotiating Forums* below), the leader of the Boerestaat Party, Mr Robert van Tonder, said that his party would not take part in the conference because the ‘boerevolk’ did not conduct negotiations concerning its own land. He added that no other party or organisation had the right to lay claim to, or to make decisions concerning, the ‘boer republics’ in the Transvaal, the Orange Free State and Vryheid (northern Natal).¹³⁵ [¹³⁵ *Ibid* 6 March 1993]

Bophuthatswana Administration

In March 1993 the South Africa-Tswana (Satswa) initiative (which had been launched by the Bophuthatswana administration and groups in neighbouring South African regions in 1991 to investigate regional development) said that it had identified three regional options for future negotiations. The first option encompassed a region comprising most of existing Bophuthatswana, parts of the northern Cape, as well as the districts of Brits, Nylstroom, Oberholzer, Thabazimbi and Warmbaths, and involved the division of South Africa into seven states. The second option included as one region those areas described in the first option, as well as the rest of the northern Cape, the Orange Free State and the Carletonville district, and involved the division of South Africa into six regions. The third option was similar to the second option, except that the Orange River formed the southern boundary of the proposed region.

Satswa said that the following principles should be adhered to in setting up the proposed states:

- maximum powers, duties and functions should be devolved to the regional governments, with only selected functions allocated to central government;
- adequate budgetary autonomy at regional level should be ensured;
- there should be a civil service for each region; and
- at central government level provision should be made for a bicameral parliament with the regional governments being represented on an equal basis in the second house.¹³⁶ [¹³⁶ *Saturday Star* 27 March 1993]

In April 1993 the president of Bophuthatswana, Chief Lucas Mangope, told the Bophuthatswana Parliament that there was no question of the homeland giving up its 'independence'. He said that Bophuthatswana wanted to know first 'what is in store for it before buying into the deal'.¹³⁷ [¹³⁷ *The Citizen* 28 April 1993] Chief Mangope reiterated that his administration wanted self-rule rather than to be part of what he termed 'centralised authoritarianism'.¹³⁸ [¹³⁸ *Ibid*] In August, however, Chief Mangope said that Bophuthatswana would be prepared to consider a federal option provided that it was not a thinly disguised attempt to reintroduce a unitary government.¹³⁹ [¹³⁹ *Business Day* 11 August 1993]

In September 1993 a committee was formed under the auspices of the Satswa council to look into the constitutional future of a proposed region comprising Bophuthatswana, the western Transvaal, parts of the northern Cape and QwaQwa.¹⁴⁰ [¹⁴⁰ *The Citizen* 11 September 1993]

In the same month the Bophuthatswana administration gave notice formally to the Negotiating Council that it would not be bound by the provisions of the Transitional Executive Council as it could not allow a body which did not have any legal standing in Bophuthatswana to have jurisdiction over its administration.¹⁴¹ [¹⁴¹ *Ibid* 10 September 1993]

Ciskei Administration

In March 1993 the chairman of the Ciskei Military Council, Brigadier Joshua 'Oupa' Gqozo, said that separate states should be formed on a regional basis with separate constitutions. Once these had been negotiated, regions should vote for a regional government, he suggested. The regions should then decide which powers to pass on to a federal government.¹⁴² [¹⁴² *Daily Dispatch* 4 March 1993]

In its submission to the commission on the delimitation of regions the Ciskei administration proposed a Kei state comprising the eastern Cape and the Ciskei, but excluding the Transkei.¹⁴³ [¹⁴³ *Business Day* 9 July 1993]

In August 1993 Brig Gqozo said that the constitution negotiated at the World Trade Centre (east Rand) should be a 'final document'. He said that his administration was insisting on a single-phase process which did not involve a transitional government or a constituent assembly. He added that the multiparty negotiations process had outlived its purpose and called for bilateral or even multilateral summits.¹⁴⁴ [¹⁴⁴ *Sunday Nation* 22 August 1993]

Concerned South Africans' Group

Membership

The Concerned South Africans' Group (Cosag), a loose alliance of parties opposed to bilateral deals between the government and the African National Congress, was formed in October 1992 and consisted of the Afrikaner Volksunie (AVU), the Bophuthatswana administration, the Ciskei administration, the Conservative Party (CP), the Inkatha Freedom Party (IFP) and the KwaZulu administration (see 1992/93 *Survey* p37). In August 1993 the Free Cape Movement was admitted to Cosag (see below).¹⁴⁵ [¹⁴⁵ *The Citizen* 4 August 1993]

Speaking at a public meeting in the Parow civic centre (Cape Town) in February 1993, the leader of the CP, Dr Andries Treurnicht, said that Cosag could expand and he invited coloured people to consider joining it.¹⁴⁶ [¹⁴⁶ *Ibid* 11 February 1993]

In July 1993 Cosag denied that there had been a split in its ranks after three of its members—the CP, the IFP, and the KwaZulu administration—had refused to return to multiparty talks after a two-week recess. Three other Cosag members involved in the talks—the AVU, the Bophuthatswana administration and the Ciskei administration—returned to the talks. The parties refused to participate because of the manner in which the 'sufficient consensus' ruling had been applied in agreeing on the date for elections (see *Election date* below).¹⁴⁷ [¹⁴⁷ *The Citizen* 20 July 1993] In August 1993 Cosag elected an executive committee with the leader of Bophuthatswana's negotiations team, Mr Rowan Cronje, as its chairman. Other members of the committee were Mr Walter Felgate (IFP), Mr Tom Langley (CP), Dr Frank Mdlalose (IFP), Mr Moolman Mentz (AVU) and the leader of the Ciskei's negotiating team, Mr Mickey Webb.¹⁴⁸ [¹⁴⁸ *Beeld* 4 August 1993]

Negotiations

In January 1993 a meeting between the government and Cosag reached agreement on a multiparty

planning conference to be held to prepare the way for multiparty negotiations.¹⁴⁹ [¹⁴⁹ *The Star* 11 January 1993] Cosag did not participate in negotiations itself but was represented by some of its constituent member organisations.

Conservative Party

Membership

The Conservative Party (CP) has a policy of not divulging membership figures. As at 24 June 1993 the party was the official opposition in the House of Assembly with 36 members.¹⁵⁰ [¹⁵⁰ *Hansard* (A) 22 (interpellation debate) cols 2132–2134, 24 June 1993] Membership of the CP was open to white people only and the party, therefore, had no other MPs in the other two houses of Parliament.

In April 1993 the leader of the CP, Dr Andries Treurnicht, died. Dr Ferdi Hartzenberg was elected as leader of the party.¹⁵¹ [¹⁵¹ *The Citizen* 23 April 1993]

Constitutional Issues

Addressing the multiparty planning conference on 5 March 1993, the leader of the CP delegation to the talks, Mr Tom Langley, said that the CP wanted the multiparty negotiations process to negotiate the functions, borders and powers of ‘nation states’ in the country, and that this should be legislated by Parliament. He rejected any plan to compel Afrikaners to be part of a unitary state under a central government. He said that the CP believed that original powers should be vested in the nation states, whose governments should then decide which powers to give to a central co-ordinating body or delegate to local government.¹⁵² [¹⁵² *Ibid* 6 March 1993]

Also in March 1993, Dr Hartzenberg told Parliament that his party wanted a confederation. He argued that such a system would be able to accommodate those parties which wanted a federation, by making one of the confederal entities a federation. He said further that only when the principle of self-determination had been accepted by the multiparty negotiating process would the CP be prepared to make concrete proposals at negotiations for the process to achieve this.¹⁵³ [¹⁵³ *Hansard* 14 (joint sitting) cols 7192–7193, 6 May 1993]

In June 1993 the CP published its constitutional proposals. The party said that it was proposing self-determination for those who desired it and any other dispensation for the rest. The CP said it envisaged the division of South Africa into at least two states, one an independent Afrikaner state and another (possibly a federal state) which it termed ‘the new South Africa’.

The proposals provided for Afrikaners only to qualify for full citizenship in the proposed Afrikaner

state. Afrikaners were defined as ‘descendants of the Afrikaner volk and those patriots of other language groups who share the destiny of the Afrikaner volk’.

The document said that noncitizens within the Afrikaner state would not have the vote, would not be able to stand for parliament and would not be able to own immovable property.¹⁵⁴ [¹⁵⁴ *Business Day* 9 July 1993] The legislative authority of the proposed Afrikaner state would consist of a state president, a legislative assembly, and a senate which would, inter alia, include representatives of the regions.¹⁵⁵ [¹⁵⁵ *Beeld* 30 June 1993] In introducing the proposals, one of the CP’s negotiators, Mr Fanie Jacobs, outlined the basic principles upon which they were based as being:

- the rejection of a single state for the whole of South Africa;
- self-determination for Afrikaners in an ‘own state’;
- the expectation of a federal South African state alongside an Afrikaner state;
- a confederation or commonwealth of independent states established on a voluntary basis; and
- the possible formation of an economic community similar to the European Community.¹⁵⁶ [¹⁵⁶ *The Citizen* 19 June 1993]

Negotiations

In January 1993, after a meeting between the Concerned South Africans’ Group (Cosag), a loose alliance of 19 political organisations (see above), and the government, Dr Treurnicht said that the CP would not be scared off by the presence of the African National Congress (ANC) or the South African Communist Party (SACP) in a new negotiating forum.¹⁵⁷ [¹⁵⁷ *Beeld* 11 January 1993] The CP had previously refused to take part in negotiations with the ANC or the SACP. At the same meeting the CP, as part of Cosag, agreed with the government to the convening of a planning conference for the resumption of multiparty constitutional negotiations.¹⁵⁸ [¹⁵⁸ *The Star* 11 January 1993]

In February 1993 a spokesman for the CP, Mr Clive Derby-Lewis, outlined the ‘five bottom-line demands’ to which his party was committed before it would enter into negotiations as being that:

- the Convention for a Democratic South Africa (Codesa) be considered a ‘dead forum’;
- the rights of nations to determine their own affairs in their own territories be guaranteed;

- maximum autonomy be accorded to regions;
- Umkhonto we Sizwe be banned and all arms caches be surrendered; and
- the concept of a unitary state be abandoned.¹⁵⁹ [¹⁵⁹ *New Nation* 19 February 1993]

The CP, which had previously resisted all attempts to get it involved in multiparty negotiations in Codesa, took its first step towards full participation in the negotiations process when it participated in the multiparty planning conference in March 1993. Speaking at the conference, Mr Langley said that the CP believed that the number of states and their powers, borders and functions should be negotiated by the multiparty negotiating process and then legislated by the existing Parliament. It was for this reason, he said, that the CP did not feel that there was a need for a transitional constitution, transitional government or an elected constituent assembly.¹⁶⁰ [¹⁶⁰ *The Citizen* 6 March 1993]

Also in March 1993, the CP's director of information, Dr Corné Mulder, said that his party would move to a phase of civil disobedience followed, if necessary, by war if its demands were not accommodated in negotiations.¹⁶¹ [¹⁶¹ *Sunday Star* 9 May 1993]

In July 1993 the CP walked out of multiparty negotiations after the chairman of the Negotiating Forum ruled that the forum had approved the election date with 'sufficient consensus' (see *Election date* below). The party said that it would not return to negotiations until the Afrikaners' 'right to self-determination received unequivocal recognition'.¹⁶² [¹⁶² *City Press* 18 July 1993] In August 1993 Dr Hartzenberg demanded that the government hold a whites-only referendum before the end of October 1993. He said that the following two questions should be asked:

- whether each voter accepted the transitional constitution; and
- whether the voter wanted himself or herself and his or her property to be included in the 'Afrikaners' free republic'.¹⁶³ [¹⁶³ *Patriot* 13 August 1993]

Addressing the Cape congress of the CP in the same month, Dr Hartzenberg said that the election planned for 27 April 1994 should not take place because it would mean a return to the days of colonialism. He said that the Afrikaner people would have to institute their own transitional government.¹⁶⁴ [¹⁶⁴ *Ibid*]

At the time of writing the CP had not returned to multiparty negotiations in spite of it having engaged in a number of bilateral talks with the government.

Alliances

The CP was one of the founding members of Cosag, a loose alliance of 19 political organisations, including the Afrikaner Volksfront (AVF), the Afrikaner Volksunie, the CP, the Bophuthatswana administration, the Ciskei administration and the Inkatha Freedom Party. Cosag was formed in October 1992 by parties opposed to bilateral deals between the government and the ANC. The CP was also one of the founding members of the AVF and Dr Hartzenberg was elected as leader of the AVF executive (see also *Afrikaner Volksfront* above).

Democratic Party

Membership

The Democratic Party (DP) has a policy of not divulging membership figures. At the time of writing the party had 27 MPs in the House of Assembly, six in the House of Representatives and three in the House of Delegates.¹⁶⁵ [¹⁶⁵ *Hansard* (A) 22 (interpellation debate) cols 2132–2134, 24 June 1993]

At a media briefing in May 1993 the DP's national chairman, Mr Ken Andrew, predicted that the party could win 15% of the vote in the forthcoming elections and claimed that the party's potential support was 18,3% of the potential electorate. At the same briefing the DP reported an increase in membership across the country 'with the traditional white support base holding and increased interest from coloured people, Indians and Africans'. The party reported that membership figures in the western Cape indicated 'particularly dramatic gains in the coloured community'.¹⁶⁶ [¹⁶⁶ *The Star* 18 May 1993]

Constitutional Issues

In May 1993 the DP made public its proposals for a bill of rights. The proposals contained 19 articles, including one guaranteeing the rights enshrined in the bill of rights. The proposals provided for freedom of religion, thought, speech, belief, opinion, expression, peaceful association, and peaceful and unarmed assembly. The proposed bill protected the rights of citizens to vote, stand for elections and form political parties.

Included in the bill was a clause on the 'entitlement to the essentials of life', which said that every citizen 'shall be entitled to: the food and water necessary for survival; shelter; basic health care; a basic education; and to a clean and healthy environment'. The clause added that parliament would decide how to realise these entitlements and that any decision which was 'reasonable and practical and which respected the limitation on the available resources' would be considered to comply with the provisions of the article.

Under an article headed the 'Right to administrative justice' the proposals provided that nobody 'shall be affected adversely by a decision made in the exercise of public power which is unlawful, unreasonable or procedurally unfair'.

Also included in the proposals was the right to own, acquire and dispose of property, while provision was made for the expropriation of property 'in the public interest' subject to the proper payment of 'equitable compensation'. The proposals also sought to entrench the right to equality, life, and privacy and dignity. Under an article headed the 'Right to liberty' provision was made for the rights of detainees, including the right to be released or charged and tried within 'a reasonable time' before an ordinary court of law.

The proposals provided further for the suspension of the bill of rights under a state of emergency and went on to cite the conditions under which such a state of emergency could be called. It said that any action taken under the declaration of a state of emergency 'shall cease to have any effect unless the declaration is ratified by a two-thirds majority of the total number of directly elected members of parliament within two weeks of such declaration'. A further condition was that no action 'may be taken under such declaration unless it is demonstrably necessary to restore peace and order'.¹⁶⁷ [¹⁶⁷ *Freedom Under the Rule of Law—Draft Bill*, Democratic Party, May 1993]

In July 1993 the DP presented its constitutional proposals for the transitional period to the technical committee on constitutional issues of the multiparty negotiating process. The party called for a bicameral parliament with the president elected by a majority of 50% + 1 at a joint sitting of the houses of parliament. The DP said that all parties which obtained more than 5% of the vote should be entitled to proportional cabinet representation and the president would have to accept the nominations of party leaders in this regard. The president should appoint a cabinet member as prime minister. The DP argued for a 400-member national assembly elected by proportional representation with all parties with more than 1% of the vote being represented. Regional party lists should account for 300 members while 100 members should be elected on national lists, the DP said.¹⁶⁸ [¹⁶⁸ *Business Day* 14 July 1993]

The senate should be elected by the electoral colleges of each region with each region being entitled to a minimum of four senators and a maximum of nine. The party said that amendments to the powers, functions and boundaries of regions should require a majority of 80% of both houses sitting separately plus a 75% majority in the regional legislature affected. Amendments to other constitutional legislation should require a 70% majority of the national assembly. Amendments to the bill of rights should require a 75% majority in both houses and the same majority in at least 75% of the regional legislatures.¹⁶⁹ [¹⁶⁹ *Ibid*]

Negotiations

In February 1993 Mr Andrew called for a multiparty conference to be convened urgently so that decisions could be taken on the steps needed to change South Africa to a nonracial democracy.¹⁷⁰ [¹⁷⁰

Beeld 16 February 1993]

In March 1993 the leader of the DP, Dr Zach de Beer, said that under no circumstances should the negotiations process be delayed because of violence. He added that if this was allowed to happen it would mean that 'any blackmailer with a few AK-47s could hold up the process'.¹⁷¹ [¹⁷¹ *The Citizen* 31 March 1993]

In April 1993 Mr Andrew said that while bilateral agreements were necessary, it was unacceptable that people were being made out to be 'spoilers' when they did not agree with aspects of agreements between the African National Congress (ANC) and the National Party (NP). He added that it was clear that there were delegations at the multiparty talks such as the Conservative Party and certain elements in the ANC, the Inkatha Freedom Party, the NP and the Pan-Africanist Congress which did not want a negotiated settlement. Mr Andrew predicted that more than half of the parties would disappear once democratic elections were held and that this was why they had a vested interest in retaining the 'status quo'.¹⁷² [¹⁷² *Beeld* 28 April 1993]

The executive director of the DP, Mr James Selfe, said in July 1993 that the party believed that once a new constitution had been negotiated it should be put to the electorate for approval by way of a referendum.¹⁷³ [¹⁷³ *Barometer on Negotiations* July 1993]

Alliances

Mr Selfe said that the DP would contemplate alliances only with organisations which shared the same principles, policies and vision for South Africa. He said that the DP did not exclude the possibility of strategic alliances to achieve certain political objectives but it did not have any desire to be part of alliances whose objective was the maintenance of the bipolar political divide in South Africa.¹⁷⁴ [¹⁷⁴ *Ibid*]

Free Cape Movement

Membership

In January 1993 the Free Cape Movement (FCM), which described itself as a 'non-political movement [operating] in the western Cape', was launched.¹⁷⁵ [¹⁷⁵ *The Citizen* 5 January 1993]

A spokesman for the movement, Mr Willem Steenkamp, said that the movement's aim was to enable all Cape people, regardless of race, to control their own political and economic destiny. He added that the FCM's intention was not to seek independence for the western Cape but to demand the maximum degree of autonomy for the region in any future dispensation. Mr Steenkamp said that all adult residents should be able to elect members to the proposed Cape parliament.¹⁷⁶ [¹⁷⁶ *Ibid*]

In March 1993 the organisation claimed to have 2 000 members.¹⁷⁷ [¹⁷⁷ *The Weekly Mail* 19 March 1993]

Constitutional Issues

Reacting to the unveiling of the first draft constitution bill towards the end of July 1993, a member of the FCM steering committee, Dr R Hall, rejected the constitution bill and said that his movement believed that all Cape people should control their own political and economic destiny and not put their trust in constitutional guarantees.¹⁷⁸ [¹⁷⁸ *The Citizen* 27 July 1993]

Alliances

In August 1993 the FCM joined the Concerned South Africans' Group (Cosag).¹⁷⁹ [¹⁷⁹ *Ibid* 4 August 1993] Dr Hall said that the FCM would stand behind the leaders of the various political parties and governments which made up Cosag in their fight against 'communist domination in South Africa'. He said that the FCM felt that the case for a federal Cape could be made effectively only through Cosag.¹⁸⁰ [¹⁸⁰ *The Citizen* 27 July 1993]

Freedom Alliance

This organisation was formed after this chapter had been drafted. For details of the Freedom Alliance see *Synopsis and Update*.

Herstigte Nasionale Party

Membership

The general secretary of the Herstigte Nasionale Party (HNP), Mr L G van der Schyff, said that it 'would be difficult even to estimate how many members the HNP has'.¹⁸¹ [¹⁸¹ Telephonic interview with Mr van der Schyff, 14 October 1993]

However, the leader of the HNP, Mr Jaap Marais, claimed in October 1993 that large numbers of Afrikaner Volksfront (AVF) supporters were now defecting to the HNP as a result of the AVF's decision to engage in bilateral negotiations with the African National Congress (ANC).¹⁸² [¹⁸² Telephonic interview with the leader of the Herstigte Nasionale Party, Mr Jaap Marais, 14 October 1993]

Constitutional Issues

In October 1993 Mr Marais said that the HNP recognised the right of the various ethnic and race groups in South Africa to govern themselves ‘within confined territories’. The HNP wanted separate states for each of these ‘groups’ in a system in which each state could negotiate bilateral agreements on issues such as trade, he said. He added that in time such a system could be adapted to form a commonwealth of states. Mr Marais said that his party was prepared to say that the Afrikaner state would consist of those territories left over after all the other ‘ethnic and national groups’ had defined their territories.¹⁸³ [¹⁸³ Telephonic interview with Mr J Marais, 14 October 1993]

Negotiations

In his reaction to the revelation of bilateral talks between the AVF and the ANC in September 1993 Mr Marais said that the talks were proof that the AVF had a hidden agenda. He claimed that most members of the AVF were opposed to bilateral meetings with the ANC to discuss an Afrikaner homeland and called on the AVF to suspend talks with the ANC.¹⁸⁴ [¹⁸⁴ *The Citizen* 25 September 1993]

In October 1993 Mr Marais condemned the ‘extreme haste with which constitutional reform is being pursued in the multiparty negotiation process’ and called instead for ‘a climate of law and order and economic stability’ to be restored before any such reforms could be initiated. He added that only when these conditions had been achieved should constitutional reforms be negotiated and implemented on a piecemeal basis so as not to destabilise the country.¹⁸⁵ [¹⁸⁵ *The Star* 20 May 1993]

Alliances

Although the HNP was invited to become part of the AVF at its founding meeting in May 1993, the HNP refused to join.¹⁸⁶ [¹⁸⁶ *Beeld* 14 May 1993] Earlier, Mr Marais said that the HNP was demanding a white election while the AVF was demanding self-determination, which the HNP could not accept.¹⁸⁷ [¹⁸⁷ Telephonic interview with Mr J Marais, 14 October 1993]

Expanding on this point in October 1993, Mr Marais said that the HNP’s main difference with the AVF was that organisation’s demand for only 16% of South Africa for Afrikaners when the Afrikaners were the legitimate constitutional rulers of South Africa.¹⁸⁸ [¹⁸⁸ Speech delivered by Chief Buthelezi at a public meeting in Tongaat, 1 August 1993]

Inkatha Freedom Party

Membership

Speaking at Tongaat in Natal in August 1993, the president of the Inkatha Freedom Party (IFP) and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said that ‘over two million South Africans have put their hands in their pockets to take out subscription fees ... for their membership of the IFP’.¹⁸⁹ [¹⁸⁹ *Hansard* (A) 22 (interpellation debate) cols 2132–2134, 24 June 1993]

As at 24 June 1993 the IFP had three members in the House of Assembly and two members in the House of Delegates.¹⁹⁰ [¹⁹⁰ *The Citizen* 2 April 1993]

Between January and April 1993 three MPs who had been members of the National Party, Messrs Hennie Bekker, Mohammed Cassim and Jurie Mentz; a former Democratic Party MP, Mr Mike Tarr; and a Solidarity MP, Mr Michael Abraham, resigned from their respective parties to join the IFP.¹⁹¹ [¹⁹¹ *Ibid* 20 September 1993]

In September 1993 the Indian Reform Party merged with the IFP. The party had been formed in 1974 as an alternative to the Natal Indian Congress but did not have representation in Parliament at the time of the merger.¹⁹² [¹⁹² *Barometer on Negotiations* July 1993]

Constitutional Issues

The national chairman of the IFP, Dr Frank Mdlalose, said in July 1993 that his party advocated the drafting of the constitution by a group of experts on instructions from the multiparty negotiating conference, that the constitution should be approved by the multiparty conference and that it should then be submitted to a national referendum for approval.¹⁹³ [¹⁹³ *Ibid* August 1993]

Dr Mdlalose said that the IFP was seeking a federal South Africa in which the federal government, as well as the various state governments, enjoyed a number of autonomous but different functions. He said that the party wanted to create a constitution in which there would be no conflict between the central government and the states since each would be able to fulfil their duties on an autonomous basis.¹⁹⁴ [¹⁹⁴ *The Star* 13 January 1993] (For further details of the IFP’s constitutional proposals see 1992/93 *Survey* pp39–41.)

Negotiations

The IFP and the government held a series of bilateral meetings between September 1992 and January 1993 to discuss the resumption of multiparty negotiations. In January 1993 the IFP, as part of a Concerned South Africans’ Group delegation involved in talks with the government, agreed to a multiparty planning conference to prepare for multiparty negotiations. Dr Mdlalose revealed that the party had procured the following concessions from the government at the meeting:

- that the government would not hold bilateral meetings which affected other parties;
- that the government would support a multiparty conference of review; and
- that the government would support the participation of the KwaZulu administration and the administrations of other non-independent home-lands in the negotiations process.¹⁹⁵ [¹⁹⁵ *The Citizen* 2 February 1993]

In February 1993 Chief Buthelezi said that there was no question about the IFP returning to any forum which might in any way resemble the Convention for a Democratic South Africa (Codesa) as the process was flawed. He said that he felt that a preliminary agreement had been reached with the government that the planning conference would structure the form, substance and all other modalities of ‘entirely new future deliberations’. Chief Buthelezi also insisted that the IFP would not go ahead with multiparty negotiations until ‘the issue of Umkhonto we Sizwe is satisfactorily disposed of in the early stages of the proceedings’. He added that the IFP would not be bound by agreements which were ‘constructed in isolation in various Codesa working groups’.¹⁹⁶ [¹⁹⁶ *Ibid* 25 January 1993] Towards the end of February prospects for the resumption of multiparty talks seemed to be in jeopardy when the IFP accused the government of deciding bilaterally with the African National Congress (ANC)/South African Communist Party alliance the future of all South Africans and expecting other parties either to rubber stamp these decisions or to be coerced and manipulated into compliance.¹⁹⁷ [¹⁹⁷ *Ibid* 23 January 1993] The government replied to the accusations by saying that they were ‘lies and distortions repeated once too often’.¹⁹⁸ [¹⁹⁸ *Beeld* 8 March 1993] In further bilateral meetings between the government and the IFP, however, the problem was resolved and the party participated in the multiparty planning conference on 5 and 6 March 1993 and committed itself to continue negotiations ‘no matter what happened’.¹⁹⁹ [¹⁹⁹ *The Citizen* 16 June 1993] The IFP and the KwaZulu administration sent two separate delegations to the planning conference in March.

The IFP and KwaZulu delegations both walked out of the Negotiating Council on 15 June 1993 when the chairman of the council, Mr M J Mahlangu, decided that sufficient consensus existed for the adoption by the council of an election date—27 April 1994—despite the objections of all the Cosag members.²⁰⁰ [²⁰⁰ *Resolution of the Negotiating Forum on the Continuation of the Negotiating Process*, 2 July 1993] The IFP returned to the talks the next day (see also *Election date* below).

On 2 July 1993 the Negotiating Forum agreed (by sufficient consensus) to the election date being 27 April 1994.²⁰¹ [²⁰¹ *Business Day* 22 July 1993] The chairman of the forum, Mr Pravin Gordhan, ruled that sufficient consensus existed for the adoption of the election date, despite the fact that seven of the 26 participating organisations—including the IFP and the KwaZulu administration—had opposed its adoption. This decision led to the IFP and the KwaZulu administration walking out of the Negotiating Forum again. The IFP and the KwaZulu administration subsequently suspended their participation in the

talks. The party said in a statement to the Negotiating Council that it would not attend any further meetings of the council or its structures until there was a satisfactory solution to the definition of 'sufficient consensus'. It added that the IFP would no longer accept any definition of 'sufficient consensus' if major players 'such as the government, the National Party, the ANC alliance and the Inkatha/KwaZulu administration groupings are unable to accept the ruling'.²⁰² [²⁰² *Beeld* 10 September 1993] The KwaZulu administration subsequently challenged Mr Gordhan's ruling in the Transvaal Provincial Division of the Supreme Court in Pretoria. In September 1993 the court dismissed the KwaZulu administration's case with costs. The judge president of the Transvaal, Mr Justice C F Eloff, said in his judgement that it would not be correct for the courts to interfere in the political process. He added that the dissenting parties should debate their differences in the negotiations process.²⁰³ [²⁰³ *The Citizen* 10 September 1993] Chief Buthelezi said that neither the IFP nor the KwaZulu administration would be returning to multiparty negotiations despite having lost the case.²⁰⁴ [²⁰⁴ Speech delivered by Chief Buthelezi at a public meeting in Tongaat, 1 August 1993]

In August 1993 Chief Buthelezi said that the IFP rejected the two-phase process of writing a constitution in which 'there will first be an election to see who writes the constitution and then a five-year period of transitional government before South Africans know what kind of democracy it has'. He added that the IFP wanted the multiparty negotiations process to decide on the kind of state South Africa would have—ie a federal or a unitary state. Once this was done constitutional principles could be drawn up and agreed upon, Chief Buthelezi said. A constitutional panel of experts should then draw up the constitution, which would be referred back to the multiparty negotiating process for approval. It could then be put to the electorate for approval, Chief Buthelezi said.²⁰⁵ [²⁰⁵ *Sowetan* 16 August 1993]

In August and September 1993 a number of bilateral meetings were held between the government and the IFP, as well as between the IFP and the ANC, to try to resolve the IFP's criticisms regarding the negotiations process and to draw it back into multiparty negotiations. The IFP said in August that it would stay out of the negotiations until crucial decisions taken without its approval had been set aside.²⁰⁶ [²⁰⁶ *Barometer on Negotiations* July 1993] At the time of writing the IFP had not re-entered multiparty negotiations.

Alliances

Dr Mdlalose said that his organisation would be contesting the elections scheduled for April 1994 on its own but that this would not prevent it from forming alliances with like-minded democrats. Such alliances would have to be built on deep-seated principles, he said.²⁰⁷ [²⁰⁷ *Hansard* (A) 22 (interpellation debate) cols 2132–2134, 24 June 1993]

Labour Party

Membership

In June 1993 the Labour Party (LP), with 27 members in the House of Representatives, was the official opposition in that house.²⁰⁸ [208 Interview with Mr Desmond Lockey (LP), Kempton Park, 6 June 1993]

Constitutional Issues

The LP was committed to a geographic federation of nonracial states and a bicameral parliament to be elected on the basis of proportional representation.²⁰⁹ [209 *The Citizen* 29 December 1993]

Alliances

At the LP's annual congress in Port Elizabeth (eastern Cape) in December 1992 the congress mandated the party leadership to discuss with the African National Congress (ANC) the possibility of an alliance between the two organisations. The leader of the LP, the Reverend Allan Hendrickse, urged the party to reject any possibility of an alliance with the National Party (NP) because of the NP's history of apartheid.²¹⁰ [210 *Sowetan* 20 September 1993]

In September 1993 the LP's national spokesman, Mr Peter Hendrickse, said that it was essential for the oppressed to unite as they went into an election and added that the ANC was the only party, in his opinion, capable of saving the country from the corruption and maladministration into which the NP had toppled it.²¹¹ [211 *Beeld* 29 January 1993]

National Party

Membership

As at 24 June 1993 the National Party (NP) was the majority party in all three houses of Parliament, with 99 members of the House of Assembly, 46 members of the House of Representatives and 21 members of the House of Delegates.

At the end of January 1993 the chairman of the NP in Natal, Mr Jurie Mentz MP, resigned his membership of the party and joined the Inkatha Freedom Party (IFP). Mr Mentz said in explanation of his change of political views that there would never be peace if an African National Congress (ANC)/South African Communist Party alliance governed KwaZulu/Natal from Pretoria.²¹² [212 *The Citizen* 26 March 1993] In February Mr Hennie Bekker MP resigned from the NP and joined the IFP, saying that he had left the party as he doubted the NP's ability to dissociate itself from its apartheid past.²¹³ [213 *Sunday Tribune* 7 February 1993] In February 1993 the leader of the NP in Natal, Mr George Bartlett, warned that his

provincial caucus would disintegrate if the NP decided to ignore the IFP regarding further difficulties at the multiparty negotiations.²¹⁴ [²¹⁴ *The Citizen* 17 March 1993]

In April 1993 the NP's branch secretary in Venda, Mr I Mditwani, claimed that more than 5 000 Africans in Venda had joined the party.²¹⁵ [²¹⁵ *Ibid* 10 June 1993]

In June 1993 the deputy minister of land affairs, Mr Johan Scheepers, resigned from the NP and left politics. His resignation led to speculation that a number of other NP MPs would resign from the party.²¹⁶ [²¹⁶ *Beeld* 7 June 1993] The leader of the NP in the Cape, Dr Dawie de Villiers, said in reaction to Mr Scheepers' resignation that the NP was fully aware of its loss of support but denied that there were serious divisions within the NP's parliamentary caucus.²¹⁷ [²¹⁷ *Beeld*, *The Citizen* 21 June 1993] At an NP rally in June 1993 in Pietersburg (northern Transvaal), which was attended by between 4 000 and 6 000 people, mostly African, the state president, Mr F W de Klerk, claimed that the NP had the third largest support base among Africans of all the political parties.²¹⁸ [²¹⁸ *Financial Mail* 26 February 1993]

Constitutional Issues

In February 1993 the minister of constitutional development, Mr Roelf Meyer, said that the NP wanted the functions, powers and boundaries of the regions to be determined before the transitional phase.²¹⁹ [²¹⁹ *The Citizen* 15 March 1993] The minister of foreign affairs, Mr Pik Botha, said that the NP supported strongly the principle of regional government and that the regions and their leaders should have a say over their own future.²²⁰ [²²⁰ *The Star* 26 May 1993] In an interview with the *Financial Times* in May 1993 Mr de Klerk was quoted as saying that power-sharing between the country's main political groups should be entrenched as a permanent principle in any final constitution. He denied seeking formal veto powers in such a constitution for the NP. Mr de Klerk argued, however, that South Africa would in future be governed on the basis of consensus on fundamental issues between the main political parties. He added that this might involve the creation of an executive committee comprising party leaders and with a rotating chairmanship to deal with fundamental principles. The future state president should act as head of state rather than as head of government, Mr de Klerk suggested. He said that the main role players should work out a policy framework for the next five years immediately following the elections.²²¹ [²²¹ *The Citizen* 21 June 1993]

Addressing an NP rally in Pietersburg (northern Transvaal) in June 1993 Mr de Klerk said that the NP saw an 'honourable place' in the new constitution for traditional leaders.²²² [²²² *The Star* 15 June 1993]

In July 1993 the government tabled its constitutional proposals at multiparty negotiations. It proposed a bicameral parliament with a 400-member national assembly and a senate composed of members of the regional legislatures. In terms of the NP proposals, a region with more than 15% of the total population but less than 20% would have six senators, while a region with between 20% and 25% would have seven senators and a region with more than 25% would have eight senators. The senators would be elected by

region on the basis of proportional representation.²²³ [²²³ *Ibid*] The government proposals provided that amendments affecting the boundaries, functions, duties and powers of regional governments be passed by a two-thirds majority of the senate. Constitutional principles could be amended only by a four-fifths majority of a joint sitting of parliament.

The government proposed further that parliament be given two years to adopt a new constitution, failing which the state president would refer a draft constitution with majority support in the national assembly and in the regional legislatures to a referendum. The constitution would be adopted if approved by 60% of the votes in a referendum. If it were not approved the state president would dissolve parliament and new elections would be held. The government proposed that powers granted to the regions should include taxation for regional purposes, the raising of loans for capital expenditure and the running of the regional economy.²²⁴ [²²⁴ *Ibid*]

The proposals recommended that English and Afrikaans be the official languages during the transitional period and that two national anthems—*Nkosi Sikelel'iAfrika* and *Die Stem*—should be adopted for this period.²²⁵ [²²⁵ *The Citizen* 7 July 1993]

The government also tabled two proposals for a new regional dispensation—one which had nine regions and another which had seven regions. Mr Fourie indicated that the government had a preference for the nine-region proposal.²²⁶ [²²⁶ *The Weekly Mail* 7 July 1993] Both models were based on the nine official economic development regions but the proposal for seven regions consolidated the north western Cape and the south western Cape into one region and the eastern Cape and Border/Kei regions into a single region.²²⁷ [²²⁷ *The Citizen* 3 February 1993]

In February 1993 the government published its proposals for a bill of rights. The rights described in the proposals included freedom of speech and the freedom to worship, meet, demonstrate and draw up petitions. Every citizen was entitled not to be deprived of citizenship, exiled or expelled, prohibited from leaving or returning to South Africa, and denied a passport.

The government said that equality before the law and the right to be politically active should be guaranteed. The following rights were also proposed: the right to equal access to state education, the right to freedom of movement, the right to private ownership, and the right of employees to form unions, to work under safe and healthy conditions and to receive reasonable remuneration.

Certain minimum rights for detainees were also proposed by the government. These included that they should not be held for more than 48 hours before appearing in court and that they should be entitled to consult and communicate with a medical doctor, a family member or a religious counsellor. The proposals also said that women should be equal to men. The right to an unpolluted environment was also included (see chapter on *The Environment*).²²⁸ [²²⁸ *Ibid*]

Negotiations

In February 1993 the deputy minister of constitutional development and of communication, Mr Fanus Schoeman, claimed that the government had reached agreement with the ANC that the parties would share power for five years in a government of national unity.²²⁹ [²²⁹ *Ibid*] The ANC's director of international affairs, Mr Thabo Mbeki, subsequently denied that such a deal had been made, saying that the period of time agreed to for power-sharing was nine months, although circumstances could induce the constitution-making body or parliament to lengthen this period of time.²³⁰ [²³⁰ *Ibid*] A member of the ANC's negotiations team, Mr Mohammed Valli Moosa, confirmed that the government had also agreed that a constitution-making body could pass all its decisions by a two-thirds majority vote. (In May 1992 the government had sought a 75% majority by a constitution-making body on 'sensitive' issues such as regional powers, while the ANC had offered a majority of 70%—see 1992/93 *Survey* p503.)

The president of the Pan-Africanist Congress, Mr Clarence Makwetu, said in reaction to these announcements that a five-year transitional government was 'a luxury that the masses cannot afford'.

The president of the IFP, Chief Mangosuthu Buthelezi, warned that the alleged agreement between the government and the ANC was 'an arrogant imposition' and said that there was no possibility that the IFP or the KwaZulu administration would accept that a future constitution-making body should decide on the boundaries, powers, functions and structures of the regions. The national chairman of the Democratic Party, Mr Ken Andrew, said that while there should be bilateral discussions, there was a great danger that agreements between the two largest parties could pre-empt the negotiations process. The leader of the Conservative Party, Dr Andries Treurnicht, said that he noted 'with contempt' the agreement between the government and ANC.²³¹ [²³¹ *Ibid*]

Mr de Klerk said in reply to these criticisms that the view that the government had made final agreements with the ANC was incorrect. He added that the government believed that final agreement should be reached at a multiparty conference.²³² [²³² *The Star* 15 February 1993] The president of the ANC, Mr Nelson Mandela, concurred with Mr de Klerk's statement.²³³ [²³³ *The Citizen* 5 February 1993]

In the same month Mr de Klerk told Parliament that the government would not act unilaterally to compel the 'independent' homelands to be reincorporated into South Africa. He said that their reincorporation had to be negotiated with them.²³⁴ [²³⁴ *The Star* 16 April 1993]

In April 1993 Mr Meyer said that the government was prepared to drop its insistence that a transitional constitution be agreed upon before a Transitional Executive Council (TEC) was established. He added that it was important that violence be brought under control and that a multiparty TEC be established as soon as possible.²³⁵ [²³⁵ *Hansard* (extended public committee) 13 col 6351, 29 April 1993]

Speaking in Parliament in the same month, Mr Botha told an extended public committee on foreign affairs that it was essential for the Ciskei and the Transkei to be reincorporated quickly because public

services were collapsing in these homelands. He added, however, that Bophuthatswana was in a different position since its revenue base was broader and it generated substantial revenue within its own borders.²³⁶ [²³⁶ *Hansard* (A) 22 (interpellation debate) col 2131, 23 June 1993]

Answering a question in Parliament in June 1993, the minister of regional and land affairs, Mr André Fourie, said that all six of the non-independent homelands were in favour of reincorporation into a larger regional dispensation in South Africa and that most of them were asking for strong, autonomous regional government.²³⁷ [²³⁷ *The Citizen* 4 February 1993]

Alliances

In February 1993 Mr de Klerk said that the NP had never actively pursued a formal alliance with any party or organisation. He said that instead the party had 'exploratory discussions, not to form alliances but to identify areas of agreement'. Mr de Klerk added that he thought that it would be more natural for alliances to develop after an election when support bases had become more defined.²³⁸ [²³⁸ Telephonic interview with Mr Cronin, 19 September 1993]

Pan-Africanist Congress

Membership

The leader of the Pan-Africanist Congress (PAC), Mr Clarence Makwetu, said in March 1993 that the party would not disclose its membership and that support for the PAC would be 'easily determined by the ballot'. He did, however, say that the organisation had 40 branches in Cape Town and that whereas it did not have any branches in the Orange Free State or further north before the lifting of the ban on the organisation in 1990, it now had branches as far north as the Limpopo River.²³⁹ [²³⁹ *Sowetan* 27 September 1993]

Constitutional Issues

In September 1993 the PAC's secretary for political affairs, Mr Jackie Seroke, said that his organisation remained firmly opposed to the powers and the boundaries of any regions being entrenched in the transitional constitution. He added that the PAC would continue to fight for a 'broadly mandated constituent assembly unfettered by prior agreement'.²⁴⁰ [²⁴⁰ *Barometer on Negotiations* August 1993]

In August 1993 the deputy president of the PAC, Mr Johnson Mlambo, said that the organisation favoured a strong central government which would share certain powers with regional and local governments.²⁴¹ [²⁴¹ *Business Day* 12 January 1993]

Negotiations

In January 1993 the secretary general of the PAC, Mr Benny Alexander, said that his organisation would participate in multiparty negotiations only in a new forum totally separate from the Convention for a Democratic South Africa and chaired by a neutral international figure.²⁴² [242 *The Star* 2 February 1993] Mr Alexander said that such a forum should consist of political parties with a national character and should be ‘transparent’ so that the media and public could follow the process.²⁴³ [243 *Ibid*] The organisation said that it had dropped its insistence on the talks taking place outside South Africa ‘for practical reasons, including the prohibitive costs’.²⁴⁴ [244 *The Citizen* 8 February 1993] In February 1993, however, the minister of constitutional development, Mr Roelf Meyer, said that the government would not support an invitation to the PAC to attend the planned multiparty planning conference until it had clarified its relationship with its military wing, the Azanian People’s Liberation Army (Apla) (see also chapter on *Political Developments*).²⁴⁵ [245 *Beeld* 10 February 1993] In a television interview with Sir David Frost in the same month Mr Makwetu said that the PAC was prepared to discuss Apla with the government but would not do so through the media.²⁴⁶ [246 *Business Day* 3 March 1993] The organisation, together with an Apla delegation, met government representatives in Gaborone (Botswana) on 2 March 1993. The PAC refused to end its armed struggle unilaterally and called instead for what it termed ‘a mutual cessation of the armed struggle’. The party said that it would nevertheless attend the multiparty planning conference as it had a constituency which it believed had a right to be represented at the talks. The PAC said that it would decide at a later date whether to attend full-scale multiparty negotiations.²⁴⁷ [247 *Ibid*]

The government said subsequently that it would be unable to support any move by the PAC to be included in a multiparty conference.²⁴⁸ [248 *The Citizen* 4 March 1993] The government said that while it would not object to the presence of a PAC delegation at the planning conference, it could not accept the PAC’s participation in constitutional negotiations until it had ended its armed struggle.²⁴⁹ [249 *Beeld* 8 March 1993] The PAC subsequently participated in the planning conference.²⁵⁰ [250 *The Citizen* 9 March 1993] Mr Alexander said that his organisation wanted the new negotiations forum to be a facilitating body rather than a decision-making body.²⁵¹ [251 *Beeld* 26 May 1993]

On 25 March 1993, 49 members of the PAC—including Mr Alexander, who subsequently claimed that he had escaped from police custody—were arrested. Mr Alexander said afterwards that the organisation would not be able to continue in negotiations until its members were released.²⁵² [252 *The Star* 23 June 1993] A series of bilateral talks between the government and the PAC resulted in the release of most of its members and the PAC decided not to suspend its participation in negotiations.

In June 1993 the government tabled a declaration in the Negotiating Council calling for all parties to negotiations to cease their hostilities. The PAC eventually agreed in principle to suspend its armed struggle but later told a press conference that it had not suspended the armed struggle unilaterally but

had only agreed to negotiate a mutual suspension of hostilities.²⁵³ [²⁵³ *The Citizen* 24 June 1993] The government said that it would not insist on the PAC's suspension from the talks but rather on some other sort of disciplinary action.²⁵⁴ [²⁵⁴ *Beeld* 20 January 1993] At the time of writing the PAC was still engaged in multiparty negotiations.

Patriotic Front

Details of the African National Congress-led Patriotic Front have been included under *African National Congress* above.

South African Communist Party

Membership

In October 1993 a spokesman for the South African Communist Party (SACP), Mr Jeremy Cronin, revealed that the organisation had some 60 000 members in its nine regions.²⁵⁵ [²⁵⁵ *African Communist* first quarter 1993]

Constitutional Issues

At its strategy conference in March 1993 the central committee of the SACP said that the organisation was committed to:

- multiparty democracy and regular elections;
- a justiciable bill of rights;
- numerous independent mass democratic formations (such as the Congress of South African Trade Unions);
- representative and participatory democracy; and
- the general empowerment of 'the people'.²⁵⁶ [²⁵⁶ *Barometer on Negotiations* August 1993]

Mr Cronin said that the SACP was in favour of all parties with 5% and more of the seats in a constituent assembly being included on a proportional basis in the cabinet of a transitional government of national

unity. The lifespan of this power-sharing arrangement should not be more than five years, he added.²⁵⁷
[²⁵⁷ *The Citizen* 12 April 1993]

Negotiations

Shortly after the assassination of the general secretary of the SACP, Mr Chris Hani, in April 1993, the chairman of the SACP, Mr Joe Slovo, said that the party would not call for the suspension of the negotiations process because this 'would be playing into the hands of the murderers'.²⁵⁸ [²⁵⁸ *Beeld* 27 April 1993] In the same month, the new general secretary of the SACP, Mr Charles Nqkula, said that if a constitutional agreement was not reached by the end of 1993 'the voice of the masses will be heard'.²⁵⁹ [²⁵⁹ *Barometer on Negotiations* August 1993] He did not elaborate on the type of action that would be taken.

Alliances

In August 1993 Mr Cronin said that the SACP would not be contesting elections in its own right but in an alliance with the African National Congress.²⁶⁰ [²⁶⁰ *New Nation* 11 March 1993]

Traditional Leaders

In January 1993 a government delegation led by the state president, Mr F W de Klerk, met a delegation of the Congress of Traditional Leaders of South Africa (Contralesa) led by the president of Contralesa, Mr Pathekile Holomisa. At the meeting it was agreed that the future role of traditional leaders, the future of traditional law, land ownership, the use of land and the development of rural areas would be the topics of further talks between the two groups.²⁶¹ [²⁶¹ *Ibid*]

In February 1993 Contralesa announced that it would participate in the multiparty planning conference and in multiparty negotiations.²⁶² [²⁶² *Ibid*]

The African National Congress said subsequently that traditional leaders would participate in debates in the negotiations and would also participate in management meetings where they would have observer status only but would be able to make suggestions on matters affecting them.²⁶³ [²⁶³ *The Citizen* 7 April 1993]

Transkei Administration

In April 1993 the chairman of the Transkei Military Council, Major General Bantu Holomisa, suggested that the 'independent' homeland administrations and the South African government should hand over power to appointed administrators. He said that this would promote free political activity in the run-up to

the elections.²⁶⁴ [²⁶⁴ *Business Day* 9 July 1993]

In July 1993 Gen Holomisa said that his administration favoured a separate Border/Kei region with the Fish River as its southern boundary. He said that he had consulted 14 bodies in the region and that there was consensus that Border, the Ciskei and the Transkei region should be merged into one region.²⁶⁵ [²⁶⁵ *The Citizen* 31 August 1993]

Addressing a meeting at the University of Cape Town in August 1993, Gen Holomisa said that Transkeians would take part in the forthcoming general election in April 1994 and that the Transkei administration would honour decisions by the Transitional Executive Council. He suggested that an international peace-keeping force should supervise the election to ensure that government funds were not misused.²⁶⁶ [²⁶⁶ Telephonic interview with Mr J Marais]

Workers' Organisation for Socialist Action

Negotiations

The chairman of the Workers' Organisation for Socialist Action (Wosa), Mr Neville Alexander, said that Wosa believed the negotiations process was a deception and Wosa was, therefore, not involved in it.²⁶⁷ [²⁶⁷ *The Star* 13 July 1993] He added that the organisation would hold an internal referendum to decide whether or not to contest the general election planned for 1994. He said that Wosa and its allies would use such an election campaign to promote the formation of a workers' party and to 'expose the unprincipled, pro-middle class compromises being hatched at the World Trade Centre'.²⁶⁸ [²⁶⁸ *Ibid*]

Alliances

At its third biennial conference in April 1993 Wosa resolved to form a tactical alliance with groups such as the South African Communist Party and the Congress of South African Trade Unions. Mr Alexander said that Wosa was also prepared to form tactical alliances with liberation movements on issues such as jobs, housing and health. He added that the party was working towards the building of an alternative mass workers' party committed to the ideals of socialism.²⁶⁹ [²⁶⁹ *New Nation* 16 April 1993]

Constitutional Talks

Constitutional Negotiating Forums

Nine months after the breakdown of multiparty talks in the Convention for a Democratic South Africa (Codesa) in June 1992 (see 1992/93 *Survey* p509), and after a series of bilateral meetings between the

government and a broad range of political parties and organisations, agreement was reached to hold a multiparty planning conference on 5 and 6 March 1993 to prepare the way for the resumption of multiparty talks.²⁷⁰ [²⁷⁰ *Rapport* 21 February 1993]

The planning conference was attended by representatives of 26 organisations, while 11 other organisations were granted observer status at the conference. Those which had participated previously were the African National Congress (ANC), the Ciskei administration, the Democratic Party (DP), the Dikwankwetla Party, the Inkatha Freedom Party (IFP), the Intando ye Sizwe Party, the Inyandza National Movement, the Labour Party, a joint Natal Indian Congress and Transvaal Indian Congress delegation, the National Party (NP), the National People's Party, Solidarity, the South African Communist Party (SACP), the South African government, the Transkei administration, the United People's Front, the Venda administration, and Ximoko xa Rixaka. New participants (who had not participated in Codesa) were the Afrikaner Volksunie (AVU), the Conservative Party (CP), the KwaZulu administration, the Pan-Africanist Congress (PAC), and delegations of traditional leaders from the Cape, the Orange Free State and the Transvaal.²⁷¹ [²⁷¹ *The Citizen* 6 March 1993] The issue of representation for the Zulu monarch (see 1992/93 *Survey* p34) was understood to have been resolved by including a delegation from the KwaZulu administration separate from the IFP delegation.²⁷² [²⁷² *The Star* 5 March 1993]

After an initial period of uncertainty as to whether it would attend the planning conference or not, the Azanian People's Organisation (Azapo) said that it would not attend the conference as it was undemocratically constituted.²⁷³ [²⁷³ *Beeld* 26 February 1993] Delegates to the planning conference agreed to resume multiparty negotiations by not later than 5 April 1993. The conference also resolved that decisions in the proposed multiparty forum be taken by consensus or where this could not be achieved, by sufficient consensus. In terms of the resolution, sufficient consensus would mean that there was enough agreement among the participants to enable the process to go forward.²⁷⁴ [²⁷⁴ *Ibid* 8 March 1993] The participants accepted a resolution which dealt with violence and which, inter alia, committed all participants to work for the ending of violence, the promotion of law and order, and the creation of a climate of peace, through, among other things, constitutional negotiations. The conference also resolved to examine how agreements made at Codesa in 1992 (see 1992/93 *Survey* pp499–509) could form the basis for further negotiations and how to accommodate the views of those organisations which had not participated in Codesa.²⁷⁵ [²⁷⁵ *Ibid*] A facilitating committee consisting of the delegation leaders of the 26 participating parties was formed at the planning conference to decide upon and to take steps to give effect to the resolutions and to take the process further. This committee in turn established a ten-member subcommittee.²⁷⁶ [²⁷⁶ *The Star* 9 March 1993] The subcommittee proposed a new structure for the negotiating process (see below). It also decided that the first meeting of the new multiparty negotiating forum would be held on 1 April 1993.

In March 1993 the Women's National Coalition, a group promoting the interests of women, sent an open letter to political leaders noting the relative absence of women from the negotiations. The ANC Women's League also threatened to take action if women were not represented adequately in the restructured negotiating forum. A meeting of the IFP decided that women should have full

representation in the new forum.²⁷⁷ [²⁷⁷ Ibid 26 March 1993] The inclusion of women was subsequently made mandatory in most structures of the negotiations process (see below).

Multiparty negotiations resumed on 1 April 1993 when the multiparty Negotiating Forum met. A member of the planning committee and a leader of the PAC, Mr Benny Alexander, said that the committee had come up with more than 11 proposed names for the forum but was unable to agree on one. (At the time of writing the forum had still been unable to agree on a name for the negotiations process.)²⁷⁸ [²⁷⁸ *The Citizen* 2 April 1993] At the meeting on 1 April 1993 the Negotiating Forum resolved to instruct the Negotiating Council to consider and report on all matters arising from a consolidated report containing material from Codesa. The council was also mandated to consider and report on the following constitutional issues:

- the form of state for a future South Africa and its basic constitutional principles;
- a transitional or interim constitution;
- the form of transitional regional government;
- fundamental human rights during the transition;
- a transitional executive council (TEC) and subcouncils, an independent election committee and an independent media committee; and
- the future of the 'independent' homelands.²⁷⁹ [²⁷⁹ Ibid]

The Negotiating Council agreed on the following structure for new constitutional negotiations:

- there would be plenary sessions consisting of party leaders. The function of the plenary sessions would be to adopt agreements formally;
- there would be a Negotiating Forum consisting of four delegates and two advisers from each party. At least one delegate from each party would be a woman. The function of the forum would be to confirm, with or without amendments, reports and proposals of the Negotiating Council for submission to the plenary sessions. It would also instruct and supervise the work of the Negotiating Council. The forum would meet as decided upon from time to time;
- there would be a Negotiating Council consisting of two delegates (one of whom had to be a woman) and two advisers from each party (who would not play a functional role in the council's meetings). Most of the subsequent negotiations occurred in the council. The council reported to the Negotiating Forum

and met on a more regular basis than the forum;

- there would be a planning committee consisting of ten members of the Negotiating Council, each appointed in a personal capacity and not as a representative of any party. This body was expected to function on a basis of rotation and continuity. The committee was to work under the directives of the Negotiating Council and to plan and submit its recommendations on both procedural and substantive issues to the council. It was to be available on a full-time basis or as was decided; and
- there would be technical committees to deal with specific issues delegated by the Negotiating Council to them. The committees would not take part in negotiations and would be composed of experts in particular fields.²⁸⁰ [²⁸⁰ *Minutes of the meeting of the Negotiating Forum*, 1 April 1993]

In April 1993 the general secretary of the SACP, Mr Chris Hani, was assassinated (see *South African Communist Party* above and see chapter on *Political Developments*). Mr Hani's death led to negotiations being delayed for one week.²⁸¹ [²⁸¹ *Business Day* 14 April 1993] Upon the resumption of talks a meeting of the ANC/ SACP/Congress of South African Trade Unions alliance resolved that decisive action was needed 'to propel the country towards an urgent political settlement'. The alliance set the end of May 1993 as a deadline for the setting of an election date, and for binding agreements on the setting up of a TEC. The alliance threatened to organise a tax boycott and national industrial action if the deadline was not met. It also threatened to review its participation in negotiations.²⁸² [²⁸² *The Star* 29 April 1993]

The minister of constitutional development, Mr Roelf Meyer, reacted by saying that the government would not be threatened by 'demand politics'. The alliance's threats were also condemned by the AVU, the CP and the IFP.²⁸³ [²⁸³ *The Citizen* 29 April 1993]

The Commission on the Demarcation/Delimitation of States/Provinces/ Regions (SPRs) was established by the Negotiating Council on 28 May 1993. The commission, comprising 15 members, was mandated to make recommendations on the boundaries of proposed regions. It was to take into account the following in carrying out its task:

- constitutional principles recommended by the Negotiating Council;
- oral and written representations by interest groups and the public; and
- other written materials on the subject.²⁸⁴ [²⁸⁴ *Report of the Commission on the Demarcation/Delimitation of SPRs*, 31 July 1993]

The commission's first report was tabled in the Negotiating Council on 2 August 1993. In the report the

commission pointed out that it considered the following three national concerns pertaining to the demarcation of regions to be important:

- the need to fashion a democratic culture by bringing government closer to the people;
- the need to create an environment conducive to economic development; and
- the need to build one nation through the acknowledgement of diversity and the reduction of conflict.

The commission recommended that there be nine regions in South Africa (including the ten homelands). The regions were: Eastern Cape/Kei, Eastern Transvaal, KwaZulu/Natal, Northern Cape, Northern Transvaal, Northwest, Orange Free State, Pretoria/Witwatersrand/Vereeniging (PWV) and Western Cape.

Two members of the commission, the executive director of the Urban Foundation, Ms Anne Bernstein, and Mr Koos Reyneke, had dissenting opinions and subsequently did not sign the recommendations.²⁸⁵ [285 *Ibid*]

In her report Ms Bernstein called for 'wider consultation' and said that it would be a mistake to impose what she termed an 'undemocratic map' on South Africa. She said that she had refused to sign the majority report because she did not believe that 'a hastily conceived map which is a compromise of the views of individual commissioners' was the appropriate response to 'the complexity of the regional demarcation process'. She suggested that public hearings should be arranged in the following areas so that the debate on their future could be developed more widely:

- the eastern Cape (on whether there should be one or two regions in this area);
- the northern Transvaal (on what Africans in this area thought would be best for their future);
- the northern Cape (on whether there should be a separate region in this area); and
- the PWV area (on whether the Pretoria functional region and the Vaal Triangle should be component parts of the PWV region).²⁸⁶ [286 *Ibid*]

In his minority report Mr Reyneke said that he could not sign the main report as references to a volkstaat had been removed from the report, thereby 'closing the door' on the possibility of a future volkstaat as a region.²⁸⁷ [287 *Ibid*]

The Negotiating Council subsequently mandated the Commission on the Demarcation/Delimitation of SPRs to consult further with people and communities on how delimitation should be effected and to submit another report and recommendations to it.²⁸⁸ [²⁸⁸ *Business Day* 11 August 1993] The term ‘SPRs’ was later replaced with the word ‘provinces’ in the draft transitional constitution adopted at a plenary session of the multiparty negotiating process held on 17 November 1993.

Technical Committees

At the end of April 1993 the Negotiating Council decided to establish eight technical committees. It was decided further that no negotiations would take place in the technical committees. The role of the committees would be to develop documentation on specific topics and to table these in the Negotiating Council. Documentation would then be discussed by the Negotiating Council and, if necessary, sent back to the relevant technical committee for further development. The technical committees were requested to investigate the following areas:

- an independent election commission;
- an independent media commission and a telecommunications authority;
- the repeal of legislation which inhibited free political activity or which was racially discriminatory;
- the establishment of a TEC and its subcommittees;
- the strengthening of the *National Peace Accord*;
- violence;
- human rights in the transitional period; and
- constitutional questions, including a transitional constitution and constitutional principles.²⁸⁹ [²⁸⁹ *Beeld* 1 May 1993]

All participants in the council were requested to submit proposals for the composition of the technical committees.

In May 1993 the planning committee decided to recommend to the Negotiating Council that the boundaries, functions and powers of the regions to be set up under a new constitution be investigated.²⁹⁰ [²⁹⁰ *Ibid* 4 May 1993] This recommendation was adopted by the Negotiating Council.

In June 1993 the technical committee on discriminatory legislation tabled a draft election code dealing with the freedom to form political parties, to belong to them and to stand as a candidate for election; the freedom of assembly; the freedom of expression and thought; the appointment of an ombudsman and a tribunal to decide on disputes; and the sanctions and measures needed to ensure effective participation in free and fair elections.²⁹¹ [291 *The Citizen* 8 June 1993] The technical committee also identified 27 laws which it said constituted the foundation of apartheid, 14 discriminatory laws which were related to these laws and four laws which discriminated on the grounds of sex and religion. It identified ten security-related laws, including the Internal Security Act of 1982, the Public Safety Act of 1953 and the Publications Act of 1974, for repeal or substantial amendment.²⁹² [292 *Ibid*]

At the end of June 1993 negotiations reached a major deadlock when the IFP and the Concerned South Africans' Group (Cosag), which consisted of delegations of the AVU, the Bophuthatswana administration, the Ciskei administration, the CP, the IFP, and the KwaZulu administration, refused to accept a proposal by the technical committee on constitutional affairs that an elected constitution-making body write the constitution. The secretary general of the ANC, Mr Cyril Ramaphosa, said that his organisation rejected the notion of a single-phase process in which the Negotiating Council (a body which he described as an unelected and undemocratic body) drafted the new constitution.²⁹³ [293 *Business Day* 30 June 1993]

After numerous bilateral and multilateral meetings a compromise position was accepted by 'sufficient consensus'. A resolution passed by the council requested the technical committee on constitutional affairs to draft a transitional constitution making provision for:

- the election of a constitution-making body, a legislature and a government for the transitional phase which would include a national and regional component;
- the election of regional legislatures and the establishment of regional governments in the transitional period;
- the definition of the powers, functions and structures of regions for the transitional period;
- the definition of fundamental human rights during the transitional period; and
- the establishment of a constitutional court or tribunal to ensure the justiciability of the constitutional principles, fundamental rights and the constitution itself.²⁹⁴ [294 *The Citizen* 1 July 1993]

On 1 July 1993 the Negotiating Council approved a set of constitutional principles on which the new constitution was to be based.²⁹⁵ [295 *Beeld* 2 July 1993] (For details see *Appendix*.)

Election Date

On 2 July 1993 the Negotiating Forum adopted by sufficient consensus 27 April 1994 as the date for an election for a transitional parliament which would also be a constitution-making body. This decision had previously been approved by the Negotiating Council.²⁹⁶ [²⁹⁶ *Resolution of the Negotiating Forum on the Continuation of the Negotiating Process*, 2 July 1993] The forum, however, instructed the council to note that a transitional constitution would have to be adopted before the election, and that the council should identify other agreements that needed to be reached, as well as the steps necessary for the implementation of such agreements before elections could take place. It also instructed the council to determine whether the election could be held sooner than 27 April 1994 if a final settlement on substantive issues was reached earlier, and to determine the number of days over which the election should be held.²⁹⁷ [²⁹⁷ *Ibid*]

Cosag argued against the adoption of the election date on the grounds that there should first be agreement on the constitution.²⁹⁸ [²⁹⁸ *Beeld* 3 July 1993] The Cosag members walked out of the Negotiating Forum in protest against the adoption of the election date by the forum. The PAC also argued against the adoption of the date, saying that while it had no objection to the date, it wanted the resolution to stipulate also that the election would be for a constituent assembly.²⁹⁹ [²⁹⁹ *Ibid*] The chairman of the forum, Mr Pravin Gordhan, ruled subsequently that sufficient consensus existed for the adoption of the election date despite the fact that seven of the 26 participating organisations opposed its adoption.

The KwaZulu administration subsequently challenged Mr Gordhan's ruling in court. In September 1993 the Transvaal Provincial Division of the Supreme Court in Pretoria dismissed the KwaZulu administration's case with costs. The judge president of the Transvaal, Mr Justice C F Eloff, said in his judgement that it would not be correct for the courts to interfere in the political process. He added that the dissenting parties should debate their differences in the negotiations process.³⁰⁰ [³⁰⁰ *Ibid* 10 September 1993] Both the KwaZulu administration and the IFP refused to return to talks despite this ruling (see also *Inkatha Freedom Party* above).

Following the IFP's walkout from the talks, the party threatened to establish its own constitutional convention with those parties which were excluded from the process. The IFP did not indicate which these parties were.³⁰¹ [³⁰¹ *The Citizen* 17 July 1993]

In August 1993 the Negotiating Council unanimously accepted a report by its ad hoc committee on 'sufficient consensus'. The report had found that there was no need to change the council's standing rules which provided for decisions to be made by 'sufficient consensus'. However, the report recommended that the following procedures be employed to maximise consensus:

- adjournments, informal discussions, the setting up of technical committees and allowing time for participants to consult their principals;
- an ad-hoc committee charged with responsibility for bridging differences that might arise in the course of negotiations;
- bilateral talks under the guidance of the planning committee and including at least one member of a relevant technical committee; and
- multilateral talks structured on the same basis as the bilateral talks.³⁰² [³⁰² Ibid 5 August 1993]

The KwaZulu administration, which had already decided to challenge the validity of the 'sufficient consensus' rule in court (see above), said that the Negotiating Council's adoption of a set of guidelines for the future application of the 'sufficient consensus' rule had not addressed the administration's concerns and dismissed them as 'meaningless'. The CP, the KwaZulu administration and the IFP had already withdrawn from the talks when the report was adopted.³⁰³ [³⁰³ *Ibid*] The Ciskei and Bophuthatswana administrations and the Afrikaner Volksunie (AVU), which had all earlier expressed their unhappiness with the application of the 'sufficient consensus' rule (see above), supported the report.³⁰⁴ [³⁰⁴ *The Star* 5 August 1993] The Bophuthaswana and the Ciskei administrations later withdrew their delegations from negotiations.

Also in August 1993 the Negotiating Council unanimously decided to appoint a commission to make recommendations on national symbols. The commission was mandated to submit at least four alternative designs for a South African flag and four alternative designs for a coat of arms to the Negotiating Council.³⁰⁵ [³⁰⁵ *The Citizen* 11 August 1993] At the same meeting the council mandated the Commission on the Demarcation/Delimitation of SPRs to consult further with people and communities on how delimitation should be effected. Once this was completed the commission was to prepare a technical report evaluating the information and indicating the reasons for or against the establishment of different regions to those proposed in its first report (see above).³⁰⁶ [³⁰⁶ *Business Day* 11 August 1993]

In the same month the Negotiating Council unanimously adopted a resolution calling for the cession of Walvis Bay and various off-shore islands to Namibia. The resolution called for the South African government to report back to the Negotiating Council on progress made with the incorporation within a month.³⁰⁷ [³⁰⁷ *Beeld* 17 August 1993] The minister of foreign affairs, Mr Pik Botha, told the council that the government agreed with the principle that Walvis Bay should be incorporated into Namibia as speedily as possible.³⁰⁸ [³⁰⁸ *Ibid*] The CP later rejected the resolution and said that its easy passage indicated 'once more' how the NP and the government had become 'like clay in the hands of the ANC and the SACP'.³⁰⁹ [³⁰⁹ *Ibid* 18 August 1993]

Two pieces of draft legislation for the transitional period, the draft Independent Media Commission Bill and the draft Independent Electoral Commission Bill were approved by the Negotiating Council at the end of August 1993, with only the AVU reserving its position on the passage of the proposed legislation.³¹⁰ [³¹⁰ *The Citizen* 1 September 1993] A further piece of legislation for the transitional period, the draft Independent Broadcasting Authority Bill, was approved by the Negotiating Council in September 1993 (see also *Legislation passed* above).³¹¹ [³¹¹ *Business Day* 3 September 1993]

The draft TEC Bill was also approved in September 1993 by ‘sufficient consensus’ in the Negotiating Council (see *Legislation passed* above). The Ciskei and Bophuthatswana administrations opposed the adoption of the bill, while the PAC and the AVU reserved their positions on it. The KwaZulu administration and the IFP were not party to the decision as they had withdrawn from the talks earlier (see *Inkatha Freedom Party* above).

Also in September 1993 the Negotiating Council accepted by ‘sufficient consensus’ a resolution that legislation to give effect to the TEC should be passed by Parliament before a plenary session of the multiparty negotiating process was held. The Bophuthatswana administration and the PAC, however, disagreed with the resolution, saying that it was essential for the leaders of the parties participating in negotiations to meet and to agree on the entire legislative package for the transitional period, including the TEC and the transitional constitution. The Ciskei administration reserved its position on the matter.³¹² [³¹² *The Citizen* 3 September 1993]

In the same month, after bilateral talks between the government and the IFP, the president of the IFP and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, proposed that a national convention of party leaders review the ‘constitutional mess’ that the country was in.³¹³ [³¹³ *Beeld* 17 September 1993]

On 6 September 1993 the Negotiating Council established a task group to identify South African legislation that was discriminatory or that could impede free political activity. The task group was also mandated to set up four subgroups, one for each of the ‘independent’ homelands, to identify similar legislation in these homelands. A subgroup was subsequently also set up to examine legislation in KwaZulu.³¹⁴ [³¹⁴ *First Substantial Report of the Task Group on the Repeal of Legislation Impeding Free Political Activity as well as Discriminatory Legislation*, 30 October 1993] In its first substantial report the subgroup recommended the amendment and repeal of various pieces of legislation in South Africa, the ‘independent’ homelands and KwaZulu. The South African laws earmarked for repeal included the Prohibition of Foreign Financing of Political Parties Act of 1968, the Affected Organisations Act of 1974, the Parliamentary Internal Security Act of 1976 and the Disclosure of Foreign Funding Act of 1989. Parts of the Internal Security Act of 1982 were also singled out for repeal. On 11 September the Negotiating Council agreed to the repeal of the legislation mentioned above, including section 29 of the Internal Security Act.³¹⁵ [³¹⁵ *The Star* 12 November 1993]

The Draft Transitional Constitution

The first draft of the transitional constitution was tabled by the technical committee on constitutional issues in the Negotiating Council on 23 July 1993 as part of its progress report.³¹⁶ [³¹⁶ *Technical Committee on Constitutional Issues—Combined Reports*, 10 August 1993] The draft was presented to the negotiators for their input and deliberation and was subsequently referred back to the committee for further adjustment and addition.

On 17 November 1993 the fourth draft of the bill was substantially finalised by the Negotiating Council and was approved by a plenary session of the multiparty negotiating process. The draft was not finalised because it still had to have certain technical and substantive adjustments made to it. However, the plenary session mandated the Negotiating Council to finalise the bill and to present it to Parliament for ratification.³¹⁷ [³¹⁷ *The Citizen* 18 November 1993]

The constitution was deemed to be supreme. Eleven languages—Afrikaans, English, Ndebele, Pedi, siSwati, Sotho, Tsonga, Tswana, Venda, Xhosa and Zulu—were declared the official languages of South Africa. A chapter on fundamental rights was also included (see *Fundamental rights* below). The constitution set the minimum voting age at 18 years.³¹⁸ [³¹⁸ *Draft Constitution of the Republic of South Africa 1993*, 17 November 1993]

The draft constitution made provision for a bicameral legislature consisting of a national assembly and a senate. It provided for a senate composed of ten members from each province and elected by each provincial legislature using the principle of proportional representation (PR). Candidates for election to the senate would be nominated by parties represented in the provincial legislature. Members of a provincial legislature elected to the senate would vacate their seats in the provincial legislature and the parties which had nominated such senators would nominate replacements for them in the provincial legislatures. The senate was to be headed by a president elected by it and who would preside over all meetings of the senate and all joint meetings of the national assembly and the senate.³¹⁹ [³¹⁹ *Ibid*]

The draft constitution also provided for a 400-member national assembly elected by PR, 200 of whose members would be elected on national lists and 200 on provincial lists. In addition to normal reasons for the vacation of seats in the national assembly (such as resignation), the constitution also provided that an MP would cease to be a member of the national assembly if he or she terminated membership of the political party which had nominated him or her to sit in the national assembly.

All laws were designated as ordinary legislation (except those relating to finance, specified provincial matters, and the amendment of the constitution). Provision was made for ordinary legislation to be introduced in any of the two houses and to be passed by a majority of the members of each house. In the case of one of the houses rejecting a bill, provision was made for it to be referred to a joint committee consisting of members of all the parties represented in the legislature, which would report on proposed amendments. The amended bill would then be forwarded to a joint sitting of the legislature for a majority decision.

Bills appropriating funds or imposing taxation could be introduced only in the national assembly and only after having been considered by a joint committee of both houses, and where required by the constitution, by a financial and fiscal commission. If such a bill was passed by the national assembly and the senate rejected it or failed to pass it within 30 days of the national assembly having passed it, the national assembly could reconsider the bill and then pass it with or without amendments. Such a bill would be deemed to have been passed by parliament.³²⁰ [320 Ibid]

Bills affecting the boundaries of provinces or the exercise of the powers and functions allocated to provinces in terms of the constitution had to be approved by both the senate and the national assembly. Bills which affected the exercise of such powers or functions by a particular province only had to be approved by a majority of the senators representing that province.

The draft constitution provided for amendments to the constitution to be passed by a two-thirds majority of the total members of both houses at a joint sitting but stipulated, however, that no amendment of the constitution would be possible if it detracted from the essence of the constitutional principles.

Whereas the first draft of the constitution vested the executive power in an executive body representative of all political parties occupying a specified percentage of seats in the national assembly, the fourth draft vested executive power in the president who was also the head of state. The president was to be elected by the national assembly at its first sitting.

However, the draft constitution also entitled every party holding at least 80 seats in the national assembly to designate an executive deputy president from among the members of the national assembly. In the event of no party or only one party holding 80 seats provision was made for the party with the largest number of seats and the party with the second largest number of seats to each designate an executive deputy president. The functions of the deputy presidents were not specified in the constitution but they were required to 'perform such functions as may be assigned by the president'.

The president was vested with power to:

- assent to, sign and promulgate bills;
- refer bills back to parliament in the event of procedural shortcomings;
- convene cabinet meetings;
- refer constitutional disputes in parliament or the government to the constitutional court; and
- confer honours.

The president was also vested with powers in the following areas, but was required to consult the executive deputy presidents in the application of such powers:

- the development and execution of government policies;
- all matters relating to the management of the cabinet;
- the assignment of powers and functions to the deputy presidents;
- the appointment and accreditation of ambassadors, diplomats and other foreign representatives;
- the negotiation and signing of international agreements;
- the appointment of commissions of enquiry;
- the making of appointments under powers conferred by the constitution or under any law;
- the proclamation of referendums and plebiscites; and
- the pardon or reprieve of offenders.

The president was also the commander-in-chief of the national defence force and was competent to declare a state of national emergency and to deploy the national defence force with the approval of parliament. He or she was also empowered to confer and cancel permanent commissions of members of the national defence force.³²¹ [³²¹ *Ibid*]

The draft constitution made provision for a multiparty cabinet with a maximum of 27 members—excluding the president and the deputy presidents. The cabinet would consist of the president, the deputy presidents and representatives of all those parties holding more than 20 seats in the national assembly. Each such party would be allocated cabinet posts in proportion to the number of seats that it held in the national assembly. The president would allocate portfolios after consulting the deputy presidents and the leaders of the parties represented in the cabinet. No specific percentage was fixed for the taking of decisions in the cabinet in the absence of consensus.

A last-minute agreement between the ANC and the government which provided for a single ballot paper to be used to elect both national and regional legislatures in the first national election was accepted by sufficient consensus in the Negotiating Council and was subsequently approved by a plenary session of the multiparty negotiating process.³²² [³²² *The Citizen* 18 November 1993] The constitution stipulated that

national elections would not be held under a new (final) constitution until 1999, unless the cabinet lost the confidence of parliament.

The draft constitution made provision for the establishment of nine provinces and listed them as Eastern Cape, Eastern Transvaal, KwaZulu/ Natal, Northern Cape, Northern Transvaal, the Northwest, the Orange Free State, Pretoria/Witwatersrand/Vereeniging, and the Western Cape. The boundaries of each province were defined in a schedule to the constitution.

Each province would have a legislature elected by a system of PR on provincial party lists. The size of each provincial legislature would be determined by dividing the total number of votes cast in a provincial election by 50 000 and rounding this figure to the nearest whole number—provided that no legislature would have less than 30 or more than 100 seats. Provincial executive councils were to consist of no more than ten members plus the premier (see below). Members of the provincial legislature were required to vacate their seats in the legislature if they ceased to be members of the party which nominated them.³²³ [323 *Draft Constitution of the Republic of South Africa 1993*, 17 November 1993]

The executive power of a province was vested in a premier to be elected by the provincial legislature from among its members. Provincial executive councils consisting of the premier and not more than ten members appointed by the premier from all those parties with at least 10% of the seats in the legislature were also provided for. Each such party would be allocated executive council posts in proportion to the number of seats that it held in the national assembly. The premier would allocate portfolios after consulting the leaders of the parties represented in the council.

The first draft of the constitution provided for the provincial governments to be entitled to exclusive competencies in a number of areas, including taxation within the province for provincial purposes; protection services, local policing and law enforcement; traffic control; local government; housing; education; health and welfare services; cultural affairs, traditional authorities and indigenous law; and casinos, racing and gambling.

However, the fourth draft of the constitution did not endow provincial governments with any exclusive powers. Instead, provincial governments and the national government were given concurrent powers. The draft constitution provided that an act of parliament would prevail over a provincial law only where a provincial law was inconsistent with it to the extent that:

- the act dealt with a matter that could not be effectively regulated by provincial legislation;
- the act dealt with a matter that had to be regulated by uniform norms or standards that applied generally throughout the country;
- the act was necessary to set minimum standards nationwide; and

- it was necessary for the determination of national economic policies, the maintenance of economic unity, the promotion of inter-provincial commerce, the protection of the common market or the maintenance of national security.

Furthermore, national legislation would prevail only if it applied uniformly throughout the country.

Concurrent powers were listed as follows: agriculture, casinos, cultural affairs, education (excluding universities and technikons), health services, housing, language policy within a province, nature conservation, police, the promotion of trade and industry, provincial public media, public transport, regional planning and development, roads and road traffic regulation, tourism, traditional authorities, urban and rural development, and welfare services.

Provinces were entitled to an 'equitable share' of revenue collected nationally. They were also entitled to raise taxes, surcharges or levies provided that they were authorised to do so by an act of parliament and there was no discrimination against non-residents of that province who were South African citizens.

The draft constitution also provided that a financial and fiscal commission would be established to make recommendations regarding fiscal allocations to the provinces from the revenue collected nationally. Furthermore, a provincial revenue fund was to be established in each province, into which all revenues of the province would be paid.

The legislation also provided that immediately after the first general election provinces would be competent, if they so wished, to make and adopt their own constitutions by a two-thirds majority. However, provincial constitutions were not to conflict with national constitutional principles or the national constitution and were to be developed in conjunction with the commission on provincial government. Furthermore, such a provincial constitution would also have to be compatible with the final national constitution once this was passed. The draft transitional constitution mandated the constitutional court to certify that such a provincial constitution complied with the principles and relevant national constitution.

The draft constitution also sought to establish a commission on provincial government whose function would be to advise the national government and provincial governments on the establishment and consolidation of administrative institutions and structures in the provinces.

With regard to the constitution-making process, the commission was mandated to advise the constitutional assembly (see below) on matters regarding:

- the constitutional dispensation of provinces, including their constitutional structures, methods of election, and their authority, functions and procedures;

- the finalisation of the number and the boundaries of provinces;
- the division of powers and functions between national and provincial government; and
- the powers and functions of local government.

The constitution also contained a set of constitutional principles which were adopted by the Negotiating Council at the end of June 1993 (see *Appendix*).³²⁴ [³²⁴ *The Citizen* 1 July 1993]

The draft constitution made provision for the senate and the national assembly to sit jointly as a constitution-making body to be known as the constitutional assembly. While the draft constitution provided for the constitutional assembly to adopt a new constitution, it also provided for a new constitution not to come into operation until the constitutional court had certified that all its provisions conformed to the constitutional principles contained in the schedule to the transitional constitution.³²⁵ [³²⁵ *Draft Constitution of the Republic of South Africa 1993*, 17 November 1993]

The draft provided for the final constitution to be adopted within two years of the first sitting of parliament. The constitutional text was to be approved by a two-thirds majority of the members of the constitutional assembly. In order for provisions relating to the boundaries, functions and powers of the provinces to be adopted or amended the approval of a two-thirds majority of the senate was also required.

However, if the constitution was approved only by a simple majority then the draft would be referred to a panel of constitutional experts for their advice on amendments which were likely to secure the necessary two-thirds majority. The panel was to give such advice within 30 days of referral. Should a new draft of the constitution not be submitted within this time, or if it was submitted and again failed to obtain the support of a two-thirds majority, then the constitution could be accepted by a simple majority of the constitutional assembly. However, a constitution passed in this way had to be submitted to a national referendum and only if it were approved by a majority of 60% of the votes cast, would it become the constitution of South Africa. If it was not approved in such a referendum, parliament would be dissolved and a general election held. In such a case the newly elected senate and national assembly (sitting as the constitutional assembly) had to approve and pass a new constitution by a 60% majority within a year after their first session. For provisions relating to the boundaries, functions and powers of the provinces, a 60% majority in the senate was also required.³²⁶ [³²⁶ *Ibid*]

Chapter ten of the draft constitution provided for local government. It provided for a competent provincial legislature to establish categories of metropolitan, urban and rural local government. It also allowed local authorities to establish and delegate specified functions to sub-municipal entities.

The draft constitution provided for 40% of a local authority's councillors to be elected by proportional representation (PR) and 60% to be elected on a ward basis. Half of the ward-based seats were reserved

for members of existing councils. The constitution provided for local government to be autonomous and to have executive powers but specified that such powers would be defined by legislation. Local authorities were also required to provide access to education, electricity, housing, primary health care, sanitation, security within a safe and healthy environment, transportation facilities and water. It provided further for executive structures to be elected by the council from among its members by PR and for decisions to be taken in the executive by a two-thirds majority.

The draft constitution provided for a council's budget to be passed by at least a two-thirds majority and a town planning scheme by an absolute majority of all councillors. It provided for a local authority to be competent to levy fees, levies, property rates, tariffs and taxes (subject to certain conditions) provided that these were uniform throughout the council's area of jurisdiction. Furthermore, local authorities were entitled to an 'equitable allocation' of funds from their provincial administrations.

The constitution also provided for an enforceable code of conduct for members and officials of local authorities to be provided by law.³²⁷ [³²⁷ *Ibid*]

The draft constitution also contained a chapter which provided for the continuation of those traditional authorities instituted in accordance with indigenous law. Traditional leaders would be ex-officio members of the local authority with jurisdiction over the area of such a traditional authority and would be eligible for election to any office of such a local authority.

Furthermore, provision was made for the establishment of a house of traditional leaders in each province and the establishment of a council of traditional leaders at national level. Each house of traditional leaders was empowered to advise its provincial legislature on matters relating to indigenous law, tradition and custom, while the council of traditional leaders was empowered to advise the national government on these matters. All bills pertaining to such matters at provincial level were to be referred to the relevant house of traditional leaders for its comments, while those at national level were to be referred to the council of traditional leaders. Support or opposition to such bills had to be registered within 30 days. If such bills were opposed in either forum the relevant legislature was prohibited from passing such bills before the lapse of a further 30 days. The constitution did not say how such matters would be resolved further but stated that laws should be enacted by the relevant provincial legislature to regulate the procedures applicable to the exercise of the powers and functions of a house of traditional leaders while the national legislature would regulate such powers and functions in relation to the council of traditional leaders.³²⁸ [³²⁸ *Ibid*]

A chapter on judicial powers and the administration of justice provided for judicial authority to be vested in the courts. It provided for the appointment of the chief justice of the supreme court by the president after consultation with the judicial services committee (see below). It provided further for a president of the constitutional court to be appointed by the (national) president after consultation with the chief justice.

The draft constitution established a judicial services commission to make recommendations regarding

the appointment and removal from office of judges of the supreme court. The commission would also make recommendations on the appointment of and removal from office of judges of the constitutional court. The draft constitution also established a constitutional court, consisting of ten judges plus the president of the constitutional court, which was charged with the interpretation, protection and enforcement of the provisions of the constitution, including the bill of fundamental rights.

Provision was made for the president to appoint the judges after consultation with the president of the constitutional court and in consultation with the cabinet. Six of these judges, however, were to be appointed from a list of ten judges supplied by the judicial services commission. If this list was rejected then another shorter list was to be submitted from which the six judges had to be appointed. This list could not be rejected. (Earlier versions of the constitution had not provided for the judicial services commission to submit a list of names to the president. Several parties, including the Democratic Party and the Pan-Africanist Congress, had objected to the president's unfettered authority in making these appointments. They said that this detracted from the independence of the judiciary. Their objections had resulted in the provision being changed to provide for the judicial services commission to submit a list of names to the president.)

The draft constitution also established a supreme court with its various divisions.

A chapter in the draft constitution on finance provided, inter alia, for the establishment of a national revenue fund into which all revenues raised or received by the national government would be paid and from which appropriations would be made. It also made provision for the establishment of the office of auditor general. A financial and fiscal commission which was mandated to advise the relevant legislatures on the fiscal requirements of the national, provincial and local authorities was also provided for. The commission was empowered to make recommendations to these legislatures on, inter alia: financial and fiscal policies; the intended levying of taxes, levies, and surcharges by a provincial government; the raising of loans by a provincial or local government; and criteria for the allocation of financial and fiscal resources.

The draft constitution also provided for the establishment of a public service commission accountable to parliament, to make recommendations on the organisation and administration of government departments and the public service. This commission was also mandated to make, inter alia, recommendations on conditions of service, a code of conduct, personnel practices, and the appointment and promotion of members of the public service. Provision was also made for provincial legislatures to set up provincial service commissions along the same lines.

The constitution provided for a South African police service at both national and provincial levels to function under the direction of national and provincial governments. It also made provision for the establishment of a national defence force consisting of the South African Defence Force; the defence forces of Bophuthatswana, the Ciskei, the Transkei and Venda; and the members of any armed or military force under the authority of, or associated with, a political organisation.

The draft constitution made provision for the appointment of a public protector to receive complaints about and to investigate alleged government misconduct or maladministration. He or she was also empowered to initiate investigations and to investigate complaints against people performing public functions. The public protector was mandated to endeavour to resolve any dispute or rectify any act or omission by mediation or reconciliation but was also empowered to disclose offences to the relevant authorities or to a relevant public body. The constitution also made provision for the provincial legislatures to establish provincial public protector offices.

The draft constitution made further provision for a human rights commission charged with the task of promoting the general observance of human rights and democratic values. The functions and structure of the commission were detailed in the constitution.³²⁹ [³²⁹ *Ibid*]

In its seventh schedule the draft transitional constitution listed a number of laws for repeal or amendment. Among these was the Republic of South Africa Constitution Act of 1983 which the transitional constitution was intended to replace. Laws recognising the independence of Bophuthatswana, the Ciskei, the Transkei and Venda, and laws connected therewith were also listed for repeal. Furthermore, laws establishing and regulating provincial government and the KwaZulu/Natal Joint Executive Authority were also listed for repeal.

The draft transitional constitution was scheduled for tabling in the November 1993 sitting of Parliament.

Fundamental Rights

The chapter on fundamental rights made provision for the right to equality before the law, the right to life, the right to human dignity, the right to freedom and security of the person, and the right to privacy. The proposed legislation also made provision for the right to freedom of conscience, religion and belief. It made further provision for the rights to freedom of expression; freedom of assembly, demonstration and petition; freedom of association; freedom of movement; and freedom of residence. Also included in the chapter were the right of every citizen to enter, leave or remain in South Africa and the right not to be deprived of citizenship.³³⁰ [³³⁰ *Ibid*]

The proposed chapter also provided for certain political rights, including the right to form and participate in the activities of a political party, to campaign for a political cause and to make political choices freely. Other rights included the right of access to a court of law, the right of access to information, and the right to lawful and fair administrative procedures. A section on the rights of arrested and accused people, including the right to be charged before a court of law within 48 hours of arrest or to be released, was included. The right to a fair trial; the right to visits by next of kin, as well as by medical practitioners and religious clergy of choice; and the right to be presumed innocent until otherwise proven guilty were also listed. The right not to be tried again for any offence for which one was previously convicted or acquitted was also included.³³¹ [³³¹ *Ibid*]

The proposed chapter also mentioned the right of a person not to be removed from his or her home, except by an order of a court of law after the court had taken into account all relevant factors, including the availability of appropriate alternative accommodation and the lawfulness of the occupation.

Provision was also made for the right to engage in economic activity and for the rights of workers to form and join trade unions, as well as the rights of employers to form and join employers' organisations. The proposed legislation also mentioned the right of workers to strike and the right of employers to lock out workers (see *Synopsis and Update*).

Certain property rights were provided for in the proposed legislation, including the right to acquire, hold and dispose of rights in property. The proposed legislation, however, also made provision for expropriation of property by the state if this was in the public interest, subject to agreed compensation, or failing agreement, to compensation determined by a court of law. The proposed legislation stipulated, however, that the deprivation of rights in property would only be permitted in accordance with law.³³² [332 *Ibid*]

The proposed legislation also included a clause on the right to an environment that was safe and not detrimental to the wellbeing of people. It included a clause giving children the right to security, basic nutrition and basic health services and not to be the subject of abuse, neglect or child labour. It also provided for freedom of language and culture.

Educational rights included the right to a basic education, equal access to educational institutions, instruction in a language of choice where practical, and the establishment, where possible, of educational institutions based on common culture, religion or language, provided that there would be no discrimination on the basis of race or colour.

A clause on customary law established the right of people or communities to have their customary law recognised as the legal dispensation governing the internal affairs of such a community or regulating interpersonal relationships between the people concerned. However, where a court of law applying such a system found its rules to be in conflict with the right to equality, then the court would be competent to determine conditions to bring such rules into conformity with the right to equality.

Certain limitations on the above-mentioned rights were also included, and provision was also made for the suspension of these rights in a state of emergency. The proposals specified the conditions under which a state of emergency could be declared and limited the duration of a state of emergency to 21 days unless it was extended for a period of not longer than three months or consecutive periods of not more than three months at a time. The proposals stipulated that a state of emergency could be renewed after three months by resolution of a two-thirds majority of the national assembly, but added that any superior court could challenge the validity and renewal of a state of emergency. It outlined further the rights of detainees under a state of emergency, including the right to notify family or friends of such detention, the right to review by a court of law of the necessity for detention within ten days of arrest and the right to apply to a court of law for release within ten days of the conclusion of such a review.³³³ [333 *Ibid*]

The chapter also established a right to administrative justice and lawful administrative action where the rights or legitimate expectations of a person were affected or threatened.

Regional Negotiations

In his opening speech to Parliament in January 1993, the state president, Mr F W de Klerk, announced that the government was negotiating with the non-independent homelands for the streamlining of their administrative functions and the amalgamation of their administrations with those of the provinces.³³⁴

[³³⁴ *The Citizen* 30 January 1993]

In July 1993 the minister of regional and land affairs, Mr André Fourie, revealed that a multilateral steering committee had been constituted for the northern Transvaal to identify functions which could be administered jointly. The committee was to comprise a member of the executive committee of the Transvaal Provincial Administration (TPA), a top TPA official, a minister and a top official each from Lebowa and Gazankulu, and members of the departments of Finance and State Expenditure as well as of the Commission for Administration. Representatives of Venda were to be observers on the committee. A steering committee involving the QwaQwa administration and the Orange Free State Provincial Administration was also launched in July. At the time of writing the KaNgwane administration had not yet agreed to the establishment of a steering committee with the TPA and working committees had been established by the administration and the TPA to try to resolve the issue. A bilateral steering committee involving the KwaNdebele administration and the TPA was also being planned.³³⁵ [³³⁵ *RSA Policy Review* July 1993]

Mr Fourie pointed out that while the KwaZulu/Natal joint executive committee was already functional, decisions made by this body still had to be implemented either by the Natal Provincial Administration or the KwaZulu administration. At the time of writing negotiations were under way to streamline this process.³³⁶ [³³⁶ *Ibid*]

In July 1993 Mr Fourie revealed that in February 1993 the administrations of the non-independent homelands and the provinces had taken a decision accepting joint administration between the six homelands and the four provinces. He added that the government believed that, as an interim measure, from the time of reincorporation until the installation of an transitional government the non-independent homelands should be governed by administrators general (AG). The state president would appoint each AG after negotiations with the homeland concerned about nominations for the post.

Mr Fourie said that an administrative council, consisting of 'certain members of the non-independent homeland administrations' and other expert and experienced South Africans, would assist each AG. A facilitating committee would also be formed for each of the non-independent homelands. The AG would administer on the basis of consensus, with the AG and the administrative council together being the legislative authority in the area. The state president would, however, have the power to delegate to the

AG exclusive legislative powers concerning the police, defence, prisons, finances and internal affairs. An executive committee, consisting of four or five members of the administrative council, would act in an advisory capacity to the AG.

Mr Fourie said that South African legislation would be applied in all matters falling within the exclusive powers and functions of the AG. However, the powers and functions held by the non-independent homelands and not handed over to the AG would be held by the legislative authority of the area concerned until repealed. These legislative authorities in their turn would have the power to promulgate new laws, provided that these were not directly opposed to those operating in the rest of South Africa or did not clash directly with the interests of South Africa.³³⁷ [³³⁷ *Ibid*]

According to Mr Fourie, legislation authorising the introduction of joint administrations would be tabled during the 1993 sitting of Parliament.³³⁸ [³³⁸ *The Citizen* 1 May 1993] The bills were enacted into law in July 1993 (see *Legislation passed* above).

Initiatives for Nonracial Local Government

Policy

In his opening address to Parliament in February 1993, the state president, Mr F W de Klerk, announced that the own affairs functions of local government would be transferred to the general affairs Department of Local Government from 1 April 1993.³³⁹ [³³⁹ *Hansard* (joint sitting) 1 col 6, 29 January 1993] To make this change possible the Local Government Affairs Amendment Act was gazetted in April (see below).

The minister of local government, Dr Tertius Delport, said in February 1993 that the continued existence of management and local affairs committees would become an anomaly once own-affairs local government departments were abolished.³⁴⁰ [³⁴⁰ *Hansard* (joint sitting) 1 col 286, 3 February 1993]

In April 1993 the National Party revealed its proposals for local government and said that they would also be contained in a draft local authorities bill. Dr Delport said that the proposals needed to be debated by Parliament, the Local Government Negotiating Forum and the multiparty negotiations process at Kempton Park (east Rand).³⁴¹ [³⁴¹ *Hansard* (extended public committee) 12 col 5606, 22 April 1993] He said that the government was proposing that local government be vested in three structures.

In the first instance municipal authorities would be retained as the basic and primary local government structure but their area of jurisdiction would be extended to include surrounding rural areas. The second structure proposed consisted of metropolitan councils in urban areas and service councils in rural areas. However, Dr Delport emphasised that these structures should not be seen as an intermediate level between local and regional government but rather as bodies which could rationalise local authority functions. He added that the local authorities which constituted the metropolitan or service councils

should decide what functions should be performed by the councils.³⁴² [³⁴² Ibid]

The third structure referred to by Dr Delpont was ward councils. He said that these structures would serve to preserve the character of local communities and to provide them with a say regarding their residential environment. He said that such ward councils should determine the following: the regulation of norms and standards in the residential environment, property usage, the provision of community facilities, security affairs, civil protection, and the levying of additional rates in order to finance the councils and to promote projects within their areas of jurisdiction. Dr Delpont said that ward councils should be established on a voluntary basis if a community requested such a council.³⁴³ [³⁴³ *Ibid col 5607, 22 April 1993*]

Dr Delpont said that the government was proposing essentially that traditional local government functions be retained by municipal authorities. Regarding financing, Dr Delpont said that additional sources of income such as the 'regional services rates' should be retained and used for developmental activities. In addition, central and regional authorities should supply intergovernmental grants on a formula basis to local authorities. He said that such a formula would have to penalise local authorities which did not exploit their own resources.

Regarding the voting system for local government, Dr Delpont revealed that the government was proposing that councils be elected on the basis of a dual voters' roll in a ward system. He said a ward system was preferable to a municipal-wide system of proportional representation. A general voters' list which would consist of the names of all residents who were 18 years' or older should be used to elect 50% of the councillors. The remaining councillors should be elected according to a second voters' list, which would comprise all property owners, including juristic persons. In the metropolitan and service councils, representatives should be elected indirectly with the representation from each local authority being determined according to a fixed formula.

In conclusion, Dr Delpont said that provision should be made for local options that deviated from the proposals. He suggested that the government's proposals should be seen as a policy which would come into effect only when local agreement on local government had not been reached.³⁴⁴ [³⁴⁴ *Ibid*] Dr Delpont said further that elections to establish such local government structures should be held soon and could possibly take place ahead of national elections.³⁴⁵ [³⁴⁵ *The Citizen 23 April 1993*]

In June 1993 Dr Delpont tabled the Local Government Affairs Second Amendment Bill which, inter alia, provided for the postponement of elections for local government bodies.³⁴⁶ [³⁴⁶ *Local Government Affairs Second Amendment Bill 119-93 (GA)*] The bill provided for the minister of local government to determine different dates for elections for different local government bodies or categories of local government bodies.³⁴⁷ [³⁴⁷ *Ibid*] The bill was passed in June 1993.

In July, however, the Local Government Negotiating Forum (see *Local Government Negotiating Forum*

below), in which the government was a key participant, agreed that a three-phased process of local government reform would be implemented. The first phase would entail the replacement of all councils by nominated transitional councils. Elections for transitional councils would constitute the second phase, while elections for councils under a new dispensation would be part of the final phase.³⁴⁸ [³⁴⁸ *The Star* 2 July 1993]

For the local government policies of the African National Congress, Conservative Party and Democratic Party see 1992/93 *Survey* pp510–514.

Legislation

Local Government Affairs Amendment Act

This act amended several pieces of general affairs legislation pertaining to local government so as to delete the references to own affairs ministers in such legislation. It also relegated the powers and duties of own affairs ministers of local government to the general affairs minister and the provincial administrators. The legislation provided further for transitional measures for rural councils established in terms of the Regional Services Council Act of 1985. The legislation was passed in March 1993 and gazetted on 1 April 1993.³⁴⁹ [³⁴⁹ *Government Gazette* no 14720, 1 April 1993]

The Democratic Party supported the bill, saying that it buried ‘once and for all’ the concept of own affairs in local government.³⁵⁰ [³⁵⁰ *Hansard* (joint meeting) 8 col 3525, 25 March 1993]

The Conservative Party opposed the legislation, saying that it stripped the Afrikaner and the ‘white community in general’ of the matters they were still able to dispose of themselves.³⁵¹ [³⁵¹ *Ibid*]

The Afrikaner Volksunie supported the bill, saying that it realised that for the Afrikaner to achieve true freedom it was necessary for the old order of statutory protection to come to an end.³⁵² [³⁵² *Ibid*]

Local Government Affairs Second Amendment Act

This act provided for the minister of local government to postpone local government elections and to determine, inter alia, different dates for elections for different local government bodies or categories of local government bodies. The act made further provision for the minister to issue regulations regarding wards and polling districts, qualifications for voters and office bearers, election procedures, valid expenses and illegal practices during elections.³⁵³ [³⁵³ *Local Government Affairs Second Amendment Bill* 119–93 (GA)] The legislation was passed in June 1993.

Local Government Negotiating Forum

At the end of September 1992 a task group, which included members of the South African National Civic Organisation (Sanco), the central government, the provincial administrations and organised local government, met to prepare the way for the establishment of a local government forum. The Local Government Negotiating Forum (LGNF), an unelected non-statutory body whose mission was described as ‘to contribute to the bringing about of a democratic, nonracial, nonsexist and financially viable local government system’, was established on 22 March 1993.³⁵⁴ [³⁵⁴ *RSA Policy Review* May 1993] It consisted of 60 members, with equal numbers of representatives of statutory and non-statutory bodies involved in local government. The forum was headed by a 12-member management committee divided along the same lines. Three working groups were established to deal with the following: legal and constitutional issues; services and finance; and management, administration and training.³⁵⁵ [³⁵⁵ *Ibid*] In July 1993 the forum resolved that the transition to nonracial local government would be implemented in three phases:

- a pre-interim phase in which all existing local authorities would be replaced by nominated transitional local and metropolitan councils;
- an interim phase in which elections would be held for transitional councils; and
- a final phase in which a final constitutional model for local government would be implemented.

The pre-interim phase was expected to begin in October 1993 when it was anticipated that legislation would be passed to make this possible. Multiparty local negotiating forums such as the Central Witwatersrand Metropolitan Chamber were to nominate the members of such transitional councils. Half of the nominations were to be made by statutory bodies in the forum such as local authorities, while the remaining half were to be made by non-statutory bodies such as civic organisations. In the interim phase, following the national elections for a national transitional government scheduled for April 1994, councillors were to be elected.³⁵⁶ [³⁵⁶ *The Star* 2 July 1993] Once a new national constitution, including a section on local government, had been adopted, the final phase—the election of councils under the new constitution—would be initiated.³⁵⁷ [³⁵⁷ *Ibid*] The forum said that a local government transition act would be tabled in Parliament to give effect to these measures.³⁵⁸ [³⁵⁸ *The Citizen* 1 July 1993]

The state president, Mr F W de Klerk, said that the addition of nominated members to the proposed transitional councils as an interim measure was aimed at ensuring representation by the full political spectrum in the communities concerned. He pointed out that the National Party (NP) did not participate in black local government structures and that not only members of African National Congress (ANC)-orientated civic bodies should be considered for nomination to such positions. All parties would have to be given ‘a slice of the cake’, he said.³⁵⁹ [³⁵⁹ *Beeld* 11 September 1993]

The Conservative Party (CP) described the forum as ‘yet another stunt to tax whites’ and warned that the government would have a serious situation on its hands if it tried to compel conservative white municipalities to become part of integrated transitional government. It added that the forum had no legitimacy ‘as the participants in the main have not tested support’.³⁶⁰ [³⁶⁰ *The Citizen* 24 March 1993]

The Democratic Party (DP) rejected the composition of the forum, saying that it was dominated by the NP and the ANC. It said that unless the forum’s composition was addressed urgently, it would not be able to meet the requirements of local government and its deliberations would prove fruitless.³⁶¹ [³⁶¹ *Business Day* 24 March 1993]

The president of Sanco, Mr Moses Mayekiso, said that civic groups were concerned about the extent to which unilateral restructuring at local government level had already taken place. He said that the forum should also provide measures to bring conservative white towns and certain homeland authorities into the negotiations process.³⁶² [³⁶² *Ibid* 23 March 1993] The minister of local government, Dr Tertius Delpont, said that the forum had to establish its legitimacy through its ‘actions, agreements and deeds’. He added that the main objectives of the forum would be to put effective administrative structures in place and to end rent and service-charge boycotts.³⁶³ [³⁶³ *Ibid*]

Following the announcement of the forum’s plans for restructuring local government, the Transvaal Municipal Association (TMA), which represented CP-controlled councils in the Transvaal, adopted the following resolutions:

- to reject totally the idea of appointed multiracial councils, and to resist the institution of such bodies by encouraging white councillors to refuse to give up their seats or to relinquish control of their councils;
- to demand that the government hold elections for white local authorities before instituting any reform measures;
- to inform every white voter of the association’s intentions to resist the institution of appointed multiracial councils; and
- to mandate the TMA executive to take measures to counteract the institution of the transitional plan.³⁶⁴ [³⁶⁴ *Patriot* 13 August 1993]

In the middle of August 1993 Dr Delpont was reported as having said that there was not enough time for enabling legislation for the nominated councils to be passed in the September 1993 parliamentary session. He said that much work still had to be done to ‘render a legitimate basis for the nominated councils’. He was also quoted as saying that many white municipalities did not want black members on their councils and that he was prepared to ‘bend over backwards to come to some sort of compromise with [such municipalities]’.³⁶⁵ [³⁶⁵ *Sunday Star* 15 August 1993]

However, Sanco reacted to Dr Delport's statements by revealing that the constitutional subcommittee of the Local Government Negotiating Forum had already reached consensus on the proposed enabling legislation and said that any delays in its introduction to Parliament would have major repercussions.³⁶⁶ [366 *Ibid*] The DP's spokesman on local government, Mr Jasper Walsh, said that while DP-controlled councils accepted the need for democratic local government, they did not accept the type of administration planned by the forum.³⁶⁷ [367 *Ibid*]

The CP spokesman on local government, Mr Pikkie Coetzee, said that the right wing no longer believed anything Dr Delport said. He added that Dr Delport had finally realised that the CP was 'not prepared to hand over its towns' to black rule.³⁶⁸ [368 *Ibid*] The ANC rejected Dr Delport's reported postponement of the legislation, saying that it would not allow itself to be blackmailed by people who threatened violence when faced with democracy.³⁶⁹ [369 *Ibid*]

A few days later, however, Dr Delport said that although legislation to enact the plan would be delayed, this did not mean that the government had scrapped its plans in the face of right-wing pressure. He added that plans to install nominated multiracial councils would go ahead before the end of 1993.³⁷⁰ [370 *Business Day* 17 August 1993] He said that although the legislation would not be passed in September, everything possible would be done to have the enabling legislation tabled in October.³⁷¹ [371 *The Citizen* 17 August 1993]

At the beginning of September 1993 the management committee of the Local Government Negotiating Forum resolved to set up a team to report on ways to speed up local government elections. The team was also mandated to draft the chapter of the new transitional constitution that would deal with local government during the interim phase. The forum said that measures to replace existing councils with appointed multiracial councils had to be introduced urgently but that details still had to be worked out. A suitable and acceptable definition for statutory and non-statutory groups had to be found as critics were saying that the forum's definitions of these groups were too vague.³⁷² [372 *Business Day* 7 September 1993]

In August 1993 the Afrikaner Volksfront announced plans for a campaign against the proposed transitional measures. The first phase was to involve informing the white public of what awaited them should joint control become a reality. The second phase was to involve holding mass meetings and protests, after which steps would be taken to put pressure on NP MPs to compel them to vote against the legislation in Parliament.³⁷³ [373 *The Citizen* 18 August 1993] Mr Coetzee claimed that the CP would actively encourage white ratepayers not to pay their municipal accounts. It would also encourage CP-controlled towns to spend all surplus municipal funds on whites within the next two months to ensure that no funds landed in the hands of the new joint councils.³⁷⁴ [374 *Ibid*] At the end of August the CP challenged the government to hold countrywide municipal elections so that white ratepayers could decide whether they wanted to be part of a dispensation 'in which their municipal assets would be handed over to the ANC'.³⁷⁵ [375 *Ibid* 27 August 1993]

On 14 September 1993 the TMA proposed that as an alternative to the plans of the forum, executive councils be created with authority over all municipalities within their jurisdiction. The executive councils should consist of representatives of existing local authorities, as well as representatives of civic groups. The TMA said that these executive councils should remain in place during the interim phase and should be replaced by the new structures that would emerge from a new dispensation.³⁷⁶ [³⁷⁶ *Business Day* 15 September 1993] On the same day the government submitted its proposals for transitional local government to the forum and one of its suggestions was that executive councils should be set up in those local authority areas where agreement could not be reached, or where opposition prevented the implementation of transitional structures.³⁷⁷ [³⁷⁷ *Ibid*]

In the same month the head of the ANC's department of local government, Mr Thozamile Botha, revealed that plans for appointed multiracial councils were 'on hold' while parties in the forum considered the government's demand that power-sharing should be a feature of third-tier transitional government. He said that the government had refused to implement the earlier agreement reached by the forum, which had involved replacing racially exclusive councils with appointed multiracial councils, until there was finality on the reform plan for the five-year transitional period.³⁷⁸ [³⁷⁸ *The Star* 23 September 1993]

The deputy minister of local government, Mr Yakoob Makda, confirmed that there were fundamental differences in the forum on the issues outlined by Mr Botha.³⁷⁹ [³⁷⁹ *Ibid*]

In October 1993 a number of bilateral meetings between the ANC and the government resulted in the formulation of a joint proposal for the chapter on local government in the proposed transitional constitution (see *The draft transitional constitution* above). These discussions, together with the failure of the forum to meet since June 1993, led the chairman of the Johannesburg City Council's management committee, Mr Ian Davidson, to say that the LGNF was being 'sidelined' and that local government negotiations were taking place behind closed doors between the ANC and the government.³⁸⁰ [³⁸⁰ *Business Day* 15 October 1993] The ANC denied that the LGNF was being sidelined. Mr Botha said that difficulty in coming to agreement within the forum despite months of talks had made bilateral talks necessary. He added that any decisions reached in bilateral talks would be put to the LGNF.³⁸¹ [³⁸¹ *Ibid*]

In the joint proposal by the government and the ANC, the parties agreed that:

- local government should be autonomous and provision should be made for metropolitan, urban and rural local government which was not inconsistent with national or provincial legislation;
- the powers of local government should be set out in national and provincial constitutions, provided that such powers were not less than those which they already enjoyed;

- the electoral system should make provision for both proportional and ward representation;
- juristic persons who owned immovable property should be allocated a vote in local government elections;
- every local government structure should have a uniform tax and tariff structure for its area of jurisdiction; and
- every council should be accountable to its voters and to its provincial government.

This proposal was submitted to the multiparty negotiating process for discussion and incorporated into the 20th report of the Negotiating Forum's technical committee on constitutional proposals.³⁸² [³⁸² *Twentieth Report of the Technical Committee on Constitutional Issues*, 4 November 1993] The report was aimed at assisting in the formulation of chapter 10 of the transitional constitution (which would provide the basis for local government and entrench the position of local government in the transitional period). Chapter 10 of the transitional constitution was finalised and adopted by a plenary session of the negotiating process on 17 November 1993 (for details see *The draft transitional constitution* above).

At the same time new enabling legislation (to replace the Interim Measures for Local Government Act of 1991) and aimed at providing for negotiated transitional local government structures was being negotiating in the LGNF. On 18 November 1993 the LGNF held a plenary session at which the Local Government Transition Bill providing for local government in the pre-interim and interim phases was approved (see *Legislation passed*). The TMA, however, gave only its conditional approval to the bill pending discussions with the ANC. The president of the TMA, Mr Ben van der Berg, said that his organisation accepted most of the agreements enshrined in the bill but wanted the pace of structural change slowed down. He said that he was confident agreement would soon be reached with the ANC on outstanding issues.³⁸³ [³⁸³ *Business Day* 19 November 1993] The co-ordinator of the ANC/Sanco bloc in the forum, Mr Andrew Boraine, later revealed that the bloc he represented was prepared to gradually phase in the powers of the umbrella executive structures envisaged in the bill.³⁸⁴ [³⁸⁴ *The Star* 19 November 1993]

In terms of an agreement reached at the plenary session, nominated transitional local councils were to be appointed by the end of February 1994 and were to be in place and functioning by June 1994.³⁸⁵ [³⁸⁵ *Business Day* 19 November 1993] These structures were to be replaced by elected councils in October 1994, the date set for local government elections.³⁸⁶ [³⁸⁶ *Ibid*]

Local Forums

The annual report for 1992 of the Council for the Co-ordination of Local Government Affairs, tabled in Parliament in March 1993, stated that only about 10% of South Africa's local authorities had reached

agreements on joint local government administrations.³⁸⁷ [³⁸⁷ *Ibid* 11 March 1993] However, the report indicated that by November 1992, 69 local government negotiating forums were operating under the Interim Measures for Local Government Act. There were 33 local authorities with complete joint administrations operating by November 1992. The report indicated that 16 Cape local authorities had reached agreements in terms of the act while 11 had reached agreement outside of the act. In the Transvaal no agreements had been reached in terms of the act while 25 had been reached outside the ambit of the act. In Natal nine agreements had been reached in terms of the act while none had been reached outside the ambit of the act. In the Orange Free State no agreements had been reached in terms of the act while 25 had been concluded outside the ambit of the act.³⁸⁸ [³⁸⁸ *1992 Annual Report of the Council for the Co-ordination of Local Government Affairs*, RP72, 1993]

Speaking during the debate on the state president's opening address to Parliament in February 1993, Dr Delpont said that more than 100 local government agreements ranging from mutual service provisions to joint administration or the amalgamation of councils had already been concluded and 66 of these had been adopted in terms of the guidelines of the Interim Measures for Local Government Act of 1991. He added that there were 259 local government negotiating forums operating in the country.³⁸⁹ [³⁸⁹ *Hansard* (joint sitting) 1 col 286, 3 February 1993]

Initiatives

Benoni

Towards the end of February 1993 the Benoni City Council (east Rand) was amalgamated with the management committee of the Indian-designated township, Actonville. Seven new councillors, all previously members of the Actonville management committee, joined the Benoni City Council with the same powers, duties and status as existing councillors.³⁹⁰ [³⁹⁰ *The Citizen* 24 February 1993] However, two Indian councillors did not have any voting rights on the council.³⁹¹ [³⁹¹ *Beeld* 24 February 1993]

Cape Town

In April 1993 the Cape Town City Council published a report presenting its position on local government restructuring. The proposal called for a two-tier system of local government for the greater Cape Town area which would unite the 69 local authorities in the area into a single nonracial entity. In terms of the proposal, local government would operate on two levels: a metropolitan level and a system of lower-level primary local authorities. The report said that the metropolitan authority would co-ordinate development policies for the greater Cape Town area regarding transport, land use, low-cost housing and the impact of development on the environment. Special-purpose bodies, democratically controlled by the metropolitan authority and accountable to the public, would be established to manage each of these specific areas of responsibility, the report said.

In terms of the plan, the metropolitan authority would be the principal taxing authority with the responsibility to pool and redistribute funds across the region, while the primary local authorities would retain an 'adequate taxing capacity' for their operational needs, the report said. The primary local authorities would, however, have the authority to provide local services such as refuse collection and the maintenance of municipal property.

The report recommended that the Western Cape Regional Services Council be dissolved and all its functions and income be transferred to the metropolitan authority. Under the new system the franchise qualifications operating in Cape Town (which were linked to property ownership) would fall away and all citizens of 18 years' and older with permanent residence in the area would qualify to be voters. The report recommended establishing a set of stringent mechanisms, including a code of ethics, to ensure that councillors were accountable to the public. It recommended that new boundaries be set for the greater Cape Town area that would take into account technical, political, social and economic factors.³⁹²
[³⁹² *The Weekly Mail* 8 April 1993]

Durban

In September 1993 the Durban City Council committed itself to a nonracial interim council by early October 1993. The commitment was contained in an agreement to this effect signed by the chairman of the Durban management committee, Mr Peter Mansfield, and by other representatives of the council, as well as by representatives of the African National Congress (ANC), the Inkatha Freedom Party (IFP) and the National Party.³⁹³ [³⁹³ *The Citizen* 10 September 1993] The council subsequently approved of the deal with only Conservative Party (CP) members of the council being opposed to its approval. The CP said that the city was being handed over to 'usurpers and revolutionaries'.³⁹⁴ [³⁹⁴ *City Press* 26 September 1993]

However, by the middle of October 1993 an interim council had not been instituted. Durban's town clerk, Mr Eddie Morton, said that this was owing to a deadlock in negotiations with the ANC and the IFP over the implementation of the decision.³⁹⁵ [³⁹⁵ Telephonic interview with the town clerk of Durban, Mr E Morton, 21 October 1993]

Germiston

At the beginning of March 1993 the former whites-only Germiston City Council was amalgamated with the local authorities of Katlehong (African), and Palmridge (Indian) to form the Greater Germiston Joint Council. The new council comprised 23 Germiston councillors, 18 Katlehong councillors and five Palmridge councillors. In terms of the new charter, each of the local authorities was to retain its separate identity, legal persons, assets, mayor and deputies, and responsibility for its own financial liabilities. A uniform tax base and uniform tax charges were to be introduced at a later stage. All income from specific areas was to be spent in those areas, except for 5% of income generated from assessment rates

and electricity sales in nonresidential areas, which could be spent in any area.³⁹⁶ [³⁹⁶ *The Citizen* 3 March 1993]

The chairman of the joint management committee, Mr Leon Louw, said that Katlehong's two biggest creditors, Eskom and the Rand Water Board, had agreed that Germiston would not be liable for Katlehong's arrears.³⁹⁷ [³⁹⁷ *Beeld* 2 March 1993]

Johannesburg

In November 1992 the Central Witwatersrand Metropolitan Chamber released its proposals for an interim local government structure for the Central Witwatersrand area. The proposals provided for a 100-seat interim metropolitan authority (IMA) to replace and take over the functions, finances and jurisdiction of the existing central Witwatersrand regional services council and the chamber. The IMA would consist of a single chamber with representatives elected on a nonracial municipal voters' roll. Fifty members would be elected by registered voters in the metropolitan area while the other 50 would be nominated by the existing local authorities in the area on a proportional basis. The council also proposed the establishment of an electoral commission to investigate the registration of voters, codes of conduct for candidates and the demarcation of wards.³⁹⁸ [³⁹⁸ *The Star* 12 November 1993] The proposals said that the IMA would also function as an elected metropolitan constituent assembly whose primary function would be to negotiate and make recommendations on the final constitutional models for metropolitan and local government for the region.³⁹⁹ [³⁹⁹ *Ibid*] At the time of writing the proposals had not been implemented.

Louwsburg

In January 1993 the town of Louwsburg (northern Natal) and its neighbouring African township, Mzamo, were amalgamated into a single town council. There were three white and three black councillors on the new council.⁴⁰⁰ [⁴⁰⁰ *The Citizen* 26 January 1993]

Pietersburg

At the beginning of May the white Pietersburg City Council merged with the management committees of Westernburg (coloured) and Nirvana (Indian). The two management committees were dissolved and all members became councillors in the reconstituted council but only two of the new black members were given voting rights in the council. The new Pietersburg City Council was to comprise 11 wards—two more than the previous council—as the suburbs of Westernburg and Nirvana were to become additional wards.⁴⁰¹ [⁴⁰¹ *The Star* 4 May 1993]

LABOUR RELATIONS

Key Points

- In December 1992 there were 194 registered trade unions in South Africa (excluding the 'independent' homelands). The National Manpower Commission (NMC) said that trade union membership (2,9m) had doubled since 1982 and represented 22,9% of the country's economically active population (EAP) (excluding the 'independent' homelands).
- The Congress of South African Trade Unions (Cosatu) remained the largest union federation with 1 220 232 members.
- The labour consultancy, Andrew Levy and Associates, said that more than 90% of South Africa's workforce participated in a three-day stayaway in April 1993 following the assassination of the general secretary of the South African Communist Party (SACP), Mr Chris Hani.
- The consultancy said that strike action in 1993 cost the economy 3,6m working days, 14,3% down on the figure for 1992.
- The NMC's proposed changes to the Labour Relations Act of 1956 were tabled in Parliament in September 1993.
- Andrew Levy and Associates put the average wage settlement for the first nine months of 1993 at 10,2% (12,6% in 1992).
- During the period under review new legislation as well as amendments to current legislation extended labour rights to farm and domestic workers for the first time.
- After Cosatu had threatened to call a general strike, in November 1993 the African National Congress (ANC)/SACP/Cosatu alliance and the government agreed to affirmative action in the civil service. The parties also agreed that workers had a fundamental right to strike over collective bargaining, whereas employers' right to lock out workers would not be a fundamental right but a measure 'subject to labour relations legislation'.
- In September 1993 Cosatu released 20 unionists to stand for the ANC list for the general election in April 1994.
- Those released included Cosatu's general secretary, Mr Jay Naidoo, who was replaced by Mr Sam Shilowa.

Policy and Legislation

Policy

National Manpower Commission

The restructured National Manpower Commission (NMC) began work in August 1992 after two years of negotiations (see 1992/93 *Survey* p316). The commission was constituted on a tripartite basis, and consisted of ten representatives each from business, labour and the government. The minister of manpower was also entitled to appoint a small number of experts to the commission. Members of the NMC were to represent their organisations and not to sit on the commission primarily as expert advisers, as had been the case prior to the commission's restructuring. The restructured NMC remained an advisory body on labour policy to the minister of manpower. Decision making on the commission was by consensus. Each member had voting rights and both minority and majority views were to be reflected in the NMC's reports to the minister.¹ [¹ National Manpower Commission (NMC), annual report 1992]

The allocation of seats on the NMC was decided on by employer and employee organisations, taking into account such organisations' membership figures, their importance and the national interest. The following employer organisations had one seat each on the commission:

- the Afrikaanse Handelsinstituut;
- the Chamber of Mines of South Africa;
- the Foundation for African Business and Consumer Services;
- the Federation of Employers' Organisations for Local Government Undertakings in the Republic of South Africa;
- the National African Federated Chamber of Commerce and Industry;
- the South African Agricultural Union;
- the Steel and Engineering Industries Federation of South Africa; and
- the Building Industries Federation of South Africa and the South African Federation for Civil Engineering Contractors (both shared one seat).

Of employer organisations, only the South African Chamber of Business had two seats on the NMC. A majority in the working group which had planned the restructuring of the NMC supported the government being represented on the commission as an employer but the cabinet took no decision on

this.² [² Ibid] The Congress of South African Trade Unions was allocated three seats on the commission, while the Federation of South African Labour Unions, the Federation of Independent Trade Unions and the National Council of Trade Unions had two seats each, and the South African Confederation of Labour had one seat.³ [³ Ibid] The minister of manpower made the following additional appointments to the commission: its chairman and deputy chairman, two legal experts, two representatives of the minister of manpower and four independent experts. Recommendations made by the NMC were to be published in the *Government Gazette* for comment and the joint standing committee of Parliament was entitled to call on the chairman of the NMC to appear before it or to make representations to it.⁴ [⁴ Ibid]

The first substantial work of the restructured NMC involved proposing wide-ranging changes to the Labour Relations Act of 1956, as well as recommending a change in its name from the National Manpower Commission to the National Labour Commission. The minister of manpower, Mr Leon Wessels, approved the proposed changes and they were tabled in Parliament in September 1993 (see *Labour Relations Act* below).

National Economic Forum

The National Economic Forum (NEF) held its first plenary session at the beginning of July 1993 after eight months of preliminary work (see 1992/93 *Survey* p324 and pp327–328). The NEF was a tripartite negotiating forum in which representatives of the government, labour and business were to formulate economic policy together. Six government ministers, including Mr Wessels and the minister of finance, Mr Derek Keys, attended the first plenary session of the NEF. The NEF consisted of three bodies: a long-term working group, a short-term working group and a process committee. The process committee was responsible for the day-to-day administration of the NEF and at the time of writing this function was being carried out by the Consultative Business Movement (see *Trade Unions and the Economy* below and see chapter on *The Economy*).⁵ [⁵ *The Star* 2 August 1993]

Legislation

Public Service Labour Relations Act

The Public Service Labour Relations Bill of 1993 was tabled in Parliament in June 1993 and the act passed in August. It brought public-sector workers within the ambit of labour legislation—the first time that labour legislation specifically for this sector had been passed. The act provided for the following rights for civil servants: freedom of association, protection against discrimination and victimisation, access to information (except classified information), compulsory negotiations in the event of a dispute between an employer and employees, access to unfair labour practice machinery, and access to the industrial court and to arbitration mechanisms to settle disputes. The act provided for the establishment of a bargaining forum to be known as the Public Service Bargaining Council.⁶ [⁶ *Industrial Relations Digest* 11/1993]

The act also provided for the right to strike for public servants rendering non-essential services. No right to strike was provided for workers in essential services.⁷ [⁷ Ibid] Services defined as essential by the act were those provided by air-traffic controllers, court personnel, doctors, fire-fighters, municipal workers, nurses, paramedics, the police, prisons personnel and members of the South African Defence Force. The wide definition made striking illegal for many public servants.⁸ [⁸ *The Weekly Mail* 4 December 1992]

The act made provision for a fine of up to R2 000 or two years' imprisonment to be imposed for contravening strike regulations in terms of the draft legislation. The legislation also stipulated that employers and employees were to give each other 20 days' notice of a proposed strike or lock-out. Employers were entitled to apply for an interdict against a strike within 48 hours of the declaration of strike action by employees or their representative trade unions. They were prevented from dismissing employees for the first 30 days of a legal strike (see *Bargaining on recognition* below).⁹ [⁹ *Industrial Relations Digest* 11/1993]

Amendments to the Basic Conditions of Employment Act

Amendments to the Basic Conditions of Employment Act of 1983, passed in 1992, came into effect in May 1993. The amendments made it mandatory for farmers to introduce minimum basic working conditions for workers on their farms. The minimum provisions included a 48-hour working week which could be extended to 52 hours at peak times, 14 days' annual leave and 36 days' sick leave over a three-year cycle. The new act also provided for regular inspections of working conditions on farms and regulated Sunday work. However, it did not provide for the right to strike or introduce a minimum wage for farmworkers (see *Bargaining on recognition* below).¹⁰ [¹⁰ *The Weekly Mail* 16 April 1993]

The Basic Conditions of Employment Amendment Act of 1993, gazetted in October 1993, granted some labour rights to domestic workers. The act covered approximately 830 000 domestic workers, gardeners, drivers in private households and people who cared for the sick, aged, frail, and disabled. It set down the following conditions of employment: a 12-hour working day for domestic workers who did not sleep in and a 14-hour day for those who did, including meal and rest times; a break of 30 minutes after every five hours of work; a maximum of 12 hours' overtime per week by mutual agreement of employers and employees; 14 consecutive days' paid leave annually; 36 days' paid sick leave per three-year cycle; and one month's notice of termination of service or one month's pay in lieu of notice. The act also provided that overtime would be paid at one-and-a-third times the normal rate of pay and that double rates would be paid for Sunday work and public holidays. Provision was also made for seven public holidays a year.¹¹ [¹¹ *Business Day* 19 October 1993]

Women in domestic employment were entitled to three months' maternity leave. The act also stipulated that domestic workers were to be 15 years' and older. The legislation did not provide for a minimum wage.¹² [¹² Ibid]

According to the Congress of South African Trade Unions (Cosatu), it could prove difficult for domestic workers to ensure that the provisions of the act were enforced because of the low level of unionisation among domestic workers and widespread employer resistance to their being unionised.¹³ [¹³ *Weekly Mail and Guardian* 20 November 1993]

Compensation for Occupational Injuries and Diseases Bill

The Compensation for Occupational Injuries and Diseases Bill was tabled in Parliament in June 1993 with the aim of replacing the Workmen's Compensation Act of 1941. The bill overhauled the system of compensation for occupational diseases and limited a number of benefits.¹⁴ [¹⁴ *The Weekly Mail* 12 March 1993]

The bill stated that pensions would be paid only to those who were wholly dependent on the income of a worker killed in an industrial incident. (Previously, pensions were paid to dependants who were wholly or partly dependent on the income of a deceased worker.) The new bill meant that where a worker's spouse or children earned any income (for example, from crops, keeping cattle or a part-time job) they would not be able to claim compensation (see *Bargaining on recognition* below).¹⁵ [¹⁵ *Ibid*]

The bill was passed in October 1993.

Occupational Diseases in Mines and Works Bill

This bill, published in November 1992, aimed to eliminate racial discrimination in compensation paid to miners for occupational injury or disease. However, the bill sought to reduce the benefits payable to mineworkers. The proposed benefits were well below those paid out under the Workmen's Compensation Act.¹⁶ [¹⁶ *Ibid*]

The bill had not been passed at the time of writing.

Labour Relations Act

In August 1993 the National Manpower Commission (NMC) proposed that urgent amendments should be made to the Labour Relations Act (LRA) of 1956. Many of the proposed changes emanated from recommendations of the International Labour Organisation's fact-finding and conciliation mission to South Africa in 1992 (see 1992/93 *Survey* pp317–318). The proposed changes were drafted by the employment-law working group of the NMC and sought to simplify and modernise the LRA. Suggestions of the group included that:¹⁷ [¹⁷ Information supplied by the NMC, August 1993]

- a code of fair labour practices to guide employers should be introduced. The Industrial Court should also have regard to the provisions of such a code in its judgments;
- the definition of the term ‘employee’ should be extended to include people who had been dismissed and who were contesting their dismissal;
- the institution of proceedings to seek urgent or interim relief pending the outcome of labour disputes should be simplified;
- dispute resolution procedures relating to industrial councils and conciliation boards should be simplified through the elimination of certain formalities;
- a new section should be introduced into the LRA to deal specifically with the determination of unfair labour practices;
- the clause in the LRA preventing trade unions and employer organisations from affiliating themselves to political parties or granting financial or other assistance to such parties should be deleted;
- the NMC should be renamed the National Labour Commission; and
- university and technikon lecturers, and air-traffic controllers should be brought within the ambit of the LRA.

One of the most significant proposed changes to the LRA was the deletion of the section preventing trade unions’ and employer organisations’ affiliation to political parties. The NMC said, however, that if funds received by trade unions from closed-shop agreements were used to support a political party the proposed change could conflict with the principles of freedom of association and freedom of political choice, which were likely to be included in a bill of rights. The NMC suggested, therefore, that a clause be included in the LRA stating that funds obtained from closed shop agreements not be used for party-political purposes.¹⁸ [¹⁸ Ibid]

Agricultural Labour Act

In August 1993 Cosatu and the South African Agricultural Union (SAAU) agreed on the provisions of the Agricultural Labour Bill of 1993 for the legal protection of the country’s 1,3m farmworkers (see also chapter on *Land, Agriculture and Rural Areas*). The agreement marked the end of three years of negotiations in the agricultural sector (see also 1992/93 *Survey* pp358–360).¹⁹ [¹⁹ *Weekly Mail and Guardian* 13 August 1993]

The first chapter of the new act extended the LRA to the agricultural sector, while the second chapter further extended the Basic Conditions of Employment Act of 1983 to the sector. The act was gazetted in October 1993 and was to come into effect at a date determined by the state president. The new act provided for compulsory arbitration of conflict in the agricultural sector and gave agricultural work the status of an essential service. Farmworkers, therefore, in terms of the act, had no right to strike. However, an agreement reached between Cosatu and the SAAU said, 'It is hereby recorded that Cosatu does not concede that the agricultural sector as a whole is an essential service, and it has agreed only to grant it that status to facilitate the extension of basic collective bargaining rights to this sector.'²⁰ [²⁰ Ibid]

The new act also provided for the establishment of a special labour court for the agricultural sector. Cosatu and the SAAU were to meet the president of the Industrial Court to discuss the drafting of rules for the special labour court. The court was to be easily accessible to all parties and to provide inexpensive, speedy and simple dispute resolution procedures. The regulations applicable to the special labour court were to give a prominent role to mediation because the parties envisaged that most disputes would be settled in this way.²¹ [²¹ Ibid]

The agreement between Cosatu and the SAAU suggested that a motion court be established to dispose quickly of applications such as default judgements and applications for condonation. The agreement said, 'This would enable the motion court, in a sense, to clear the decks, so that matters which are set down for hearing can, in fact, proceed.'²² [²² Agreement entered into by the Congress of South African Trade Unions (Cosatu) and the South African Agricultural Union (SAAU), 6 August 1993]

Cosatu and the SAAU also agreed to an increase in the number of permanent and circuit courts to enable easier access for farmers and farmworkers who lived far from the courts. They suggested that the offices of local and regional state departments be made available to the special labour court in order to make this possible. The number of presiding officers, registrars, staff and interpreters in the special labour court was to be increased. Committees were to be established at local, regional and national level to assist parties who wanted to bring actions before the court. Documents and correspondence of the court and the Department of Manpower were to be simplified.²³ [²³ Ibid]

Cosatu and the SAAU also agreed that a special subcommittee of the NMC would be set up to address the concerns and special interests of the agricultural sector. This subcommittee was to consider:

- the harmonisation and consolidation of agricultural labour legislation with general labour legislation;
- the possible exclusion of the whole of, or parts of, the agricultural sector from the provisions of certain clauses of the LRA;
- the manner in which illegal strikes were to be dealt with;
- trade unions' access to workers on farms;

- the extension of the Wage Act of 1957 to the agricultural sector;
- collective bargaining in the sector; and
- section 43 of the LRA, which allows the Industrial Court to order reinstatement of employees or restoration of conditions of employment or abstention from unfair labour practices.²⁴ [²⁴ Ibid]

Education Labour Relations Act

The Education Labour Relations Act was passed by Parliament in September 1993. The act brought teachers within the ambit of labour legislation by providing for the right to strike, introducing a bargaining council where wages and working conditions could be negotiated, and setting in place dispute resolution mechanisms. The act defined the government as an employer, established freedom of association for teachers and provided for the recognition of unfair labour practices in the sector. In terms of the act, employers were entitled to join employer organisations and they were protected against unfair labour practices by teachers.²⁵ [²⁵ *Weekly Mail and Guardian* 27 August 1993]

Trade Unions

Statistics

At the end of 1992 there were 194 registered trade unions with a total membership of 2,9m. Membership of trade unions had more than doubled in the ten years ending in December 1992. In 1983, 1 288 748 workers belonged to trade unions and by the end of 1992 this figure had increased to 2 905 933 workers. According to the National Manpower Commission (NMC), this represented 22,9% of the economically active population of South Africa (excluding the independent homelands) and 57% of the labour force falling under the Labour Relations Act. The five largest trade unions were all affiliates of the Congress of South African Trade Unions (see *Congress of South African Trade Unions* below).²⁶ [²⁶ NMC, annual report 1992]

Groupings

Congress of South African Trade Unions

At the time of writing, the Congress of South African Trade Unions (Cosatu) had 1,3m members in 17 affiliates.²⁷ [²⁷ Andrew Levy and Associates, annual report, Labour Relations in South Africa 1992/1993]

Cosatu was involved in many different negotiating forums, making it a key organisation in the

determination of public policy. These forums were the National Economic Forum (NEF), the National Housing Forum and the National Transport Policy Forum. The federation had at the time of writing not affiliated itself formally to any international trade union grouping, but it had close links with the International Confederation of Free Trade Unions (ICFTU).²⁸ [²⁸ *The Weekly Mail* 29 January 1993] Cosatu was an affiliate of the South African Trade Union Co-ordinating Council (Satucc) which, in turn, was an affiliate of the Organisation of African Trade Union Unity (Oatuu). For the greater part of 1993 Mr Jay Naidoo was the general secretary, and Mr Sam Shilowa, the assistant general secretary, of the federation. In September 1993 Mr Naidoo vacated his position as general secretary to head the group of 20 unionists who intended standing as candidates on the African National Congress (ANC) list in the general election in April 1994. He was replaced by Mr Shilowa, and Mr Zwelinzima Vavi was elected as assistant general secretary.²⁹ [²⁹ *The Star* 29 September 1993]

The federation said that its aims for 1993 included organising white workers, farmworkers and domestic workers, as well as strengthening organisations such as the NMC and the NEF (see also chapter on *The Economy*). In September 1993 Cosatu concluded a reconstruction accord with the ANC, which did not include socialism as an aim for the trade union movement. During 1993 the federation's gains in new membership were negated largely by the significant numbers of its members who were retrenched.³⁰ [³⁰ *The Weekly Mail* 8 January 1993]

Mr Naidoo told a delegation of the ICFTU that Cosatu hoped to be financially self-sufficient by 1996. The federation was investigating a change to its subscriptions: they were set at a flat rate and the federation was looking at introducing a system whereby they would be calculated as a percentage of members' earnings.³¹ [³¹ Information supplied by Cosatu, August 1993]

In 1993 Cosatu's biggest affiliates were the National Union of Metal workers of South Africa, which had 238 000 members; the National Union of Mineworkers, which had 254 000 members; and the Southern African Clothing and Textile Workers' Union (Sactwu), which had 170 000 members. Sactwu had changed its name from the South African Clothing and Textile Workers' Union to the Southern African Clothing and Textile Workers' Union to signal its gains in organising workers in other countries in southern Africa, especially in Lesotho and Botswana. Sactwu's name change was also related to the union's view that the southern African economy was a single regional economy.³² [³² Press statement by Southern African Clothing and Textile Workers' Union (Sactwu), 19 July 1993]

Cosatu announced in mid-1993 that three of its affiliates would merge to form a giant public-sector workers' union in May 1994. The new union was to comprise the National Education, Health and Allied Workers' Union, the Posts and Telecommunications Workers' Association and the South African Municipal Workers' Union. The public-sector union would consist of 136 000 workers.³³ [³³ Information supplied by Andrew Levy and Associates, 24 November 1993]

Federation of South African Labour Unions

At the time of writing the Federation of South African Labour Unions (Fedsal) had 270 000 members in 17 affiliates. The federation, which had been revived in 1985, gained 60 000 members between 1991 and 1993.³⁴ [³⁴ *The Shopsteward* August/September 1993]

The federation's president was Mr Johann du Plessis and its general secretary was Mr Dannhauser van der Merwe. Its biggest affiliates were the South African Association of Municipal Employees, which had 50 000 members; the South African Society of Bank Officials, which had 42 000 members; and the Hospital Personnel Association of South Africa, which had 41 000 members. Thirty percent of Fedsal's membership was black. However, most of its members were white-collar workers such as accountants, clerks, managers, salesmen, tellers and typists. The period under review was marked by increased co-operation between Fedsal and Cosatu. 'With Cosatu we have been forced to paddle the boat together because of the NMC. It has brought us together around a table where we need to formulate a labour point of view ... So it's a unifying arena. We have started meeting each other in the National Economic Forum too,' said Mr du Plessis.³⁵ [³⁵ *Ibid*]

National Council of Trade Unions

At the time of writing the National Council of Trade Unions (Nactu) had 24 affiliate trade unions and 327 000 members. Nactu was not allied to any political organisation. It was affiliated to other trade union organisations in Africa, such as Satucc and the Oatuu, but was not affiliated to any other international trade union grouping. The federation was led by its general secretary, Mr Cunningham Ngcukana, and its assistant general secretary was Mr Mahlomola Skosana.³⁶ [³⁶ Information supplied by National Council of Trade Unions (Nactu), September 1993]

Nactu's biggest affiliates were the South African Chemical Workers' Union, which had 40 000 members; the Building Construction and Allied Workers' Union, which had 25 000 members; and the Black Trade Union of Transnet, which also had 25 000 members.³⁷ [³⁷ Andrew Levy and Associates, annual report, 1992/1993]

South African Confederation of Labour

At the time of writing the South African Confederation of Labour (Sacol) was an all-white federation which had 40 000 members in five affiliates, but was losing membership. In 1992 it had 59 000 members, down from an alltime high of 200 000 members in 1975.³⁸ [³⁸ *Ibid*]

In 1992 the Mineworkers' Union (MWU) disaffiliated from Sacol and began planning to transform itself into a larger whites-only union federation. It had 43 000 members in four departments, which had the potential to be separated into affiliates. These four departments comprised chemical, electrical, mining and steel workers. The union claimed to have gained members in the Transvaal municipalities, where it had 2 000 members at the time of writing. The MWU aligned itself to the Afrikaner Volksfront (AVF)

during the period under review and the MWU's members participated in protests organised by the AVF (see also chapter on *Political Developments*).³⁹ [³⁹ *Weekly Mail and Guardian* undated]

Trade Unions and the Economy

Economic Policy

The Southern African Clothing and Textile Workers' Union (Sactwu), the country's fourth largest trade union and an affiliate of the Congress of South African Trade Unions (Cosatu), unveiled its economic policy at its national congress in July 1993. Sactwu renounced its previous policy of nationalisation, suggesting instead that 'co-determination' between labour, business and the government in formulating economic policy was a better option. It said that the costs of nationalisation would be too high for a democratic government. The union added, however, that the provision of electricity, water and transport should be in the hands of the state. Sactwu said that it favoured 'co-determination policies', whereby wages were determined through centralised and collective bargaining, the flow of investment was influenced through industry-wide restructuring policies and new methods of work organisation on the factory floor were determined jointly. It also favoured industrial policies which had a coherent development plan and which utilised state incentives, rather than 'big-bang' market deregulation. According to Sactwu, while a democratic government would have to set minimum standards for basic infrastructure and access to food, shelter and health care, its role in shaping industrial policy should be kept to a minimum. Instead, industries should be self-regulatory with the state providing for basic rights in the work place within a bill of rights.⁴⁰ [⁴⁰ Sactwu's Economic Policy document adopted at the Sactwu national congress, 17 July 1993]

During the period under review differences emerged between the trade union movement and the African National Congress (ANC) about a future government's economic policy. The head of the ANC's department of economic planning, Mr Trevor Manuel, said in June 1993 at a workers' rights conference in Cape Town that the formulation of economic policy was not the role of trade unions. However, Cosatu said that it would continue to play a key role in economic policy as it was doing at the National Economic Forum (NEF).⁴¹ [⁴¹ *Industrial Relations Digest*, vol 12, 1993]

Restructuring of the Economy

In October 1992 the NEF, comprising representatives of business, the government and labour, was launched (see 1992/93 *Survey* p61 and pp324–330). According to the minister of finance, Mr Derek Keys, unemployment, the budget and the government's economic plan featured high on the forum's agenda. Unions saw the forum as a means of participating in decisions affecting the economy (see also chapter on *The Economy*).

The NEF announced in July 1993 that a R45m job-creation and smallbusiness development programme

was to be set up under its auspices. Jobcreation projects were to be used for infrastructural development through public works programmes (see *Job Creation* below). The NEF was to target assistance for small business development to specific geographical areas.⁴² [⁴² *Business Day* 6 July 1993]

The forum also said that its participants had agreed to the principle of centralised bargaining but said that this should not affect voluntarism, that is the right of parties to decide on the appropriate mechanisms for bargaining. The participants also agreed to fair retrenchment procedures and to the principle that there should be full disclosure of information by employers when a decision was taken to retrench workers. The Unemployment Insurance Fund (UIF) was also to be overhauled. In terms of the restructured UIF, workers on extended short time as well as those laid off work temporarily would be eligible for UIF benefits. Other decisions taken by the NEF included targeted assistance programmes to declining industries and affected communities.⁴³ [⁴³ *Ibid*]

Commenting on the forum's decisions, an Inkatha Freedom Party spokesman said the NEF was dictating an indefinite lifespan for itself, which was at odds with his party's belief in federalism.⁴⁴ [⁴⁴ *Ibid*]

The regional economic forums said there was not enough co-ordination between their activities and those of the NEF.⁴⁵ [⁴⁵ Interview with the Border/Kei Economic Forum at first plenary session of the National Economic Forum (NEF) in July 1993]

Speaking at a workers' rights conference in June 1993 Mr Keys said that the NEF was not sufficiently representative. He said that the government was playing the role of the state, but that it represented only two of the 26 parties at constitutional negotiations. Mr Keys also said that the NEF should play a more 'pro-active' role in including underdeveloped communities and the unemployed sector in the NEF. Speaking at the same conference, Mr Manuel said that the government played too powerful a role in the NEF.⁴⁶ [⁴⁶ *Business Day* 21 June 1993]

The National Budget

In March 1993 Cosatu called for the zero-rating of value added tax (VAT) on basic foods and services, as well as for a tax freeze in the 1993/94 budget, a call which was echoed by the South African Chamber of Business. The federation said it had no intention of undertaking industrial action to protest against the budget, but added that the government should make budgetary allocations to reconstruction projects and to national forums (see also chapter on *The Economy*).⁴⁷ [⁴⁷ *The Star* 3 March 1993]

The Labour Research Service (LRS) said that the 1993/94 budget was a private-sector budget because it reduced the company tax rate from 48% to 40%. The LRS said that too much of the budget had been allocated to defence (8,4%), and too little to housing (1,3%) and job creation.⁴⁸ [⁴⁸ *Bargaining Monitor* March 1993]

The National Council of Trade Unions (Nactu) suggested to the NEF that instead of increasing VAT the government should introduce eight new taxes to raise revenue. The proposed taxes were taxes on pension fund contributions, progressive property taxes, rural land taxes, a minimum business tax, a capital transfer tax, a capital gains tax, a tax on share dividends and a tax on interest earned by emigrants. Nactu said that these taxes, together with the proposed increase in the fuel levy and the luxuries tax introduced in 1992, could raise R15,4bn in revenue, while increasing VAT to 13% would raise only R6bn.⁴⁹ [⁴⁹ *The Weekly Mail* March 1993]

Community Growth Fund

In January 1993 it was reported that the Community Growth Fund (CGF), a unit trust controlled jointly by seven trade unions and Syfrets, had shown an 8,8% return on investment in its first six months of operation and that R20,6m had been invested in it during this period. Some R14m of this amount was kept in reserve and R6,6m invested in six companies, including the City Group of hotels, Malbak, Safren and Standard Bank. In the same month the fund revealed the criteria it was to use to choose companies in which to invest. These included that companies in question:⁵⁰ [⁵⁰ *Ibid* 16 July 1993]

- provided for job creation;
- had sound industrial relations practices and good working conditions;
- had good health and safety records;
- provided thorough training and equal opportunity programmes;
- showed healthy profits;
- displayed environmental awareness;
- had worker participation schemes;
- readily disclosed information about the organisation;
- had social investment programmes; and
- had a 'reasonable' political profile.

Syfrets was to make the initial selection of company shares for the CGF and this selection was then to be passed to the fund managers, the Unity company, and the LRS, which would allocate points to the

companies selected. Shares were generally bought in companies which scored more than 70% on the social responsibility index. No investment was to be made in recently privatised companies and those companies which had the majority of their operations overseas. The fund managers said that companies which had been rejected were generally eager to improve their score on the social responsibility index so as to qualify for investment.⁵¹ [⁵¹ Ibid]

In July 1993 the CGF announced a 16,3% annual return on investment and that it had acquired R45m in investment in its first year of operation.⁵² [⁵² Ibid]

The LRS said that socially responsible investments were capable of yielding better returns than traditional investments. It constructed a theoretical portfolio of investments (based on 21 shares approved by the CGF for investment) and compared its hypothetical returns with the returns on the country's leading conventional unit trusts over a one-year period. According to the LRS, the CGF portfolio had obtained better returns than conventional unit trusts over the previous three years.⁵³ [⁵³ Interview with a researcher at the Labour Research Services, 13 July 1993]

See chapter on *The Economy* for unions' responses to the petrol price increase.

Trade Unions and Politics

Trade Unions and the Elections

For information on the release by the Congress of South African Trade Unions (Cosatu) of officials to stand for election on an African National Congress (ANC) ticket, see *Congress of South African Trade Unions* above and see chapter on *Constitutional Change*.

Cosatu launched its election campaign in July 1993, nine months before the mooted election date of 27 April 1994 (see also chapter on *Constitutional Change*). It also announced that it would support the ANC in the run-up to the elections.⁵⁴ [⁵⁴ Cosatu press statement, 27 July 1993]

The federation announced in the same month that it had met representatives of employer organisations to map out a voter-education scheme in the workplace. It warned that failure to put in place such a programme would mean that workers would go to the polls 'unprepared and uninformed'.⁵⁵ [⁵⁵ *Business Day* 28 July 1993]

Cosatu said that it had consulted its 30 000 shopstewards with regard to the introduction of a voter-education programme. The federation stressed the need for impartial voter education that accommodated the needs of illiterate and semi-literate workers, as well as non-organised workers and women. Cosatu said that its voter-education programme would run side-by-side with its election campaign in support of the ANC. The assistant general secretary of Cosatu, Mr Sam Shilowa, said that the two programmes

were not mutually exclusive. Cosatu called on its affiliate unions to second officials to the election and voter-education campaign and also to make a once-off donation to the federation's election campaign fund.⁵⁶ [⁵⁶ Cosatu voter education guidelines for shopstewards, July 1993]

Some business groups and right-wing unions expressed concern at Cosatu's voter education plans. The Afrikaanse Handelsinstituut, the South African Employers' Consultative Committee on Labour Affairs (Saccola) and the South African Chamber of Business were said to be opposed to Cosatu's demand that shopstewards be given paid time off to attend voter education workshops and to the suggestion that voter education would take place on the shop floor during working hours. They said that they doubted the neutrality of Cosatu's voter-education programme, claiming that the federation was too closely linked to the ANC and the South African Communist Party. The Mineworkers' Union and the South African Iron, Steel and Allied Industries Union said they would not take part in any voter education programmes and that Cosatu's programmes consisted of 'communist propaganda'.⁵⁷ [⁵⁷ *South African Labour News*, vol 5 no 3, 1993]

Cosatu responded by saying that it planned to make the voter-education programme as neutral as possible and regretted that employers had spoken out against it before studying the federation's proposals.⁵⁸ [⁵⁸ *Ibid*]

Reconstruction Accord

In 1993 Cosatu announced that it would draw up a reconstruction accord with the ANC and organs of civil society, such as civic associations. The accord was intended to be a plan for reconstructing the country and was also intended to underpin the federation's support for the ANC in the 1994 general election. It was envisaged that the accord would commit the ANC to a programme of rebuilding the economy, tackling unemployment and providing basic benefits and services such as a national health service, a national pensions scheme, housing and electrification. The accord was likely to make up a sizeable part of the ANC's electoral platform and it would be 'better than an election platform of empty promises', the federation said.⁵⁹ [⁵⁹ *The Weekly Mail* 26 February 1993]

After criticism from within Cosatu's ranks, it was decided that a special congress of the federation in September 1993 would make the final decision on whether Cosatu would enter into a reconstruction accord with the ANC. Officials in Cosatu's affiliate trade unions said that the decision to draft a reconstruction accord had been taken at leadership level and had not been a grassroots' decision. The general secretary of the National Education, Health and Allied Workers' Union, Mr Phillip Dexter, warned that without campaigning at grassroots level the accord would be meaningless. However, Cosatu's two biggest affiliates, the National Union of Metalworkers of South Africa (Numsa) and the National Union of Mineworkers, pledged their support for the reconstruction accord in February 1993.⁶⁰ [⁶⁰ *Ibid*]

Numsa drew up the trade union movement's first draft election manifesto in March 1993. It was part of a

package of documents used in discussions on the reconstruction accord. The manifesto included demands for a national health service, seven years of compulsory schooling and a housing programme designed to provide at least 1m houses by 1999 and a further 1,5m by 2004. The Numsa manifesto also said that parastatals privatised since 1988 should be renationalised and that a reconstruction bank should be established to fund national development projects. It said that a range of statutory bodies needed to be restructured to make them more representative, including the Board of Tariffs and Trade, the Central Energy Fund, the Development Bank of Southern Africa, the Electricity Council, the Industrial Court, the Industrial Development Corporation, research councils, the South African Reserve Bank, and the boards of the Post Office, South African Airways, Telkom and Transnet.⁶¹ [⁶¹ Ibid 26 March 1993]

Other facets of Numsa's election manifesto were demands for an antitrust law to provide for the unbundling of conglomerates (see also chapter on *Business*), citizenship rights for all those who had lived and worked in South Africa (including the ten homelands) since 1989, abortion on demand to up to 20 weeks of pregnancy, a long-term programme to remove guns from society and a clause in the bill of rights guaranteeing 'equal rights to capital and labour in industry, commerce, services, agriculture and mining'.⁶² [⁶² Ibid]

Trade Union Independence

Speakers at a workers' rights conference in Cape Town in June 1993 said that the labour movement had to be independent and prepared to take action, even against a future ANC government, to ensure that its rights were not undermined.⁶³ [⁶³ *Industrial Relations Digest* vol 12 1993]

The National Council of Trade Unions (Nactu) said in June 1993 that trade unions should not affiliate themselves to any political organisation and that they should retain their independence while ensuring through internal democracy that they remained accountable to their membership at all levels. While Nactu said that it believed that the support of the 'democratic trade union movement' for the broad liberation movement had been correct, it also said that the trade union movement had not been able to influence the content and direction of liberation movements.⁶⁴ [⁶⁴ 'The relationship of the trade union movement to a democratic government', a Nactu paper presented at Sactwu's workers' rights conference, June 1993]

The general secretary of Nactu, Mr Cunningham Ngcukana, told the conference that because many party activists were also trade unionists the liberation movements had been able to influence the direction of trade unions. 'The union movement serves to become a transmission belt for government decisions to workers,' he said. Trade unions, therefore, became vulnerable, Mr Ngcukana said, adding that this had been the pattern throughout Africa. Once a democratic government was in place, the trade union movement's first priority was to serve its members and the working people generally and thereafter to act as a guarantor of democracy and to serve as the anchor and centre of all institutions of civil society, he said. Nactu believed that the trade union movement should not just act as a rubber stamp for government decisions.⁶⁵ [⁶⁵ Ibid]

Future of the African National Congress/south African Communist Party/congress of South African Trade Unions Alliance

At its congress in July 1993 the National Union of Metalworkers of South Africa (Numsa)—South Africa's largest trade union—resolved that the tripartite alliance of the African National Congress (ANC), the South African Communist Party (SACP) and the Congress of South African Trade Unions (Cosatu) should end once an interim government was elected. Numsa said that the trade union movement should deal with the ANC as part of the government through engagement in forums such as the National Economic Forum and the National Manpower Commission. The continuation of the alliance would make it difficult for trade union unity. The general secretary of Numsa, Mr Moses Mayekiso, pointed out that one of the obstacles in the way of unity between Numsa and the Metal and Electrical Workers' Union of South Africa, a National Council of Trade Unions affiliate, was Cosatu's alliance with the ANC. The alliance would also result in a conflict of interest once the ANC was in government, said Mr Mayekiso. He said that 'imperatives of macro-economic considerations can result in policies which appear, in the short term, as inimical to workers, resulting in a conflict of interests'.⁶⁶ [66 *South African Labour Bulletin*, vol 14 no 4, July/August 1993]

The Southern African Clothing and Textiles Workers' Union (Sactwu) called for the ending of the alliance in April 1994 after elections for a transitional government. The union said that trade unions should not become the labour wing of the next government, that Cosatu's relationship with a future government should be 'transparent' and that it was essential to build trade union unity. In a political report document Sactwu said, 'The only way this can be achieved is to put worker unity ahead of political differences.'⁶⁷ [67 Political report to Sactwu congress, 1993]

The ANC, Cosatu and the SACP said in a strategy document that the break-up of the alliance held serious risks for each of the organisations. They felt that without the influence of the organised working class, the ANC would grow susceptible to 'the pressures of governmental office, and to the influence of non-popular strata'. Cosatu would become a 'narrowly economist trade union grouping' which would defend only the interests of organised, skilled and semi-skilled workers and the SACP would become 'a grievance party, a marginalised force'. The three organisations said that the alliance was more than just a temporary pact.⁶⁸ [68 Discussion paper arising from joint African National Congress/South African Communist Party/Cosatu strategy meeting, 1993]

South African Broadcasting Corporation Board

The Cosatu executive committee said after a meeting in June 1993 to consider appointments to the new board of the South African Broadcasting Corporation (SABC) that the state president, Mr F W de Klerk, had interfered in the selection process for the new board and described his actions as 'unscrupulous and manipulative' (see also chapter on *Political Developments*). Cosatu demanded that the list of 25 people selected for the board by the selection panel be reinstated. The federation also demanded that the

chairman of the Central Witwatersrand Metropolitan Chamber, Dr Frederik Van Zyl Slabbert, whom Mr de Klerk had designated chairman of the SABC board, resign his chairmanship and that the rector of the University of the North, Professor Njabulo Ndebele, who had been designated chairman by the original panel, be reinstated as chairman. Cosatu also criticised Mr de Klerk's exclusion of a trade unionist, Mr John Ernstzen, from the board while Mr de Klerk had ratified the appointment of four businessmen (see also chapter on *Political Developments*).⁶⁹ [⁶⁹ Cosatu press statement, 14 June 1993]

Trade Unions and Socio-Economic Issues

Education and Training

According to the National Manpower Commission, 434 596 people participated in various training schemes in 1992. According to the Department of Manpower, in 1992, R77m was made available for the training of unemployed workers and 137 655 people took advantage of these training opportunities (see also chapters on *Employment* and *Education*).⁷⁰ [⁷⁰ NMC, annual report 1992]

Job Creation

In August 1993 the National Economic Forum (NEF) announced the categories of job-creation projects for which it would consider applications for funding (see also *Trade unions and the economy* above). To be eligible for consideration projects would have to be labour intensive, help provide urban and rural infrastructure, and be geared toward training and skills development. A committee of nine people was established to appraise the projects. The committee comprised equal numbers drawn from business, the government and labour. In considering a project's eligibility for funding, the committee would take into consideration the number of jobs to be provided, the project's sustainability and the period of employment offered. Payment was likely to be task-based rather than linked to industrial council rates of pay.⁷¹ [⁷¹ *Business Day* 6 July 1993]

Also in August, Ms Louise Colvin, a representative of the National Consultative Forum on Drought and Rural Development and the Employment Task Force, said that the NEF had missed a 'golden opportunity' to distribute funds for job creation in a way that was more democratic than the 'ways of old'. This was an opportunity '[for the NEF] to respond to criticism it has publicly faced that it is unrepresentative, centralised, urban male and largely white', Ms Colvin said.⁷² [⁷² *Weekly Mail and Guardian* 20 August 1993]

According to Ms Colvin, the pitfalls in the NEF's criteria for job-creation funding included:

- the absence of representatives from regional development and economic forums: seven of the nine NEF representatives making funding decisions were based in Johannesburg;

- the prematurely early deadline of 13 September 1993 for applications for job-creation project funding;
- the lack of clear guidelines for those organisations which wished to apply for funding;
- the lack of a long-term vision which would allow short-term job-creation projects to contribute to long-term job creation; and
- the overemphasis on rapid delivery and expenditure to bolster the image of the NEF.⁷³ [⁷³ Ibid]

One of the first job-creation programmes agreed to by labour and industry was in the construction industry. The Congress of South African Trade Unions (Cosatu), the South African National Civic Organisation and the civil engineering industry, representatives of which formed the national committee for labour-intensive construction, signed an agreement to use labour-based construction methods in public works programmes. The agreement signed was to be known as the *Framework agreement for public works projects for using labour intensive construction systems*.⁷⁴ [⁷⁴ *Industrial Relations Digest*, vol 12, 1993]

The agreement bound its signatories to the use of labour-based construction in public works programmes such as road construction. It also committed Cosatu to finding a new system of payment for such work which was likely to be task-based rather than pegged to industrial council rates. The agreement was seen as promoting the provision of infrastructure required by South Africa while assisting the civil engineering industry, which was in financial difficulties.⁷⁵ [⁷⁵ Ibid]

Occupational Health and Safety

In June 1993, after intense lobbying by the National Union of Mineworkers (NUM), the minister of mineral and energy affairs, Mr George Bartlett, announced the appointment of a commission of inquiry into health and safety in the mining industry.⁷⁶ [⁷⁶ Ibid, vol 10, 1993] The commission was charged with the task of investigating all legal regulation of safety and health in the industry. The Workmen's Compensation Act of 1941 and the Compensation for Occupational Injuries and Diseases Bill were to fall outside the commission's terms of reference.⁷⁷ [⁷⁷ *The Citizen* 25 May, *Sunday Times* 6 June 1993]

In August 1993 it was announced that three organisations concerned with health issues, the Industrial Health Unit, the Industrial and Safety Education Project and the Workplace Information Group, would amalgamate to form the Occupational Safety and Health Organisation. Its aim would be to encourage workers' participation on issues of health and safety.⁷⁸ [⁷⁸ *Business Day* 25 August 1993]

Also in August about 10 000 NUM members marched on the offices of the Department of Mineral and

Energy Affairs in the Orange Free State (OFS) to demand stricter underground safety measures on mines. A memorandum handed to the department officials said that 1 492 miners had been killed underground on OFS mines over the past ten years, and 30 649 had been seriously injured. The memorandum demanded the appointment of more mining inspectors, the provision of free boots with toe caps, the reduction of underground noise levels and full pensions for workers who had been totally disabled.⁷⁹ [⁷⁹ Ibid 30 August 1993]

A delegation of six United Mine Workers officials from Australia visiting South Africa in September 1993 expressed shock at the lack of safety equipment and emergency communication procedures on South African mines and claimed that South African miners were working under conditions similar to those in Australia 'more than 30 years ago'. Since then sophisticated machinery to monitor methane levels and mine gas composition had been installed and any potential danger picked up by the operator would lead to the evacuation and temporary closure of the mine. In contrast, methane monitoring equipment used in a colliery visited by the delegation was inadequate and testing was conducted only every four hours in contrast to hourly in Australia.⁸⁰ [⁸⁰ Ibid 14 September 1993]

Action Involving Trade Unions

Initiatives to End Violence

In July 1993, following conflict between Mozambican and other miners in which 19 miners were killed and more than 100 injured, the National Union of Mineworkers (NUM) and the management of the Hartbeesfontein mine (Klerksdorp) agreed on measures to end the conflict at the mine. The mine's management agreed to recognise the NUM, as well as to dismantle the ethnically-based hostel system on the mine. The old hostel system was to be replaced by hostel accommodation based on the working sections of a mine. The induna system, whereby hostel administrators had been chosen according to tribal criteria, was to be replaced by a system of democratically elected hostel administrators.⁸¹ [⁸¹ National Union of Mineworkers (NUM) statement, 20 July 1993]

It was also agreed that a peace committee, consisting of five representatives each from the NUM and mine management, would be established with sub-structures at shaft level. The peace committee was charged with maintaining peace on the mine as well as with ensuring that 3 312 Mozambican miners who had left the mine returned to work and to their hostels by the end of July 1993.⁸² [⁸² Ibid]

Collective Bargaining

Bargaining Forums

During the period under review, there were moves away from centralised to decentralised bargaining

forums and this was reflected in attempts by employers to obtain exclusion from industrial council agreements.⁸³ [⁸³ *Bilateralism Review*, vol 2 no 1, 1993]

According to a survey by the *Innes Labour Brief*, published in April 1993, 75% of employers belonging to the Steel and Engineering Industries Federation of South Africa wished to retain the industrial council system. However, the *Bilateralism Review* noted that the industrial council system was under attack from a number of quarters. The publication said that critics of industrial councils:

- confused industrial council agreements with the system of self-governance;
- forgot that industrial councils were able to provide exemptions to small and newly established businesses;
- ignored the fact that industrial councils established agreements which satisfied the great majority of employers and employees in any given industry;
- disregarded the procedures that were being implemented to make industrial councils more democratic and accountable; and
- refused to use the built-in, self-correcting mechanisms of industrial councils.⁸⁴ [⁸⁴ *Ibid*]

Early in 1993 building companies in the Transvaal announced their withdrawal from the Transvaal Building Industrial Council.⁸⁵ [⁸⁵ Labour Research Service, *Bargaining Monitor*, no 68, 1993] The Labour Research Service found that following the builders' withdrawal from the council the average wages of artisans in the Transvaal had declined by 51%, suggesting that decentralised bargaining had a negative impact on wages of employees when compared to bargaining at industrial council level.⁸⁶ [⁸⁶ *Ibid*]

A watershed judgement in the Cape Provincial Division of the Supreme Court in May 1993 confirmed the right of industrial councils to extend wage and labour agreements to non-member companies. Twelve employers in the iron, steel, engineering and metallurgical industries had refused to contribute to pension, provident, education and training funds. The National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industries, the largest industrial council in the industry, subsequently brought a court action against the 12 companies. The companies alleged that there were defects in the council's registration, that the Labour Relations Act of 1956 had been misinterpreted and that employers were inadequately represented on the council. The court ordered the main respondent, Photocircuit, to pay all costs. Mr Horst Peschkes of Photocircuit gave the court a written undertaking that he would refrain from inciting or encouraging employers to reject industrial council agreements. The council welcomed the judgement, saying it confirmed the council's important role in regulating the industry collectively through agreements negotiated between employer organisations and trade unions.⁸⁷ [⁸⁷ *Sunday*

Times 30 May 1993]

The country's three largest trade union federations—the Congress of South African Trade Unions, the Federation of South African Labour Unions, and the National Council of Trade Unions—said in May 1993 that centralised bargaining forums were instrumental in saving jobs. They agreed to recommend five steps to reduce retrenchments. These were: to promote centralised bargaining, to undertake agreements about job security, to secure the training and retraining of workers for redeployment, to establish work security funds and to introduce targeted assistance programmes for industries in decline. The federations called on the government and employers to agree on 'centralised, industry-wide structures to coordinate and negotiate collective bargaining and industrial policy matters'.⁸⁸ [⁸⁸ *Business Day* 5 May 1993]

Bargaining in the Homelands

In February 1993 the minister of manpower, Mr Leon Wessels, asked the Bophuthatswana minister of labour, Mr Simon Seodi, to hold back the promulgation of its labour relations act. The act contained a number of controversial clauses (see 1992/93 *Survey* p372) and had been criticised by the Congress of South African Trade Unions (Cosatu) and employers. Cosatu in particular objected to a clause which, it said, would effectively ban it from operating in the territory. The National Manpower Commission said in a statement that the passage of the act was likely to lead to intensified labour conflict in the homeland. At the time of writing it had not yet been promulgated.⁸⁹ [⁸⁹ *Ibid* 18 February, *The Weekly Mail* 19 February 1993]

The Cosatu-aligned public-sector co-ordinating committee said in July 1993 that it would protest against the Bophuthatswana administration's threat to dismiss public-sector workers who were members of the African National Congress or Cosatu.⁹⁰ [⁹⁰ Cosatu statement, 26 July 1993]

In August 1993 Bophuthatswana recognised the local Association of Catering and Allied Workers' Union established to represent the commercial and catering workers in the territory. The union was said to represent 60% of such workers in the territory. A spokesman for Cosatu's affiliate, the South African Commercial, Catering and Allied Workers' Union, said the new union was a creation of the homeland authorities and Sun International. The chairman of the new union, Mr David Kekana, said that his union would not be intimidated into becoming an affiliate of Cosatu.⁹¹ [⁹¹ *Business Day* 1 August 1993]

Bargaining on Recognition

Domestic Service

According to an associate professor of law at the Centre for Applied Legal Studies at the University of the Witwatersrand, Professor Paul Benjamin, the extension of the Basic Conditions of Employment Act

of 1983 to domestic workers highlighted the inadequacies of this act (see *Legislation* above). He pointed out that it did not guarantee women employees the right to resume work following pregnancy and provided for only two weeks' annual leave when the international norm was three weeks' leave. Professor Benjamin predicted that enforcement by the state of the legislation in the domestic-worker sector would be lax.⁹² [⁹² Information provided by Professor Paul Benjamin of the Centre for Applied Legal Studies at the University of the Witwatersrand, October 1993]

The government was also planning to extend the powers of the Industrial Court to offer domestic workers protection against unfair dismissal, as well as to extend social security and unemployment provisions to domestic workers.⁹³ [⁹³ *The Weekly Mail* 23 July 1993] At the time of writing such protection was still under discussion by the National Manpower Commission.

Education

The South African Democratic Teachers' Union (Sadtu) said in August 1993 that the strike clauses in the Education Labour Relations Act (see *Legislation* above) were limiting and that they contravened the right to strike, as defined by the International Labour Organisation. The strike clauses in the act provided for teachers on a legal strike to be dismissed following 30 days' notice, while teachers on an illegal strike could be dismissed on one day's notice. Sadtu also said that the functions of the bargaining council were defined too rigidly and should instead provide broadly for the negotiation of any matters of mutual interest. The chapter setting out the fundamental labour rights of players in the education sector was also restrictive, as it provided that these rights were subject to the provisions of other acts, it added.⁹⁴ [⁹⁴ *Ibid* 27 August 1993]

Farming

The Agricultural Labour Act (ALA) was gazetted in October 1993 (see *Legislation* above and see 1992/93 *Survey* pp358–360). The South African Agricultural Union, which represented farmers, had indicated that it wanted a separate statute to determine labour relations in agriculture as opposed to existing legislation being extended to the sector. Farmworkers were entitled to the same legal protection as other workers and this was achieved by the extension of the Labour Relations Act (LRA) and the Basic Conditions of Employment Act (BCEA) to farmworkers. However, the special statute for agriculture represented a compromise for the Congress of South African Trade Unions (Cosatu), which had previously argued for uniform labour legislation for all sectors. Cosatu's chief negotiator in negotiations regarding the farming sector, Mr Mike Madlala, said that the agreement reached had been the only way to break a deadlock of two years. He said that organising farmworkers into trade unions would be made easier by the right of union organisers to have access to farmworkers, which was provided for in the ALA.⁹⁵ [⁹⁵ Interview with Mr Mike Madlala of Cosatu, 11 August 1993]

The general secretary of Cosatu, Mr Jay Naidoo, said that the federation remained committed to one body of labour legislation for the country and the separate statute for agriculture would not be a

permanent arrangement. Professor Benjamin argued that it was preferable to have a single labour statute with chapters for sectors such as domestic workers, farmworkers, the public service and teachers.⁹⁶ [⁹⁶ Interview with Mr Jay Naidoo and Professor Paul Benjamin, 11 August 1993]

The Centre for Rural Legal Studies at the University of Stellenbosch pointed out that the draft Agricultural Labour Act could lead to problems. Although the LRA and the BCEA had been extended to the agricultural sector, the statute allowed only the present forms of these two acts to apply to agriculture by providing that no amendments to the acts were to apply to the sector. Mr Dawid Bosch, a lawyer at the centre who specialised in farmworkers' legislation, said, 'The LRA is expected to be amended significantly within the next two years. This agreement means that this complicated and partially outdated labour law will continue to apply to agriculture, while it will be amended to comply with international standards, and simplified and streamlined for most other employers and employees in South Africa.'⁹⁷ [⁹⁷ Statement on the agreement of Cosatu and the SAAU on an Agricultural Labour Act, 11 August 1993]

The ALA provided for the extension of farmworkers' working hours to 56 hours a week for four months of the year, provided that average working hours in a year did not exceed 48 hours a week. According to Mr Bosch, this clause would be effective only if farmers were meticulous in maintaining timekeeping records. The act also removed certain rights which seasonal workers enjoyed in terms of the BCEA.

The Transvaal Agricultural Union (TAU) said that it would defy the amendments to the BCEA which had extended labour rights to farmworkers (see also *Legislation* above). The president of the TAU, Mr Dries Bruwer, said that the legislation would destroy the special relationship between farmers and their workers. The Farmworkers' Research and Resource Project (FRRP) pointed out that implementing the legislation would not be easy because trade union organisation in the agricultural sector was weak. Only 2% of the country's 1,5m farmworkers belonged to a trade union and the officials of the eight trade unions which organised farmworkers needed special training.⁹⁸ [⁹⁸ *The Weekly Mail* 16 April 1993]

The FRRP suggested that Cosatu campaign for a clause in any new legislation to protect farmworkers against dismissal by farmers in anticipation of the implementation of such legislation. The organisation alleged that farmers in the western Transvaal were already dismissing workers in anticipation of the new legislation being implemented. It also suggested that it be made mandatory for farmers to display the legislation on boards on farms in all languages spoken by their respective farmworkers.⁹⁹ [⁹⁹ Interview with Farah Hassim of the Farmworkers' Research and Resource Project, 24 April 1993]

Municipal Service

While most public servants were given the right to strike in August 1993, when the Public Service Labour Relations Act was passed, municipal workers were still prohibited from striking under section 46 of this act. On the day that the act was passed, 62 000 municipal workers embarked on a national strike regarding wages and working conditions (see *Bargaining on wages* below). Court interdicts were granted to 320 municipalities on the grounds that strikes in local authorities were illegal, that municipal

work was classified as an essential service and that municipal workers, therefore, had no right to strike.¹⁰⁰ [¹⁰⁰ *The Weekly Mail* 20 August 1993]

However, the definition of ‘essential services’ in the act was criticised by Ms Luci Nyembe, a senior research officer at the Centre for Applied Legal Studies at the University of the Witwatersrand, as being too wide and not in line with the definition by the International Labour Organisation (ILO) of essential services as ‘services, the interruption of which would endanger the life, personal safety or health of the whole or part of the population’.¹⁰¹ [¹⁰¹ *Ibid*]

According to Ms Nyembe, while it was clear that emergency services should not be disrupted, not all municipal services were essential to the life and health of the population. The disruption of sanitation services, for example, became a danger to public health only after a certain period had elapsed. Other countries had negotiated agreements with trade unions to minimise disruptions owing to strikes, she said. Such agreements included the provision of minimum and emergency services by trade union members during strike action. Municipal workers provided too broad a range of services for the entire sector to be subject to a blanket ban on strike action, Ms Nyembe said. Services provided by such workers included electricity, fire-fighting, passenger transport, sanitation and water supply.¹⁰² [¹⁰² *Ibid*]

Public Sector

Cosatu rejected the Public Service Labour Relations Act, which came into effect on 2 August 1993 (see *Legislation* above). The federation said that it would campaign for the repeal of the act and for a single LRA covering all workers in the run-up to the general election. Cosatu said that disputes in the municipal, education and postal sectors in 1993 had occurred because of a lack of labour legislation in the sectors and suggested that the government was attempting to entrench the ‘apartheid civil service by perpetuating collective bargaining arrangements which effectively preserve the role of sweetheart staff associations, and subordinate black workers’.¹⁰³ [¹⁰³ Cosatu press statement, 29 July 1993]

The federation opposed the Public Service Labour Relations Act on the following grounds:

- a single labour statute with chapters for special sectors such as the public sector was preferable;
- the limitations it placed on the right to strike in the public sector were unacceptable;
- the broad definition of essential services in the act eroded further the limited right to strike and was out of kilter with the ILO definition of essential services; and
- arbitration mechanisms in the act were not binding, while the collective bargaining and dispute resolution mechanisms were clumsy and complex.¹⁰⁴ [¹⁰⁴ *Ibid*]

The Medical Association of South Africa (Masa) said that the Public Service Labour Relations Act left doctors without any bargaining powers and dispute resolution rights. (Doctors employed in the public sector were classified as essential service workers and, therefore, had no right to strike.) The act also stated that arbitration would be entered into only if employees had the support of at least 50% of the workforce. Doctors comprised only 10 000 of more than 300 000 public servants and Masa believed that its chances of obtaining the necessary support in a dispute were slight.¹⁰⁵ [¹⁰⁵ Medical Association of South Africa (Masa) media statement, 10 June 1993]

The chairman of the federal council of Masa, Dr Bernard Mandell, warned that doctors could be forced out of the public service. ‘Doctors will be powerless to do anything to improve their situation ... The state could still be in a position where it could abuse the traditional calling and integrity of the medical profession by doing nothing to improve doctors’ working conditions, workload and salaries, because it is well aware that doctors are legally, ethically and morally bound to continue caring for their patients, regardless of their own circumstances.’¹⁰⁶ [¹⁰⁶ Masa press statement, 10 June 1993] Masa suggested that South Africa should follow world trends by allowing doctors in the employ of the state to have their own bargaining structures (see also chapter on *Health and Welfare*).

Bargaining on Retrenchments

Retrenchments continued during the year under review. The South African Reserve Bank announced in August 1993 that 48% of the economically active population of South Africa (excluding the ‘independent homelands’) was unemployed (see also chapter on *Employment*).¹⁰⁷ [¹⁰⁷ *Business Day* August 1993]

The Natal Clothing Manufacturers’ Association said that between October 1991 and June 1993, 10 000 jobs in Natal’s clothing industry had been lost. In the same period the number of clothing companies in the region had dropped from 425 to 365. The industry in Natal accounted for 30% of the country’s R5bn clothing industry, but the prolonged recession and the government’s decision to give exporters permits to import textiles duty free had had a detrimental effect on the industry.¹⁰⁸ [¹⁰⁸ *The Citizen* 14 July 1993]

In June 1993 the Chamber of Mines of South Africa announced that 140000 jobs had been lost in the mining industry in the previous six years. The president of the chamber, Mr Bobby Godsell, attributed the job losses to the declining gold price—which fell by 45% between 1987 and 1993—and to the concomitant drop in profits.¹⁰⁹ [¹⁰⁹ *Business Day* 9 June 1993]

In the same month, Impala Platinum announced that it would retrench 1500 staff members. The company said that it had shed 7 000 jobs since 1991, and that the current cuts would reduce its total workforce to fewer than 40 000 workers. Western Platinum mine in Bophuthatswana announced in May 1993 that it would lay off 1 500 workers. The Trans-Natal Collieries in Delmas (central Transvaal) announced that it would cut its workforce by 450 workers in June.¹¹⁰ [¹¹⁰ *Ibid* 25 June 1993]

In June 1993 Transnet announced that more than 20 000 workers had accepted voluntary retirement packages in the previous 18 months. Its staff complement at the time of writing was 128 000 workers.¹¹¹ [111 Ibid] However, in the same month the South African Federation for Civil Engineering Contractors said that the rate of retrenchments in the civil engineering industry had dropped for the first time in three years. The Steel and Engineering Industries Federation of South Africa said that retrenchments in the steel engineering industry had fallen from 2 500 workers a month to 2 000 a month.¹¹² [112 Ibid]

An associate professor of law at the Centre for Applied Legal Studies at the University of the Witwatersrand, Professor Paul Benjamin, said in July 1993 at the annual labour law conference in Durban that retrenchments should be governed by statutory regulation and be removed from the ambit of the Industrial Court. Professor Benjamin said that because it was a court of equity, the Industrial Court could not set substantive conditions of employment. He said that this explained why the court had not ruled on severance pay, but tended to concentrate on the procedures to be followed regarding retrenchment. Professor Benjamin said, 'The real issue is whether the court should deal with interest issues and determining the outcome of economic disputes. The answer doesn't relieve the economic problems of individuals. We need a substantive sub-stratum of rights contained in legislation and severance pay should be first on the list.'¹¹³ [113 Ibid 20 July 1993]

In a survey of 157 companies published in April 1993, Andrew Levy and Associates found that businesses were still retrenching workers and expected further rationalisation in the near future. Most of the companies surveyed preferred voluntary retrenchment and early retirement to forced retrenchment. The survey revealed further that:¹¹⁴ [114 Ibid 27 April 1993]

- 43% of the companies surveyed had retrenched 20 000 workers since the end of 1990. This amounted to 4% of their total workforce;
- 60% of the companies had retrenched marginal and executive staff;
- the economic downturn had contributed to 63% of the retrenchments, while other causal factors were rationalisation, closures, mergers and relocation;
- about half the companies paid severance benefits of a week or less per year of service, while 30% paid between one and two weeks' severance pay per year; and
- almost 60% of the companies surveyed said they would re-employ retrenched workers within a year of their retrenchment if economic conditions improved.

In February 1993 the National Union of Mineworkers (NUM) said that it planned to lobby for a social plan act to assist retrenched miners. The NUM said that it would suggest to the Congress of South

African Trade Unions that the federation consider making it a national demand. The NUM envisaged that the act would provide for the establishment of retrenchment committees to counsel retrenched workers and to help them train for new jobs. The union proposed that mineworkers receive two weeks' pay for every year of service and that they be given medical check-ups and skills certificates before leaving the industry. The NUM said that the proposed act would streamline the process of recalling miners should their jobs become available again. Tax changes proposed included the exemption of miners' retrenchment packages from taxation and the use of tax paybacks to save jobs on marginal mines.¹¹⁵ [¹¹⁵ *The Weekly Mail* 19 February 1993]

In September Premier Food Industries, which intended retrenching 1200 of its 18 000 workforce, and the Food and Allied Workers' Union signed a redundancy support fund agreement in terms of which retrenched workers who chose to be part of the scheme would be paid 30% of their salaries for a year and the company would provide them with training. All employed staff would contribute one percent of their salaries to the fund and the company would make an additional contribution. Retrenched workers could elect to be part of the scheme and their retrenchment packages would be invested in the fund. The company said it would re-employ some workers once the economy improved.¹¹⁶ [¹¹⁶ *Weekly Mail and Guardian* 24 September 1993]

A work-security fund was also established in the automobile manufacturing industry. The fund was financed by employers who contributed 5c an employee per hour and also by retrenched workers involved in the scheme who paid their severance packages into the fund. The money was then used to pay workers a proportion of their income while they were counselled and trained. Should companies have vacancies, workers in the fund would be given preferential employment.¹¹⁷ [¹¹⁷ *Ibid*]

Earlier in 1993 the Labour Appeal Court handed down an important decision in which it criticised the unilateral manner in which companies dealt with retrenchments. The decision related to a dispute between Atlantis Diesel Engines and the National Union of Metalworkers of South Africa. While the company had been prepared to consult the union over retrenchments, it had not been prepared to give it access to a cost analysis report on its finances, arguing that the workforce was not entitled to be consulted on the manner in which the company was run, and that workers could negotiate only on those aspects which related directly to the terms and conditions of their employment.¹¹⁸ [¹¹⁸ *Finance Week* 10 June 1993]

The company argued that management was under no obligation to consult employees about decisions to retrench. However, the court found that if a company aimed to retrench workers, it had to consult employees on the retrenchment and the reasons for it and should give the union such information as was required for it to make a meaningful contribution to the discussion on retrenchment. An employer should act in an open manner in meeting requests for information from the union, the court said. The employer, however, did not have to disclose information which was not relevant to the issue under discussion and which could harm the employer's business interests (for instance, by disclosing trade secrets).¹¹⁹ [¹¹⁹ *Ibid*]

The court said that unilateralism carried with it ‘the seeds of industrial unrest, which is the very result which the Act [Labour Relations Act] is designed to try to avoid’.¹²⁰ [¹²⁰ Ibid]

Bargaining on Wages

According to Andrew Levy and Associates (an industrial relations consultancy), the average wage settlement in the first nine months of 1993 was 10,2%. This was lower than the average wage settlement in 1992 of 12,6%. The level of settlements decreased in the third quarter of 1993 to close to the inflation rate of 10%. During 1993 the focus of wage negotiations shifted from securing the highest increase possible to protecting jobs. Andrew Levy and Associates said there were more single digit proportional increases in 1993 than had been expected.¹²¹ [¹²¹ Information supplied by Andrew Levy and Associates, August 1993]

The metal industry settled at 7%, while the mining industry settled on increases of between 8% and 9,5% on gold mines and 5,5% and 10% on coal mines. In an attempt to stave off strike action, tyre industry employers offered an increase of 10,2% and also agreed to implement an agency shop, whereby non-unionised workers paid a proportion of union subscriptions to the majority union in the industry, in this case the National Union of Metalworkers of South Africa (Numsa). Automobile assembly workers received one of the best increases in the country (13%).¹²² [¹²² Ibid]

The state president, Mr F W de Klerk, announced a 5% increase for the public sector at the beginning of 1993. Newly privatised parastatals such as Transnet and Telkom opted for wage settlements close to those in the public sector and paid increases of 7,5% and 5,8% respectively. The South African Post Office also settled at 5,8%. Eskom granted a 10% across-the-board increase to its workers, while Iscor was still in dispute with the representative trade unions at the time of writing.¹²³ [¹²³ *Weekly Mail and Guardian* 20 August 1993]

Average wage increases in the chemical and pharmaceutical industries were 10% and above. The catering, clothing, food, paper, packaging and retail industries all settled at between 8% and 10%. The construction industry reached wage agreements ranging between 5% and 8%.¹²⁴ [¹²⁴ Andrew Levy and Associates, wage settlement survey, August 1993]

The Labour Research Service conducted a survey of labourers’ wage settlements negotiated between 1 April and 30 September 1993. The survey was based on a sample of 216 basic wages and used 209 recorded increases to calculate the average settlement rate of 11,5%. There was a significant decline in the settlement rate compared to the figure of 16,5% for the same period in 1992.¹²⁵ [¹²⁵ Labour Research Service, *Wage Review*, September 1993]

The highest average annual increases in labourers’ wages were in the millinery and leather sector (27,7%), the wood products sector (19,3%), and the local government, catering and hotels, and electricity sectors (17%). The lowest increases of 5% were awarded in the state sector.¹²⁶ [¹²⁶ Ibid]

Labourers surveyed, excluding those in the mining and local government sectors, earned an average wage of R268 a week or R1 161 a month. The highest paid labourers were those in the automobile assembly sector who, at the time of writing, earned an average of R377 a week. Local government labourers were the lowest paid, earning an average of R141 a week.¹²⁷ [¹²⁷ Ibid]

Clothing and Textiles

Workers in this sector received an average increase of 9,3% in 1993. For the first time employers and the South African Clothing and Textile Workers' Union negotiated at national level. Employers agreed to merge five existing industrial councils for the clothing and textile industries into a single national bargaining forum. The merger made the new forum the second largest bargaining forum in the country.¹²⁸ [¹²⁸ *Industrial Relations Digest*, vol 12, 1993]

Metal

Agreement was reached regarding annual wage negotiations in the metal and engineering sector in August 1993. Numsa settled on a wage increase of 7%, instead of the 15% it had demanded initially. Employers in regions where the industry was particularly hard-pressed could apply to implement lower increases or for a wage freeze until January 1994. Other important facets of the settlement included changes to the industry's pension and provident fund agreements and improved provisions for leave. The Steel and Engineering Industries' Federation of South Africa also agreed to a change in the training system in the industry. The job grading system was to be overhauled and the number of grades reduced from 13 to nine. For the first time, workers other than artisans were to be brought within the ambit of the industry training board. The agreements reached covered 284 000 workers in the sector in South Africa.¹²⁹ [¹²⁹ *Weekly Mail and Guardian* 6 August 1993]

Numsa's 1993 wage demands represented a blueprint for the future of wage negotiations in the country, a labour analyst at Andrew Levy and Associates, Mr Pat Stone, suggested. He said that Numsa had stated that fundamental change was required in the industry's negotiations and that negotiations should concern a broad set of objectives for the industry, rather than a shortlist of demands. The objectives of the union were to restructure the industry for modernisation and to provide for world-class manufacturing, job creation, security of employment, human resource development, and the development of domestic and export markets.¹³⁰ [¹³⁰ *Business Day* 26 May 1993]

Numsa also recognised the need for changes to the organisation of work, but said that savings in the costs of production accruing from these should be shared with workers. According to the union, changes to the organisation of work should be based on the principle of worker empowerment through skills development and a flattening of management and supervisory structures. One of the union's suggestions was that work teams should be established and that each work team should elect its own teamleader.

Numsa suggested that a skills audit be conducted in the industry to determine the level of skills of the workforce.¹³¹ [¹³¹ Ibid]

Mining

The National Union of Mineworkers (NUM) tabled a demand in May 1993 for a 30% increase in wages on coal and gold mines. By August it had revised the demand to an 11% increase on gold mines and a 20% increase on coal mines. The NUM said that it could not accept another year of very low increases (the union had settled for an average increase of 5% in 1992) and that it needed to defend the living standards of its members.¹³² [¹³² NUM, collective bargaining document, 23 June 1993] The Chamber of Mines of South Africa initially offered an increase of between 4% and 6% on coal and gold mines.¹³³ [¹³³ Amgold annual report 1993]

A strike ballot in the mining industry was narrowly averted by an agreement to take the wage dispute to a conciliation board. This was the first occasion since the miners' strike in 1987 in which negotiators in the mining industry had asked the minister of manpower to appoint a conciliation board (see 1987/88 *Survey* pp678–684). The director of the Independent Mediation Services of South Africa, Mr Charles Nupen, was appointed mediator with the agreement of both parties.¹³⁴ [¹³⁴ *Weekly Mail and Guardian* 27 August 1993]

At the end of August 1993 the NUM and the chamber reached a wage settlement involving wage increases ranging from 8% to 9,5% on gold mines and from 5,5% to 10% on coal mines. The settlement took three months of negotiation and 100 hours of mediation to achieve and represented the best wage increase in the industry in two years. The increases agreed upon were close to the inflation rate (whereas previous settlements had been about one third of the inflation rate). The assistant general secretary of the NUM, Mr Marcel Golding, said that the settlement, together with employers' agreement to increase their provident fund contributions by one percentage point, meant that the union had achieved its objective of a settlement which met inflation.¹³⁵ [¹³⁵ Ibid]

The parties agreed that cost-containment and profit-sharing agreements would continue at mines run by the Anglo American Corporation of South Africa, the Johannesburg Consolidated Investment Company and RandGold. Marginal mines (ie those mines where the profit-to-revenue ratio was less than five cents in the rand) were to negotiate separate agreements. Other facets of the settlement included agreement on an industry wide AIDS policy, as well as the establishment of a type of agency shop agreement. In terms of this agreement, employees in the first eight job categories in the industry who were not members of the NUM were to pay between 0,5% and 0,75% of their wages into a joint union-management fund. The fund was to be used for charities, disaster relief, education, job creation, skills development, training and welfare programmes.¹³⁶ [¹³⁶ Ibid]

The chamber also accepted the NUM's proposal that there be a long-service increment of 0,5% of the basic wage for every year of service up to a maximum of 12,5%.

Municipal Sector

At the beginning of August 1993, 66 000 mainly black employees of 213 local authorities countrywide embarked on an illegal wage strike.¹³⁷ [¹³⁷ *Business Day* August 3 1993] The South African Municipal Workers' Union (Samwu) had organised the strike in support of its demands. The union demanded a wage increase of between 20% and 30% and a minimum wage of R650. Other demands included 26 days' paid annual leave, a national pension and provident fund, a 40-hour working week and an end to restructuring. Some municipalities issued letters to workers threatening dismissal if they went on strike. Some 2 000 workers employed by smaller municipalities in the Cape province were dismissed when a series of negotiations deadlocked.¹³⁸ [¹³⁸ *The Star* 3 August 1993]

The union reached a settlement with the Johannesburg City Council after workers went on a one-day strike on 2 August. In terms of the settlement, workers were to receive pay increases of 10%. The strike was resolved on its third day in Cape Town, where workers received increases of 9%. A similar speedy resolution of the strike was reached in Durban, as well as with the Municipal Employers' Organisation, which consists of employer representatives in Natal, the Orange Free State and the Transvaal.¹³⁹ [¹³⁹ *Business Day* 6 August 1993]

The strikers also called for centralised bargaining in the municipal sector.¹⁴⁰ [¹⁴⁰ *Weekly Mail and Guardian* 6 August 1993] The union said that the need for centralised bargaining was highlighted by the wide wage differentials in the sector. Workers in some parts of the country earned R200 a month, while others earned more than R1 000, some R300 more than the union's minimum wage demand.¹⁴¹ [¹⁴¹ *The Star* 3 August 1993]

In the week preceding the strike the Cape Province Local Authorities Employers' Organisation, the Durban City Council, the East London City Council, the Johannesburg City Council and the Municipal Employers' Organisation had applied for interdicts to prevent Samwu and its members from going on strike. The interdict was granted and sought to prevent the workers from promoting, instigating and participating in the planned strike. The union decided not to oppose the action since municipal work was classified an essential service and workers employed in this sector did not enjoy the right to strike.¹⁴² [¹⁴² *Ibid* 4 August 1993]

The Johannesburg City Council subsequently denied trade union allegations that workers were being retrenched in line with the restructuring of municipal services. It said that not a single worker had been retrenched and that the three unions with which it had bargained had been consulted 'every step of the way' about the city council's rationalisation measures.¹⁴³ [¹⁴³ *Ibid*]

Public Sector

Mr de Klerk pre-empted wage bargaining in the public sector when he announced in January 1993 that public servants were to receive increases of 5% in 1993. Mr de Klerk made the announcement to delegates of 11 employee organisations which represented 800 000 civil servants. He said that a wage freeze had been mooted for the sector but that the government was committed to the 5% wage offer it had made to public servants in 1992. Mr de Klerk added that the government's low increase had been guided by a report of the International Monetary Fund on South Africa which suggested that public-sector spending needed to be curtailed. 'Curbing public-sector employment and pay increases would constitute an obvious line of attack,' he said.¹⁴⁴ [¹⁴⁴ *The Weekly Mail* 22 January 1993]

The government's announcement of its planned increase met with little immediate response. The Public Servants' Association said that although it was not happy with the increase, its members were unlikely to come out on strike. The Medical Association of South Africa said that health care would be severely jeopardised by the government's offer of 5%. The organisation said that it feared that the small increase, coupled with increased taxation, would lead to a further loss of staff from the public health sector.¹⁴⁵ [¹⁴⁵ *Business Day* 22, 26 January 1993] (See chapter on *Education* for the response of teachers' organisations to the pay increase.)

The Labour Research Service (LRS) said in February that it expected a further decline in employment in the public sector in line with government instructions to all state departments to cut real spending by 5% in 1993/94 and by 3% in 1994/95. Public-service employment fell from 777 304 to 768359 in the year ending on 30 June 1992 (see also chapter on *Employment*). State departments appeared to be reducing full-time employment and increasing casual employment. In the year to June 1992 casual employment in central and provincial departments increased by 52% and 13% respectively.¹⁴⁶ [¹⁴⁶ Labour Research Service, *Bargaining Monitor*, February 1993]

The LRS said in February 1993 that workers in the public sector earned significantly less than workers in the private sector. The organisation compared the average wages of different categories of employees in the public and private sectors and found that:

- labourers in the public sector earned R708 a month on average, while those in the private sector earned R1 060 a month (or 33% more);
- drivers in the public sector earned R966 a month on average, while those in the private sector earned R1 610 a month (or 67% more);
- nurses in the public sector earned R1 890 a month on average, while those in the private sector earned R3 360 a month (or 78% more); and
- teachers in the public sector earned R 3 360 a month on average, while those in the private sector earned R5 148 a month (or 53% more).¹⁴⁷ [¹⁴⁷ *Ibid*]

The Public Service Labour Relations Act (passed in August 1993—see *Legislation* above) provided for a bargaining council where wages would be negotiated.

Profit-Sharing and Cost-Saving Agreements

The introduction of a profit-sharing agreement at the Harmony mine in the Orange Free State in November 1992 helped save the mine from closure and improved labour relations at the mine. Productivity at the mine over six months improved by 20% and workers were paid out profits of R85 a month, about 7% of their wages. Three months after the introduction of the profit-sharing agreement, the mine showed an after-tax profit of R8,5m, after ending the third quarter of 1992 R5,7m in the red. The mine's working cost margin was reduced by 173%, while gold production improved by 13%. The National Union of Mineworkers (NUM) said that it had not envisaged that profit-sharing payments would be so high.¹⁴⁸ [¹⁴⁸ *The Weekly Mail* 29 January 1993]

The NUM's profit-sharing agreements benefited 220 000 workers on 16 mines and showed healthy results in February 1993. There were two types of agreement: under the first type of agreement, 20c of every rand of profit was to be shared with miners, while under the second type of agreement profit-sharing was to be based on trigger-level profits (ie profits paid out after the mine's profits reach a certain level). The NUM found that mines earning good revenue generally paid less in profit-sharing dividends than marginal mines. (Marginal mines were classified as those mines which earned less than 5c in the rand in profit.) Miners at Anglo's Elandsrand mine (far west Rand) were paid an average of R856 between July and December 1992, representing a 17% increase on their basic wages for that period. The Bracken mine (Evander) paid out R559; the Stilfontein mine (Klerksdorp) paid out R442 and the Marievale mine (east Rand) paid out R401 in profit sharing. The last-mentioned three mines were all marginal mines. Other mines where the union negotiated profit-sharing agreements paid out between R112 and R150, while the Blyvooruitzicht mine (far west Rand) paid out the lowest amount in profit sharing (R76).¹⁴⁹ [¹⁴⁹ *Ibid*]

The NUM said that members working on mines where there were profit-sharing agreements generally received more in pay than miners at those mines which elected to pay an additional basic wage increase instead. The NUM said that it planned to train shaftstewards to understand and monitor profit-sharing agreements.¹⁵⁰ [¹⁵⁰ *Ibid*]

In August 1993 a cost-saving benefit scheme was agreed to in the postal and telecommunications sector as part of the annual wage settlement. The scheme provided for a pre-tax bonus for each worker of between R30 and R450 for every R5m saved in staff expenses. One of the first staff expenses to be abolished was travel allowances, including company cars, for highergrade workers. The agreement was made between the Posts and Telecommunications Workers' Association, Telkom and the South African Post Office.

Strikes

Strike action for the first three months of 1993 dropped to its lowest level in five years, but during the second quarter of the year strike action increased.¹⁵¹ [¹⁵¹ *Business Day* 29 June 1993]

Some 65 000 working days were lost in strike action in the first three months of 1993, compared with 135 000 days in the first three months of 1992 and 180 000 in the same period in 1991. Between April and June 1993, 650 000 working days were lost in strike action, up by almost ten times on the figure for January to March 1993. The four-week-long strike at Checkers/Shoprite accounted for 240 000 working days lost, while a teachers' strike accounted for 160 000 working days lost.¹⁵² [¹⁵² Andrew Levy and Associates, strike report, June 1993]

About 20% of the strikes from January to June 1993 lasted longer than ten days, but most strikes lasted between two and seven days. Andrew Levy and Associates said that the recession had made it difficult for unions to obtain their demands through strike action. Unions had realised the enormous economic impact of strike action and employers were willing to counter industrial action with protracted lawsuits, mass dismissals or a policy of firing and selective rehiring.¹⁵³ [¹⁵³ *Business Day* 29 June 1993]

During the period from January to June 1993 bigger unions tabled sophisticated non-wage demands which led to protracted negotiations. Disciplinary procedures, dismissals, grievances, retrenchments and wages were the major factors triggering strikes, according to Andrew Levy and Associates.¹⁵⁴ [¹⁵⁴ Andrew Levy and Associates, strike report, June 1993] Wages, disciplinary procedures and dismissals accounted for 28% of industrial action, followed by grievances (22%) and retrenchments (17%). The highest number of strikes (about 44%) occurred in the Pretoria/Witwatersrand/Vereeniging area, followed by Natal and the eastern Cape, while 17% of the strikes were national.¹⁵⁵ [¹⁵⁵ *Business Day* 29 June 1993]

Stayaways

More than 90% of the country's workforce was reported to have stayed away from work in three days of protest in the aftermath of the assassination of the general secretary of the South African Communist Party, Mr Chris Hani, in April 1993 (see also chapter on *Political Developments*). This was the largest stayaway ever in South Africa, according to the *South African Labour Bulletin*. There were near-total stayaways in Johannesburg, the east and west Rand, Port Elizabeth (eastern Cape), Pretoria and in parts of the western Cape.¹⁵⁶ [¹⁵⁶ *The Citizen* 15 April 1993]

The Congress of South African Trade Unions (Cosatu) called for 'rolling mass action' to back up its political demands in the weeks following the assassination of Mr Hani. The federation envisaged that this would take the form of a two-phase, six-week national programme of mass action to begin on 1 May 1993.¹⁵⁷ [¹⁵⁷ *Ibid* 21 April 1993] However, Cosatu failed to carry out its plans after an outcry from employer

and business organisations. The National Productivity Institute said that stayaways cost the country about R586m a day, while the South African Chamber of Business said it was difficult to quantify the cost of stayaways to the economy.¹⁵⁸ [¹⁵⁸ *The Weekly Mail* 23 April 1993]

In June 1993 Cosatu called on its members to stay away from work in order to protest against the storming of the World Trade Centre in Kempton Park (east Rand) by members of the Afrikaner Weerstandsbeweging and other right-wing organisations earlier in the month (see also chapter on *Political Developments*). The response to the Cosatu call was limited in most areas. Only 10% of the workforce in Johannesburg stayed away from work in response to the call, while between 10% and 20% stayed away in Durban and less than 5% stayed away in Cape Town. The stayaway was most successful in East London (eastern Cape), where employers noted an absenteeism rate of between 85% and 100%, while the figure for Port Elizabeth was between 35% and 100%. Almost all workers in the retail sector in Pretoria stayed away from work.¹⁵⁹ [¹⁵⁹ South African Chamber of Business, *Assessment of Day of Action*, 1 July 1993]

POLITICAL DEVELOPMENTS

Key Points

- According to the minister of home affairs, Mr Danie Schutte, more than 90% of South Africans over the age of 18 years were expected to be issued with identity documents enabling them to participate in the first ever nonracial general election on 27 April 1994.
- The Public Service Acts Amendment Bill, which was introduced in Parliament in March 1993 to deal with corruption in the public service, was gazetted in April 1993 after receiving the support of all parties in Parliament.
- The office of the auditor general became independent of the civil service at the end of March 1993 in terms of the Audit Arrangements Act. The auditor general, Mr Henri Kluever, said that the passing of the act showed that the state president, Mr F W de Klerk, was committed to clean administration.
- In March 1993 the Local Government Negotiating Forum, comprising 30 statutory and 30 non-statutory organisations, was launched in Johannesburg. Speaking on behalf of the statutory bodies, the minister of local government, Dr Tertius Delpport, said that the forum had two main objectives: to establish effective administrative structures and to end boycotts of rent and service charges.
- At the end of August 1993 the government took immediate control of Lebowa's finances. The minister of regional and land affairs, Mr André Fourie, said that the 'unprecedented intervention, including the freezing of all cheques issued by the homeland's administration' had become necessary in the interests of South African taxpayers.

- According to the South African Institute of Race Relations, 3 706 people had been killed in political violence by the end of December 1993 (compared to 3 347 deaths in the same period in 1992).
- In May 1993 the Ciskei administration granted 'unconditional indemnity' to all those members of the Ciskei Defence Force who had been involved in an incident in Bisho in September 1992 in which 29 people had been shot dead and 200 others injured.

Elections

The minister of home affairs, Mr Danie Schutte, told Parliament in May 1993 that more than 90% of South Africans over the age of 18 years were expected to have identity documents (IDs) so that they could vote in the first ever nonracial general election in South Africa. Mr Schutte said that a special effort was being made by his department to issue IDs and that as a result almost 150 000 more IDs had been issued since the beginning of 1993 than in the corresponding period in 1992. On average 43 600 IDs were being sent out every week. He said that 11 000 voting booths had already been delivered to regional offices of his department and a further 5 100 were being made.¹ [¹ *The Citizen* 14 May 1993]

In June 1993 the multiparty Negotiating Forum endorsed a proposal made earlier in the month by the Negotiating Council that the first nonracial, democratic general election for South Africa be held on 27 April 1994 (see also chapter on *Constitutional Change*).² [² *The Star* 16 June 1993]

Mr Schutte said at the beginning of July 1993 that the African National Congress (ANC) would have to register as a political party if it wanted to participate in the coming multiparty democratic elections. A draft bill providing for the registration of all groups as political parties had already been submitted to the Negotiating Forum, he said. His pronouncement followed an earlier statement by the president of the ANC, Mr Nelson Mandela, that the ANC might not register as a political party because of the problems such a move could cause with foreign funding of the organisation.³ [³ *The Citizen* 1 July 1993]

Government Initiatives

The minister of local government, Dr Tertius Delpont, said in February 1993 that the government was considering new initiatives to stimulate local authority reform by involving official and unofficial organisations which were specifically concerned with, and active in, local government. The idea, he added, was to look at the possible amalgamation of different local authorities once own affairs structures had been abolished.⁴ [⁴ *Ibid* 6 February 1993]

In the same month, the government announced that it was launching a Local Government Negotiating Forum consisting of representatives of the central government, provincial administrations, town councils

and the South African National Civic Organisation (Sanco) to negotiate a new system of local government. The government said that the aim of the forum was to bring about a democratic, nonracial, nonsexist and financially viable local government system (for further details see chapter on *Constitutional Change*).⁵ [⁵ *The Star* 12 February 1993]

Commenting on a meeting between representatives of the four South African provincial administrations and the administrations of the six nonindependent homelands in February 1993, the deputy minister for regional development, Mr André Fourie, said that the government and the homeland administrations had agreed on the need for legislation which would enable them to rationalise services.⁶ [⁶ *Ibid* 11 February 1993]

Mr Fourie pointed out that the meeting had resolved that the government should enact legislation which would enable the non-independent homelands and the provincial administrations to reach bilateral or multilateral agreements about joint administration. While the future regional dispensations would have to be agreed upon at a multiparty forum, he added, there was a place for joint administration. The meeting had agreed that enabling legislation be passed to allow for joint agreements, as had already happened in the case of the joint executive authority set up between the KwaZulu administration and the Natal Provincial Administration.⁷ [⁷ *Ibid*] (For details of legislation passed subsequently, see chapter on *Constitutional Change*.)

The Public Service Acts Amendment Bill, introduced in Parliament in March 1993 to deal with corruption in the public service, was accepted by all parties represented in Parliament. In terms of the bill, which was gazetted in April 1993, officials found guilty at departmental hearings of misconduct could be fined an amount of up to R6 000, be transferred, have their salaries cut, be discharged from duty or be compelled to resign.⁸ [⁸ *Ibid* 10 March 1993]

The minister for administration and tourism, Dr Org Marais, said that the bill reaffirmed the government's commitment to clean administration. He denied opposition criticism that the government was not dealing adequately with corruption, and said that it had 'openly and forcefully addressed maladministration and misconduct' through investigations and extensive preventive and corrective measures. Critics noted that the bill did not apply to heads of departments, the national intelligence service or officials in the 'independent' and the non-independent homelands.⁹ [⁹ *Ibid*]

The Constitution Amendment Bill, which abolished the President's Council, was published in May 1993. The bill made provision for any disagreements between the three houses of Parliament in respect of new legislation to be resolved by the state president referring the dispute to a joint sitting of the three houses. (Previously the council had resolved such disputes.)¹⁰ [¹⁰ *Business Day* 26 May 1993] The bill was passed by Parliament in June 1993 (see also chapter on *Constitutional Change*).¹¹ [¹¹ *The Citizen* 17 June 1993]

In July 1993 the minister of national education, Mr Piet Marais, said that the government proposed that English and Afrikaans be retained as the two official languages. With the exception of certain areas

(such as the homelands), which should have their own official languages, Mr Marais said English and Afrikaans should be the official languages at all levels of government. These languages were each spoken by about 43% of the population and should be retained in the interests of orderly administration, he added.¹² [¹² *Business Day* 28 July 1993]

Appointments to the Executive

In February 1993 the former South African ambassador to Brussels, Dr Bhadra Ranchod, was appointed head of the ministers' council in the House of Delegates. In October 1992 Parliament had approved changes to the constitution allowing the president to appoint ministers and deputy ministers from outside Parliament (see 1992/93 *Survey* p472).¹³ [¹³ *The Citizen* 11 February 1993] In April 1993 Dr Ranchod was also appointed minister for tourism.

Another appointment to the cabinet from outside Parliament was that of Mr Derek Keys, the executive chairman of Gencor, who was appointed minister of finance and of trade and industry in May 1992. In June 1993 Mr Louis Shill was appointed from outside Parliament to be minister for national housing and of public works.

Negotiations

See chapter on *Constitutional Change*.

Releases

Ms Sanna Twala, who had been sentenced to life imprisonment in June 1987 for the necklace murder of Miss Maki Sikhosana at Duduza (east Rand) in July 1985, was released from Kroonstad prison (Orange Free State) in January 1993 (see 1987/88 *Survey* p581).¹⁴ [¹⁴ *City Press* 10 January 1993]

In March 1993 the minister of justice, Mr Kobie Coetsee, said that 129 applications for release in terms of the Further Indemnity Act of 1992 had been considered by the National Council on Indemnity, and that 27 people had subsequently been released on recommendation of the council. He added that by 3 March 1993 a total of 854 people had applied for release in terms of the act. Mr Coetsee explained further that crimes for which indemnity had been sought included attempted murder, culpable homicide, kidnapping, murder, sabotage, and unlawful possession of firearms and ammunition.¹⁵ [¹⁵ *The Citizen* 19 March 1993]

The minister of correctional services, Mr Adriaan Vlok, said in May 1993 that his department was re-evaluating all releases of prisoners on political grounds that had taken place since 2 February 1990. Mr

Vlok said that existing legislation did not provide for the reimprisonment of a person released by mistake. However, the premature and incorrect release of a bank robber, Mr Lucky Malaza, in September 1992 had shown that the law needed to be changed in the national interest, he said. Mr Vlok said that the Correctional Services Amendment Bill, passed in May 1993, made possible the rearrest of people released by mistake.¹⁶ [¹⁶ *Daily Dispatch* 4 May 1993]

Six prisoners were freed in May 1993 in terms of the Further Indemnity Act of 1992. They were the former KwaZulu deputy minister of the interior, Mr Bekizizwe Jamile, who had been jailed for life in 1991 on murder and attempted murder charges; Mr Madodeni Biyase, a member of the Inkatha Freedom Party, who was serving a 20-year term on five counts of murder and three of attempted murder; Mr P Tikanie, a member of the African National Congress who had been serving a ten-year prison sentence for murder; Messrs H M and J M Chego, previously members of the United Democratic Front; and Mr P J J Leeb, whose political affiliation was not mentioned, although he was identified as belonging to the white right wing. Mr H M Chego had been sentenced to 24 years' imprisonment for two murders committed with extenuating circumstances, while Mr J M Chego had been sentenced to 19 years' imprisonment on similar charges. Mr Jamile's co-accused, Mr Msizi Hlophe, who had been jailed for 22 years, was not released.¹⁷ [¹⁷ *Business Day* 18 May 1993]

Mr Vlok explained that the National Council on Indemnity, which had been set up in October 1992 to indemnify people who had committed politically motivated crimes, had decided that these applications for release complied with the requirements of the Further Indemnity Act, ie the crimes had been committed with a political motive and the releases could promote reconciliation and peace.¹⁸ [¹⁸ *Ibid*] Mr Vlok also said that a total of 1 477 prisoners who were deemed to have committed political offences had been released since 2 February 1993.¹⁹ [¹⁹ *The Citizen* 29 May 1993]

The Department of Justice said in March 1993 that the National Council on Indemnity had found that half of its work involved applications for release from prison rather than applications for indemnity from people who had not been convicted of offences. Out of 854 applications received by February 1993, 432 were for indemnity, while 422 were for release from prison. Some 348 cases were being examined for a second time in terms of the Further Indemnity Act, according to the department.²⁰ [²⁰ *The Star* 5 March 1993]

Foreign Relations

In February 1993 the Department of Foreign Affairs announced the appointment of ambassadors to Gabon, Japan and Korea.²¹ [²¹ *The Citizen* 10 February 1993]

South Africa and Hungary agreed in February 1993 to establish cultural links. The agreements, signed by the minister of foreign affairs, Mr Roelof (Pik) Botha, and his visiting Hungarian counterpart, Dr Geza Jeszenszky, in Pretoria, also instituted a mutual visa exemption for ordinary passport holders from both countries. Commenting on the agreement, Mr Botha said that stronger relations between South

Africa and Hungary would lead to greater co-operation within international organisations, and the possibility of mutual manufacturing, marketing and development programmes in third-world countries.²² [22 Ibid 20 February 1993]

The director general of foreign affairs, Mr Rusty Evans, told a conference in Johannesburg in May 1993 that political changes meant that 'South Africa is truly on the threshold of a new era in its international relations' and that the Department of Foreign Affairs would 'soon expand dramatically'. A score of missions would be opened in Africa, India, the Middle East and Pakistan within the next 12 months, he said.²³ [23 *Business Day* 5 May 1993]

Mr Evans said that the department's top priority in terms of its communications strategy should be Africa, particularly countries in southern Africa, and that its second priority was to consolidate its position in the Far East. He said that the third area meriting special attention was South Africa's hitherto neglected role in the agencies of the United Nations (UN) and other international organisations.²⁴ [24 Ibid]

In June 1993 the South African government turned down an invitation by the secretary general of the UN, Mr Boutros-Boutros Ghali, to attend a nine-day human rights conference in Vienna (Austria) arranged by the UN General Assembly. Mr Botha explained, 'As South Africa is denied participation in the activities of the General Assembly, it would be premature to take part in meetings arranged by that body.'²⁵ [25 *The Argus* 14 June 1993]

In October 1993 it was reported that South Africa had the following diplomatic representation in other countries:²⁶ [26 *The Star* 12 October 1993]

- embassies in 60 countries, with additional consulates general in 17 of these countries;
- consulates in another eight countries;
- representative offices in nine countries where South Africa had no embassies or consulates;
- trade missions in a further three countries; and
- honorary consulates in eight countries where South Africa had no other form of representation.

Civil Service Reform

In February 1993 Dr F H Pauw MP (Conservative Party) said during a parliamentary debate on the rights of women that there was 'not a single case' in which a woman had been appointed to a senior policymaking position in the public service since October 1992. He added that women were being

discriminated against as a result of the ‘male chauvinistic attitude which this government has been applying over the years’.²⁷ [²⁷ *Hansard* (A) cols 1156–1157, 12 February 1993]

The office of the auditor general became independent of the civil service at the end of March 1993 in terms of the Audit Arrangements Act. The auditor general, Mr Henri Kluever, commented that the passing of the act showed that the state president, Mr F W de Klerk, was concerned about clean administration. Mr Kluever said further that the act would enable the office of the auditor general to report fearlessly on the financial affairs of the executive since the auditing staff would no longer be public servants.²⁸ [²⁸ *The Citizen* 31 March 1993]

The auditor general’s office, with a staff of 1 500 and an annual budget of R140m, was to be assisted by private firms and was to raise most of its budget from charging for audits. ‘We are the only financial watchdog the taxpayer has and the bigger our bite, the better,’ Mr Kluever said.²⁹ [²⁹ *Ibid*]

Non-Government Initiatives, Protests and Methods

Campaigns Against African Local Authorities

The chairman of the KwaThema Civic Association, Mr Kenny Madalane, said in January 1993 that the association would step up its campaign to oust all nine members of the KwaThema Town Council (east Rand). He said that the chairman of the council, Mr H H Ngakane, and his deputy, Mr Charles Lesia, had already submitted letters of resignation to the Transvaal Provincial Administration (TPA).³⁰ [³⁰ *Sowetan* 29 January 1993]

However, a member of the executive committee of the TPA, Mr Burger Lategan, said that as far as the TPA was concerned the resignations of Messrs Ngakane and Lesia were invalid as ‘the two had been forced into signing the letters at a council meeting. It must be put very clearly that resignation of councillors occurring under duress has no legal force. Those present at the meeting, including TPA officials, were threatened by representatives of the civic association that they would not be allowed to leave the council chamber before the mayor and his deputy had signed the letters of resignation’.³¹ [³¹ *Ibid*]

The TPA dissolved the Diepmeadow and Soweto city councils in January 1993 after finding that they had mismanaged their respective townships and left them with debts amounting to R700m. The Soweto Civic Association subsequently called for the dismissal of members of the Dobsonville City Council, the remaining local authority in greater Soweto.³² [³² *Business Day* 12 February 1993]

The secretary of the association, Mr Pat Lephunya, said that the Dobsonville council should be sacked because of ‘continued suspension of [council] workers’ which affected both workers and residents.

‘[Council members] are corrupt and there is no political acceptance of these structures,’ he said.³³ [³³ Ibid]

Land Reoccupation

See chapter on *Land, Agriculture and Rural Areas*.

School Protests and Disruptions

At the beginning of the 1993 school year the Congress of South African Students (Cosas) announced the start of a campaign against the payment of examination fees. There were sporadic class boycotts throughout the country as pupils protested over this issue. In February 1993 the Soweto branch of Cosas called for a week-long class boycott. This decision was subsequently overruled by the regional executive committee of Cosas, but the pupils nevertheless boycotted classes for two weeks.³⁴ [³⁴ *The Argus* 25 February 1993]

Pupil protests were, however, not confined to the issue of examination fees. In January 1993 pupils in the Naledi area (Soweto) chased principals and teachers out of local schools for their alleged ‘failure to enrol all pupils in the schools’ and by the following week some principals and teachers had still not returned because of fears about their safety.³⁵ [³⁵ *The Star* 20 January 1993, *Sowetan* 26 January 1993] Schools in KwaMashu (Durban) were also disrupted in January by pupils demanding that they be readmitted or passed despite having failed at the end of the previous year.³⁶ [³⁶ *Sowetan* 29 January 1993]

Violence accompanied some of the pupils’ protests. During the protests regarding pupils’ admissions in Natal the administration blocks of two schools were burned down.³⁷ [³⁷ *The Natal Mercury* 23 January 1993] In the week following the suspension of the February boycott in Soweto by the regional executive committee of Cosas, pupils reportedly built barricades, stoned delivery vehicles and destroyed cars.³⁸ [³⁸ *City Press* 21 February 1993] A police spokesman, Colonel Tienie Halgryn, estimated that during the two-week boycott in Soweto in February, damage to vehicles as a result of pupil violence amounted to R1,5m.³⁹ [³⁹ *Sunday Times* 18 February 1993]

Also in February 1993, pupils in Cape Town stoned vehicles and ransacked hawkers’ stalls at the Cape Town station after a march to the Department of Education and Training (DET) offices in protest against examination fees.⁴⁰ [⁴⁰ *The Natal Mercury* 26 February 1993] In March 1993 pupils in Mamelodi (Pretoria) burned two delivery trucks and stoned several others. Cosas said that it had targeted government vehicles and that it was ‘unfortunate’ that business vehicles had also been attacked.⁴¹ [⁴¹ *The Star* undated]

From the last week of February 1993 to the second week of March teachers in Soweto schools went on strike in protest against what they termed the ‘retrenchment’ of 31 teachers. The DET denied that the

teachers had been retrenched, saying that they had been temporary teachers who had merely been served with notice of the termination of their contracts. Twenty of the teachers in question staged a sit-in for a week at DET offices in Johannesburg, which ended when they were arrested. Teachers subsequently voted to end the strike after the DET agreed that no teachers would be retrenched and the 31 teachers would be reinstated.⁴² [⁴² *Business Day* 26 February 1993; *Saturday Star* 27 February 1993; *The Citizen* 3, 13 March 1993; *Sowetan* 9 March 1993]

In March 1993 pupil marches to protest against examination fees organised by the Azanian Students' Movement (Azasm), Cosas and the Pan-Africanist Students' Organisation (Paso) took place in a number of centres, including Cape Town, Johannesburg, Port Elizabeth and Queenstown (both in the eastern Cape).⁴³ [⁴³ Various press reports]

After a march in the same month in Johannesburg, which was organised by Azasm, Paso and Cosas, incidents of assault, looting of shops, damage to cars and robbery were reported.⁴⁴ [⁴⁴ *Business Day* 25 March 1993] Also in March 1993, two policemen were assaulted when between 1 500 and 2 000 marchers returned to New Brighton from a school-protest march in Port Elizabeth.⁴⁵ [⁴⁵ *The Citizen* 25 March 1993] On the same day in Cape Town bottles, bricks and stones were hurled at motorists and at least nine people were injured when pupils returned from a failed march on Parliament. Damage was estimated at R42 000 and 14 youths between the ages of 14 and 25 years of age were arrested by the police.⁴⁶ [⁴⁶ *Cape Times* 25 March 1993]

Between April and May 1993 teachers in the Transkei went on strike for 15 days in protest against salary disparities between male and female teachers, as well as between Transkei teachers and their South African counterparts.⁴⁷ [⁴⁷ *The Star* 21 April 1993, *Daily Dispatch* 3 May 1993, *Sowetan* 11 May 1993, *Sunday Nation* 22 August 1993] The outcome of the protest was not known.

In the first week of May 1993 Cosas conducted school boycotts countrywide to protest against examination fees. Poor attendance at many schools continued in the second week of the month. In the same month, after discussions with the African National Congress (ANC), the government agreed to suspend the payment of examination fees in all departments of education and also to set a target date for the establishment of an education forum.⁴⁸ [⁴⁸ *Business Day* 21 May 1993]

Unrest accompanied marches and school boycotts held in May 1993 in Cape Town and Soweto. Approximately R2,5m worth of property was damaged in 32 incidents of pupil unrest on the Reef. Col Halgryn said later that during the unrest two policemen and one student had been injured and 19 people had been arrested on the Reef.⁴⁹ [⁴⁹ *The Citizen*, *The Star* 30 April 1993; *Business Day* 5 May 1993]

In the same month the western Cape region of Cosas launched two campaigns, entitled 'Operation Barcelona Flames' and 'Operation Bujuba' respectively. The first campaign involved Cosas calling for the burning of DET schools and cars and the second involved calling for the expulsion from the

townships of DET officials, community councillors and National Party supporters. In response to a call by the chairman of the ANC in the western Cape, the Rev Allan Boesak, for the students not to take violent action, an executive member of Cosas, Mr J J Thyalisisu, said, 'We are in charge ... We are not prepared to listen to calls from those who are not informed of the conditions of students.'⁵⁰ [⁵⁰ *The Citizen* 8 May 1993, *The Weekly Mail* 14 May 1993]

Subsequent to this announcement two pupils were killed and two injured in Guguletu (Cape Town) after pupils had blocked the main entrances to the township. Cars were also stoned and torched and a hand grenade was thrown into a police station at Crossroads. The regional publicity secretary of Cosas, Mr Ndoda Ngemntu, said that drivers whose cars were stoned or torched should 'walk away from the scene to escape injury'. He said it was 'only arrogant drivers' who would get hurt.⁵¹ [⁵¹ *Business Day* 14 May 1993]

Also in May 1993, vehicles worth R200 000 were burned in clashes between pupils and police in Soweto and 12 people were arrested.⁵² [⁵² *Ibid*] Later in May pupils burned and looted delivery vehicles in Soweto after police had prevented a march from taking place following a court interdict prohibiting the march.⁵³ [⁵³ *Sowetan* 19 May 1993] The DET said in June 1993 that about R71m in damage had been caused at some 2 200 of its schools by incidents of arson, burglary, theft or vandalism since the beginning of 1993.⁵⁴ [⁵⁴ *Hansard*, (A) q col 2109, 17 June 1993] It said, however, that these incidents could not all be linked to student protests and unrest.

Pupil violence in the western Cape continued after examination fees were abolished. In August 1993 eight vehicles were torched when pupils took to the streets in support of a strike by the South African Democratic Teachers' Union (Sadtu) over pay increases.⁵⁵ [⁵⁵ *The Argus* 24 August 1993] Later in August, after the murder of an American student, Ms Amy Biehl, in Guguletu, Cosas called off its Operation Barcelona campaign in the western Cape, reportedly after 'intense pressure' from the ANC (see *Attacks on whites by blacks* below).⁵⁶ [⁵⁶ *The Citizen* 27 August 1993]

In September 1993, after a Paso meeting at the University of Cape Town, pupils smashed windows of cars in the area, stole radios and hub-caps, and slashed car tyres as they chanted, 'Peace, peace, we want peace.'⁵⁷ [⁵⁷ *The Star* 14 September 1993]

A number of protests by teachers also occurred during 1993. In March 1993 teachers at DET schools in the townships surrounding Port Elizabeth went on strike for two weeks in protest against poor salary increases.⁵⁸ [⁵⁸ *Eastern Province Herald* 17 March 1993] On the day of the budget speech—17 March—teachers staged chalkdowns nationwide.⁵⁹ [⁵⁹ *The Argus* 17 March 1993]

Sadtu announced later in March 1993 that a national strike ballot would be held in May (the first time in the history of South African education that this was to take place). More than 90% of Sadtu members voted in favour of the strike.⁶⁰ [⁶⁰ *South* 20 March 1993, *The Star* 17 May 1993] The strike was subsequently

suspended after talks with the government, in which it was agreed that negotiations on teachers' salaries would be reopened within four weeks, retrenchment of teachers would be suspended pending a decision by the National Education and Training Forum (NETF) and the merit award system (see below) would be reviewed.⁶¹ [⁶¹ *The Citizen* 22 May 1993]

Nevertheless, teachers in Soweto and at coloured and Indian schools in the western Cape decided to go ahead with the strike.⁶² [⁶² *The Star* 24 May 1993] No teaching occurred in these areas for between four and ten days in May.⁶³ [⁶³ Various press reports]

At the end of April 1993 teachers in schools under the House of Delegates conducted a chalkdown in protest against the payment of merit awards. The decision to suspend the strike after two weeks was later rescinded. Although teachers went to school in the third week no formal lessons were conducted.⁶⁴ [⁶⁴ *The Leader* 16 April, 7 May 1993; *The Natal Witness* 3 May 1993; *Sowetan* 12 May 1993; *Sunday Tribune* 23 May 1993]

In May 1993 about 3 000 teachers marched to Parliament and handed a memorandum to the minister of education and culture in the House of Representatives, Mr Pieter Saaiman, saying that until retrenchment of teachers ceased and temporary teachers were employed to replace those on leave, education inspectors and subject advisers would not receive any cooperation from teachers.⁶⁵ [⁶⁵ *The Citizen* 4 May 1993] Later in May about 1 500 pupils and teachers marched to the offices of the Department of Education and Culture (House of Representatives) in Port Elizabeth in protest against rationalisation measures.⁶⁶ [⁶⁶ *Daily Dispatch* 11 May 1993]

In August 1993 negotiations between the government and Sadtu about teachers' salary increases and rationalisation measures broke down. Despite a court order of the Transvaal Provincial Division of the Supreme Court in Pretoria declaring the strike illegal, teachers went on strike countrywide for two weeks. Sadtu claimed in justification of the strike that the government was continuing with rationalisation in the Department of Education and Culture (House of Representatives), despite its earlier agreement not to do so. However, a spokesman for the NETF, Mr Alan Tonkin, said that there had been a very clear agreement between the union and the government on how the issue would be dealt with within the forum. He said that the matter had been implemented in complete accordance with the terms of the agreement and that the union had not informed the forum of any irregularities.⁶⁷ [⁶⁷ *Business Day* 11 August 1993]

Sadtu claimed that during the countrywide strike between 85% and 95% of teachers (excluding white teachers) stayed away from work. Townships on the east Rand were, however, excluded from the strike in view of the fact that many days of schooling had been lost as a result of violence in the area (see *Political Conflict* below).⁶⁸ [⁶⁸ *Ibid*; *Sowetan* 13, 18 August 1993; *The Citizen* 31 August 1993] A communications officer of the DET, Ms Kim McEvelly, said that the biggest disruptions were in the major urban centres and that the strike was less effective in rural areas.⁶⁹ [⁶⁹ *Sowetan* 17 August 1993]

Sadtu suspended the strike after two weeks, saying that it had made significant gains in terms of its demands and that it was also concerned about pupils. Earlier, the government had agreed to raise the minimum basic salary of teachers in all education departments to R1 438 a month and to provide salary increases of between 10% and 58% for teachers falling into the lowest categories (ie teachers with a matric and two years' or less than two years' teacher training). However, an agreement could not be reached on a general across-the-board increase.⁷⁰ [⁷⁰ *The Star* 23 August 1993, *Sunday Times* 29 August 1993] Six days after the strike had been suspended the co-ordinator of the Soweto education co-ordinating committee, Ms Lilly Mphuthi, said that teacher attendance at high schools in the township was still 'very poor'.⁷¹ [⁷¹ *Business Day* 2 September 1993]

In September 1993, after the national strike by Sadtu had ended, teachers were reported to have 'chased' some principals from their schools. The teachers demanded that the principals recover from the DET deductions from certain teachers' salaries as a result of the strike. The media officer of the Soweto branch of Sadtu, Mr Solly Mautjana, said that although principals had not been involved in the decision to make the deductions, and had not been consulted by the department, they were still responsible for claiming the money back from the DET. He said, 'We are in a fighting situation so there is no reason why we can't use force. We are trying to drive some sense into them.'⁷² [⁷² *Sowetan* 15 September 1993, *The Star* 16 September 1993, *Business Day* 24 September 1993] While most principals returned to school at the beginning of October some were prevented from returning until the end of October (until they had agreed to the teachers' demands).⁷³ [⁷³ *Sowetan* 21 October 1993]

Also in September 1993, it was reported that teachers in Lebowa had been on strike for nine weeks to demand that deductions from their salaries as a result of strikes in 1991 and 1992 be refunded to them. An agreement was signed between Sadtu and the Lebowa Department of Education at the end of September for the refunding of deductions. The strike was subsequently called off when the Lebowa administration refunded the deductions.⁷⁴ [⁷⁴ *Ibid* 17, 27 September 1993]

Return of Exiles

In January 1993 both the African National Congress (ANC) and the South African government denied responsibility for the failure of 700 South African exiles in Zambia to return to South Africa. The exiles had been declared illegal immigrants by the Zambian government after they had failed to meet a deadline of the United Nations (UN) High Commissioner for Refugees to leave that country.⁷⁵ [⁷⁵ *Business Day* 12 January 1993]

A spokesman for the ANC, Mr Carl Niehaus, said that there were between 150 and 200 ANC staff, including students, still in Zambia. These people were completing ANC business or awaiting clarification of their indemnity status. He said that South Africans who were still in Zambia and who were not members of the ANC were the responsibility of the South African government. A spokesman

for the Department of Foreign Affairs, Mr Jacques Malan, said that his department had not been approached for assistance in facilitating the return of the 700 people. 'How can the state be involved if the people do not want to come back?' Mr Malan asked. He added that the matter was one to be settled by the ANC and the Zambian government. The exiles were reported to have said that they did not want to return home as they were afraid of the violence in South Africa.⁷⁶ [⁷⁶ Ibid]

The minister of home affairs, Mr Danie Schutte, said in August 1993 that 11 226 exiles had returned to South Africa since the ANC and other political organisations had been unbanned in February 1990. 'Since January 1993 only a few exiles have returned,' he added.⁷⁷ [⁷⁷ *The Citizen* 26 August 1993]

Mr Schutte also said that although it had been widely believed that there were about 70 000 exiles, the actual number was far lower than this. There were indications that the number of exiles returning was declining (see also chapter on *Health and Welfare*).⁷⁸ [⁷⁸ Ibid]

See also *Umkhonto we Sizwe* below for details of the adjustment problems experienced by returned members of Umkhonto we Sizwe.

Stayaways

Commemorative Days

In February 1993 the Pan-Africanist Congress (PAC) commemorated the 16th anniversary of the death of its founder president, Mr Robert Sobukwe, by holding rallies at numerous venues throughout the country.⁷⁹ [⁷⁹ *Sowetan* 26 February 1993]

In 1993 a single shooting incident and the stoning of a car belonging to a United Nations monitoring team marred largely peaceful African National Congress (ANC) and Inkatha Freedom Party (IFP) rallies on the east Rand commemorating Sharpeville Day—21 March. The ANC held a rally at the Huntersfield stadium in Katlehong (Germiston) to commemorate the day, while the IFP rally was held at the Vosloorus stadium (Boksburg).

The PAC held a rally on the same day at the George Thabe stadium in Sharpeville (southern Transvaal). During the rally police allowed a crowd of ANC supporters to hoist the new flag of the Pretoria/Witwatersrand/ Vereeniging (PWV) region of the ANC outside the local police station. The flag was allowed to fly for five minutes before the crowd dispersed.⁸⁰ [⁸⁰ *Business Day* 22 March 1993]

A former chief of the South African Defence Force and the convenor of the directorate of the Afrikaner Volksfront, General Constand Viljoen, told a Republic Day meeting at Klerksdorp (western Transvaal) that the 1993 commemoration could well be the last under the current political dispensation since a

transitional government could be expected to be in place soon.⁸¹ [⁸¹ *The Citizen* 1 June 1993]

An otherwise peaceful commemoration of Soweto Day on 16 June 1993 was marked by one death and five injuries as thousands of workers and pupils around the country stayed at home or attended rallies. One person was killed in Durban when police, allegedly attacked by an armed group, returned fire. Also in Durban, a policeman was injured when youths attacked a police patrol. Three people were injured at the Vosloorus stadium, while a peace worker was stabbed in the leg at Katlehong.⁸² [⁸² *Business Day* 17 June 1993]

Also on 16 June, birdshot, rubber bullets and teargas were used during fighting between police and crowds in Ceres (western Cape). However, the rest of the western Cape was relatively quiet as African and coloured schools closed and many workers stayed at home to commemorate Soweto Day.⁸³ [⁸³ *The Citizen* 17 June 1993]

Other Stayaways

On 19 April 1993 millions of black workers around the country stayed away from work to commemorate the burial of the assassinated general secretary of the South African Communist Party, Mr Chris Hanu (see also chapters on *Constitutional Change* and *Labour Relations* and see below). Most businessmen described the stayaway as the largest since the turn of the century.⁸⁴ [⁸⁴ *Ibid* 20 April 1993]

The *South African Labour Bulletin* reported an average stayaway figure of 92% for African workers on 19 April. The bulletin, which surveyed 44 companies employing 25 460 African workers, said the stayaway seemed to be the biggest that had ever taken place in the PWV region and possibly the biggest ever stayaway countrywide. In Johannesburg there was a 4% turn-out of workers, with most shops in the city centre closed, either as a sign of respect for Mr Hanu or owing to lack of staff.⁸⁵ [⁸⁵ *Ibid*]

In Boksburg (east Rand) and Sasolburg (Orange Free State) there was a 100% stayaway of workers, while in Secunda (eastern Transvaal) the figure stood at 99%. In Natal there was an 88% stayaway. Although no official figures were available for the stayaway on the mines, the *South African Labour Bulletin* said that 20 000 workers employed on gold mines owned by the Anglo American Corporation of South Africa had not reported for work, giving a stayaway figure of 11% of the total workforce.⁸⁶ [⁸⁶ *Ibid*]

Towns in the northern and western Transvaal reported work attendance figures of between 10% and 30%.⁸⁷ [⁸⁷ *Ibid*] The stayaway was estimated at between 40% and 100% at companies canvassed by the Midland Chamber of Industries in Port Elizabeth (eastern Cape).⁸⁸ [⁸⁸ *The Star* 20 April 1993]

Boycotts

Sports Boycott

The organisers of the Rugby World Cup said in January 1993 at D F Malan Airport (Cape Town) that South Africa would host the 1995 Rugby World Cup. They were speaking after a meeting between promoters of the World Cup and representatives of the African National Congress (ANC). The head of the ANC sports desk, Mr Steve Tshwete, said, 'The ANC will rally fully behind the efforts of the South African Rugby Football Union (SARFU) and the World Cup committee to ensure the success of the event.'⁸⁹ [⁸⁹ *Cape Times* 20 January 1993] He said that the ANC had given its blessing to the competition because it was now convinced that the SARFU was committed to developing nonracial rugby.⁹⁰ [⁹⁰ *Ibid*]

The decision that South Africa would host the rugby competition (held every four years) was delayed because of concern about the high levels of violence in the country and ongoing conflict between the SARFU and the ANC over the union's alleged failure to develop the game for all South Africans. In December 1992 the secretary of the International Rugby Board, Mr Keith Rowlands, had said that he doubted South Africa's ability to host a trouble-free event given the levels of political violence in the country.⁹¹ [⁹¹ *Ibid*]

In March 1993 the ANC said that it backed South Africa's bid to host the Olympic Games in 2004. The ANC said that the Olympics would provide employment for at least 70 000 people, generate income and provide sports development programmes. 'All South Africans will be taking part, and that's the face of South Africa we want to present to the world,' Mr Tshwete said.

During 1993 Cape Town, Durban and Johannesburg submitted bids to the National Olympic Committee of South Africa (Nocsa) to host the Olympic Games in 2004. Nocsa was to announce on 29 January 1994 which city's bid would be forwarded to the International Olympic Committee.⁹² [⁹² Telephonic interview with Mr Daniel Moyo, assistant to the president of the National Olympic Committee of South Africa, 12 January 1994]

In June 1993 the ANC said that it did not oppose a world title boxing fight between Mr Dingaan Thobela and Mr Tony Lopez at Sun City (Bophuthatswana). The ANC said that a newspaper report, claiming that the organisation had sought to stop the fight from taking place, was false.⁹³ [⁹³ *The Citizen* 7 June 1993]

Rent and Service Charge and Bond Boycotts

Following the record of understanding between the ANC and the South African government in September 1992 (see 1992/93 *Survey* pp26–30), the Transvaal Hostel Residents' Association embarked on a rent boycott from October 1992 to February 1993 to protest against the agreement.⁹⁴ [⁹⁴ *Ibid* 28 January 1993] The association said that it rejected in particular the fencing and policing of hostels.⁹⁵ [⁹⁵ *Cape Times* 2 October 1992] In December 1992 the association said that the residents of 32 hostels were involved in the boycott, adding that the government's failure to upgrade hostel accommodation was a second motivating

factor for the boycott.⁹⁶ [⁹⁶ *New Nation* 11 December 1992]

The minister of local government, Dr Tertius Delpont, said in February 1993 that an amount of R1,91bn was owed to African local authorities by the end of 1992 as a consequence of rent and service charge boycotts, compared with R1,58bn owed by April 1992. According to Dr Delpont, African local authorities in the Cape province were owed R167m, those in Natal were owed R11m, and those in the Orange Free State and the Transvaal were owed R129m and R1,61bn respectively.⁹⁷ [⁹⁷ *Hansard* (A) 4 q cols 204–208, 24 February 1993] Dr Delpont added that the townships with the greatest arrears were Soweto (R562m), Diepmeadow (west Rand) (R146m) and Sebokeng (southern Transvaal) (R121m).⁹⁸ [⁹⁸ *Sowetan* 24 March 1993]

The Local Government Negotiating Forum was launched in Johannesburg in March 1993 and comprised 30 statutory and 30 non-statutory organisations. Speaking on behalf of the statutory organisations, Dr Delpont said that the forum had two main objectives: to establish effective administrative structures and to end rent and service charge boycotts. The president of the South African National Civic Organisation (Sanco), Mr Moses Mayekiso, said that the key issues which had to be addressed by the forum in order to solve service delivery and payment problems included the legitimacy of structures to which payments were made, the quality of service provision and the ongoing maintenance of services (see also chapter on *Constitutional Change*).⁹⁹ [⁹⁹ *Business Day* 23 March 1993]

It was reported in March 1993 that a seven-year rent and service charge boycott had ended in Tembisa (east Rand) following an agreement between the local council, the Tembisa Residents' Association and the Transvaal Provincial Administration (TPA). The agreement included the writing off of more than R100m in arrear payments, the provision of a new 'flat rate [of payment]' for rent and service charges from April 1993, the provision that ownership of rented houses would be transferred to their occupants, and the granting to Eskom the right to supply electricity to residents for an initial 24-month period.¹⁰⁰ [¹⁰⁰ *Ibid* 15 March 1993]

A member of the executive committee of the TPA, Mr André Cornelissen, said in May 1993 that 35% of service charges in African townships in the Transvaal were being paid. He said that on the west Rand (including Soweto) and in the Vaal Triangle (southern Transvaal) 15% of payments for services had been received, while on the east Rand 27% had been received. Mr Cornelissen added that if payments were not resumed fully, services would have to be narrowed to basic necessities such as water purification.¹⁰¹ [¹⁰¹ *Ibid* 11 May 1993]

The managing director of the Metropolitan Housing Finance Co-operative, Mr Ben Pieters, estimated in the same month that more than 200 000 mortgage loans for conventional housing totalling R9bn had been granted to African families since 1986. He added that repayments on about a third of the loans were in arrears by May 1993. The president of the Association of Mortgage Lenders, Mr Mike de Blanche, said in the same month that the risks of mortgage lending to low-income people had increased to such a level that it was not 'prudent' to lend to them.¹⁰² [¹⁰² *Ibid* 17 May 1993]

The general secretary of the Civic Associations of Johannesburg, Mr Cas Coovadia, said that in many cases bond boycotts were the result of overlending by financial institutions, resulting in individuals borrowing more than they could afford to repay. He said that the provision of defective housing also resulted in bond boycotts since once a house had been built, the financial institution was often the only party left against which a dissatisfied customer could take action.¹⁰³ [¹⁰³ Ibid 26 March 1993]

In January 1993 the Civic Association of Southern Transvaal (Cast) said that financial institutions that were 'hostile' towards civic associations would continue to face bond boycotts. Cast added, however, that the Perm would be excluded from the bond boycott because it had given civic organisations R100 000 for a community development trust and was also committed to building low-cost housing.¹⁰⁴ [¹⁰⁴ *Sowetan* 13 January 1993]

In February 1993 Sanco and the Perm signed a pact which effectively excluded the Perm from bond boycotts. The agreement committed the two parties to:¹⁰⁵ [¹⁰⁵ *Business Day* 8 February 1993]

- provide an educational programme on housing and development processes, including 'the rights and obligations of contracts, mortgage loans and related insurance issues';
- encourage a culture of honouring contractual obligations, including debt payment, while excluding the Perm from all mass action, including bond boycotts;
- encourage 'holistic' development projects, focusing on local employment creation and developing community facilities;
- encourage the establishment of 'community development trusts' to enhance community-based organisations' ability to participate in development; and
- establish a programme to train community leaders in managerial, developmental, housing and financial issues.

The head of the department of economics of the ANC, Mr Trevor Manuel, said that the deal was a breakthrough 'at a time when there is little socially desirable investment occurring'. He called on the Perm to 'get other financial institutions on board' (ie to sign similar agreements) and to make them understand the 'substantial contribution' they had to make in post-apartheid reconstruction.¹⁰⁶ [¹⁰⁶ Ibid] A financial analyst who wished to remain anonymous said that the agreement represented a 'part forced, part willing' change of business direction for the Perm owing to its comparatively higher proportion of investment in the African housing market.¹⁰⁷ [¹⁰⁷ Ibid 9 February 1993]

It was reported in March 1993 that a bond boycott initiated by the Palm Springs Civic Association (east Rand) in August 1992 was continuing until the developer of certain houses in the area, the South African Housing Trust (SAHT), had examined some of the houses built (which were allegedly of an inferior quality) and 'basic amenities' had been provided in the area. The civic association said that 95% of the residents of the area supported the boycott. The SAHT was not prepared to comment on the issue.¹⁰⁸ [¹⁰⁸ Ibid 26 March 1993] The outcome of the boycott was not known.

In May 1993, following nine months of negotiations, Sanco and the Association of Mortgage Lenders agreed to new procedures for dealing with arrears in mortgage repayments, defaulted payments and the repossession of houses. In addition, a programme to educate disadvantaged communities about these issues was to be facilitated by the association in conjunction with Sanco. The association also agreed to pursue the creation of unemployment insurance facilities for home owners. It was agreed further that:¹⁰⁹ [¹⁰⁹ *Business Day*, *The Star* 6 May 1993]

- financial institutions' responsibility to depositors included providing a rate of return on deposits and repaying them on demand;
- shareholders in financial institutions required a fair rate of return on their investments;
- funds would be lent for home-mortgage loans according to an individual credit profile or against security of fixed property or other suitable collateral;
- the government had the responsibility to create a 'normal property market' through subsidies, infrastructure and guarantees;
- community participation and education were vital to a stable property market, but agreements should be subject to market trends;
- home ownership should be encouraged; and
- negotiations rather than 'disruptive actions' should be used to settle disagreements between financial institutions and home owners.

In July 1993 Sanco announced that it had suspended the agreement reached with the association. The president of Sanco, Mr Moses Mayekiso, said that the Association of Mortgage Lenders had used the agreement as a 'foreclosure tool'. He said the association had started implementing the agreement before community advisers had been found to inform home owners about all aspects relating to defaults and arrears and that the association had decided against paying such advisers' salaries. The association said that it had not committed itself to funding the continuing costs of community advisers, but only to their training.¹¹⁰ [¹¹⁰ *Business Day* 27 July 1993] Mr Mayekiso said that some R30m was required over the next two

years to pay community advisers to help implement the agreement. He added that if the parties could not resolve their differences through negotiations, a bond boycott would be considered.¹¹¹ [¹¹¹ Ibid 28 July 1993, *Weekly Mail and Guardian* 6 August 1993] The issue had not been resolved at the time of writing.¹¹² [¹¹² *Business Day* 20 September 1993]

Consumer Boycotts

In March 1993 representatives of the Pan-Africanist Congress (PAC) in the Transkei called for a boycott of the *Sunday Times* and accused the newspaper of conducting a campaign to ‘vilify and denigrate’ the PAC and its leadership. The PAC said that until reports in the *Sunday Times* were based on facts and concrete evidence, the organisation would continue to boycott and disrupt its distribution.¹¹³ [¹¹³ *The Citizen* 30 March 1993] The editor of the *Sunday Times*, Mr Ken Owen, offered to meet PAC leaders to discuss the issue. Mr Owen added that the action was regrettable in view of the fact that officials of the organisation had not attempted to discuss their concerns with the newspaper before embarking on this action. The military leader of the Transkei, Major General Bantu Holomisa, objected to the call for a boycott.¹¹⁴ [¹¹⁴ *Business Day*, *The Citizen* 31 March 1993] Following the receipt of the letter from Mr Owen, the PAC suspended the boycott, giving the newspaper 14 days in which to respond to its criticism.¹¹⁵ [¹¹⁵ *The Star* 1 April 1993] The boycott was not renewed.

The African National Congress (ANC) announced an indefinite consumer boycott in the Border region in April 1993 in the wake of the assassination of the general secretary of the South African Communist Party (SACP), Mr Chris Hani. The boycott, in support of demands for an election date and the establishment of a transitional executive council, was to focus on the central business districts of all the region’s towns. According to the chairman of the Border business action committee, Mr Ray Suttner, although business recognised the urgency for transitional structures it strongly opposed further action against businesses.¹¹⁶ [¹¹⁶ *The Citizen* 27 April 1993]

A few days after the consumer boycott began, the ANC told Border businessmen that it would suspend the boycott to help ease tensions in the region following the deaths of five whites in political violence in East London (eastern Cape). The Border business community had also agreed to take part in a national campaign for peace and democracy, according to the ANC.¹¹⁷ [¹¹⁷ *Business Day* 5 May 1993]

During May 1993 more consumer boycotts were announced countrywide following the ANC/Congress of South African Trade Unions/SACP alliance’s call for ‘rolling mass action’ to demand the establishment of a transitional executive council, the setting of an election date and multiparty control of the armed forces (see chapter on *Constitutional Change*). Following the arrest of a former member of the President’s Council and Conservative Party member, Mr Clive Derby-Lewis, and his wife, Mrs Gay Derby-Lewis, in May 1993 in connection with the assassination of Mr Hani, the Kagiso (west Rand) branch of the ANC launched a consumer boycott of Krugersdorp (where Mr and Mrs Derby-Lewis

lived).¹¹⁸ [¹¹⁸ *Sowetan* 11 May 1993] The demands of the Kagiso branch of the ANC included:¹¹⁹ [¹¹⁹ *Business Day* 13 May 1993]

- the removal of all white policemen from Kagiso until all security forces had been placed under multiparty control;
- the resignation of all Krugersdorp town councillors and the installation of an interim administration accountable to all people in the area; and
- the recognition and government financing of Kagiso's self-defence units.

A spokesman for the South African Police (SAP), Colonel Ray Harrald, said that the SAP would not accede to the demand that white policemen be removed from the township. He added that policemen, irrespective of colour, had a duty to serve the people. Complaints regarding police conduct should be filed with the police for investigation, he said.¹²⁰ [¹²⁰ *Ibid*]

The minister of manpower, Mr Leon Wessels, sent an open letter to the residents of Azaadville, Kagiso, Krugersdorp and Munsieville (all on the west Rand) in the same month, in which he demanded an end to 'protest politics and consumer boycotts'. Mr Wessels said that he was representing 'thousands of people' opposed to the consumer boycotts.¹²¹ [¹²¹ *Ibid*, *The Citizen* 14 May 1993]

However, the consumer boycott continued and by July 1993 the turn-over of white businesses in Krugersdorp had dropped by between 11% and 53%, according to the West Rand Chamber of Business. In response to the demands made by the ANC the Krugersdorp Town Council said that it was not in favour of the amalgamation of Krugersdorp and surrounding townships, although services and assistance would be rendered by the council to the townships on an agency basis. The council also said that it was not empowered to compel councillors to resign and that it regarded this demand as 'provocative'.¹²² [¹²² *The Star* 9 July 1993]

In August 1993 the Krugersdorp consumer boycott committee announced that it would continue its boycott of white businesses until the council had discussed joint local government issues with it.¹²³ [¹²³ *Sowetan*, *The Citizen* 5 August 1993] At the time of writing the boycott was still continuing.

A consumer boycott was launched in the eastern Transvaal in May 1993. The ANC alliance which called for the boycott demanded the reinstatement to their jobs of workers who had participated in past stayaways, and the de-electrification of the Mozambique border fence.¹²⁴ [¹²⁴ *Business Day*, *The Citizen* 13 May 1993] Other towns and regions where consumer boycotts over other issues were organised by the ANC alliance in May included Alberton (east Rand), Bloemfontein (Orange Free State), Germiston (east Rand), Harding, Kokstad and Matatiele (southern Natal), and Hartswater and Postmasburg (both

northern Cape).¹²⁵ [¹²⁵ *Business Day* 13 May 1993; *The Citizen* 14, 19 May 1993]

White farmers in the area around Harding set up barricades in the town a few days after the commencement of the consumer boycott to prevent anyone from entering or leaving the town. The farmers said that they were protesting against the selective boycott announced by the ANC, alleged ANC intimidation of customers, the use of businesses as 'political pawns' and the 'undemocratic' behaviour of the ANC. They attempted to persuade Indian shopowners to close their shops. According to an ANC spokesman, Dr Deva Moodley, none of the Indian shopkeepers had acceded to the farmers' demand.¹²⁶ [¹²⁶ *The Citizen* 19 May 1993] The boycott was subsequently suspended after discussions had been held between the ANC, the Harding action committee, members of the white community and business representatives.¹²⁷ [¹²⁷ *Ibid* 20 May 1993]

White business people in Bloemhof (western Transvaal) cut off all supplies to the neighbouring township of Boitumelong a few days after a consumer boycott was launched in May 1993. All African workers were reported to have been dismissed and were not to be re-employed until the consumer boycott had ended. The consumer boycott had been called after demands in April 1993 by the Boitumelong Civic Association for a single, unified town council and an improvement in workers' rights had not been met.¹²⁸ [¹²⁸ *The Star* 25 May 1993] The Bloemhof business committee cut off township petrol supplies and denied township residents basic foodstuffs and medical care. However, Indian traders, who refused to sign a solidarity pledge with the business committee, continued to sell food to township residents.¹²⁹ [¹²⁹ *Ibid* 26 May 1993]

A consumer boycott of businesses in Alberton was called by the ANC in May 1993 to protest against the killing of 13 people in Tokoza (east Rand) (see also *Political Conflict* below) and the failure of the Alberton Town Council to amalgamate with the Tokoza Town Council. However, the chairman of the Alberton Sakekamer, Mr Marius van der Merwe, said that a committee representing the ANC, the Inkatha Freedom Party, the PAC, the Alberton Town Council and local businessmen had been established in August 1992 to implement the joint administration of Tokoza. Mr van der Merwe said that the sakekamer was very disappointed with the ANC's decision to launch a boycott.¹³⁰ [¹³⁰ *Sowetan* 24 May 1993, *The Star* 25 May 1993]

In June 1993 all consumer boycotts in southern Natal were lifted after talks between political organisations and businesses in the area.¹³¹ [¹³¹ *Business Day* 4 June 1993] The ANC suspended its boycott of white businesses in the eastern Transvaal in the same month after an agreement was reached with local authorities and businessmen. The boycott in Bloemhof was also suspended after businesses agreed to reinstate workers who had been fired since the boycott of white-owned shops began. It was also agreed that recreational facilities in the town would be opened to all.¹³² [¹³² *The Star* 8 June 1993]

The deputy director general of the South African Chamber of Business, Mr Ron Haywood, said in June 1993 that consumer boycotts in rural areas were driving many small businesses to bankruptcy. He added

that both black and white small businesses were suffering the effects of the boycotts, which were ‘totally colour blind’ and often based on national political demands which local businesses were powerless to address.¹³³ [¹³³ *Business Day* 8 June 1993]

The ANC called for a consumer boycott of white businesses in Koppies (northern Orange Free State) in June 1993 after a planned march by the ANC Women’s League on 16 June was declared illegal. According to the chairman of the ANC in the town, Mr Johannes Tladi, the consumer boycott would end as soon as the ANC was given permission to hold the march. However, in retaliation for the boycott, white residents of Koppies blockaded all roads into the town to prevent African residents from the neighbouring township, Kwakwatse, from entering it.¹³⁴ [¹³⁴ *The Citizen* 29 June 1993] After two days of negotiations the Koppies branch of the ANC, the Koppies action group and the Koppies Town Council agreed to end all consumer boycotts, stayaways and counteractions immediately. It was also agreed that Kwakwatse residents would be allowed to march along a mutually agreed route to the Koppies Agricultural Showgrounds.¹³⁵ [¹³⁵ *The Star* 1 July 1993]

Residents of KwaThema near Springs (east Rand) launched a consumer boycott of Springs in late July 1993 in support of demands for the reinstatement of about 800 dismissed municipal workers. Other demands were the amalgamation of the Springs Town Council and the KwaThema and Bakerton councils and the opening of all recreational facilities to all races.¹³⁶ [¹³⁶ *Ibid* 3 August 1993] An agreement was reached in August 1993 to end the consumer boycott of Springs. The Springs Town Council, the ANC, various church organisations, the Springs Chamber of Commerce and other stakeholders were to establish a local government forum to discuss the creation of a single local government body. Workers would also be reinstated. The council agreed that before embarking on any retrenchments it would negotiate with the representative union.¹³⁷ [¹³⁷ *The Citizen* 21 August 1993]

Homelands

Demands for Reincorporation

In a statement in April 1993 the African National Congress (ANC) said that it did not support a reported plan of the state president, Mr F W de Klerk, ‘to speed up the reincorporation of the [‘independent’] homelands into South Africa’. The ANC said further, ‘Reincorporation into South Africa, after a comprehensive agreement has been reached at the multiparty Negotiating Forum, has long been the proposal put forward by the ANC.’ This approach had also been proposed by the administrations of the Transkei and Venda, according to the ANC. The ANC said that the key element of the proposal was that these territories be reincorporated into a South Africa which had a democratic constitution and not in terms of the ‘existing apartheid constitution’.¹³⁸ [¹³⁸ *Sowetan* 5 April 1993]

The Transkei military ruler, Major General Bantu Holomisa, proposed in April 1993 that the ‘independent’ and non-independent homelands, as well as ‘South Africa’, be taken over by

administrators. ‘The Transkei administration and the people of the Transkei would appreciate it if all the political parties running governments in South Africa today were to step down so as to make way, for example, for the chief justice in the case of South Africa, and other appointed administrators to assist him in other homelands,’ he said. Gen Holomisa’s proposal was rejected by the South African government.¹³⁹ [¹³⁹ *The Star* 7 April 1993]

Earlier in the same month an alleged confidential government document relating to the reincorporation of the ‘independent’ homelands was reported to have been leaked to the media. The document detailed steps for swift reincorporation and called for acceleration of the process. The steps outlined in the document included the appointment of administrators and administrative councils for the ‘independent’ homelands for the period between reincorporation and the establishment of an interim government.¹⁴⁰ [¹⁴⁰ *Ibid* 2 April 1993]

Homeland Administrations and Negotiations

In March 1993 representatives of the South African government and the administration of Bophuthatswana met in Cape Town. According to a statement issued by the Bophuthatswana delegation after the meeting, ‘the talks were wide-ranging and covered the full spectrum of issues relevant to the negotiations process’.¹⁴⁰ [¹⁴⁰ *Ibid* 2 April 1993]

Speaking at a conference in Mmabatho (Bophuthatswana) in the same month, the president of Bophuthatswana, Chief Lucas Mangope, said that the South African government and the African National Congress/South African Communist Party/Congress of South African Trade Unions alliance was asking Bophuthatswana to give up its ‘independence’ and everything it had sacrificed over the past 15 years in exchange for something they ‘could not even define’. Chief Mangope said, ‘They want us to blindly buy into a situation where the boundaries and powers of regional states—and the new constitution—will be decided after the election. This means that those in the majority after the elections would have the power to influence these critical decisions to suit themselves’. Chief Mangope added, ‘We do not want to be seen to have been the negative spoilers. For this reason, we are tempering our determination not to be pushed around with a responsible attitude to remain open-minded.’ However, he said that fundamental beliefs and principles of members of the Concerned South Africans’ Group were non-negotiable (see also chapter on *Constitutional Change*).¹⁴² [¹⁴² *Ibid* 16 March 1993]

For legislation providing for the reincorporation of the non-independent homelands see chapter on *Constitutional Change*.

Political Developments in Particular Homelands

There were numerous allegations during the period under review of financial overexpenditure and

corruption in the administrations of the homelands. For details see chapters on *The Economy* and *Synopsis and Update*.

Bophuthatswana

In February 1993 the leader of the National Seoposengwe Party (NSP) in Bophuthatswana, Mr Victor Sefora, accused the Bophuthatswana minister of defence, Mr Rowan Cronje, of 'deceiving the public' about the state of repression in the territory. Commenting on a television interview with the South African Broadcasting Corporation in which Mr Cronje had said repeatedly that the Bophuthatswana authorities had 'never disallowed meetings of the NSP', Mr Sefora said, '[Mr] Cronje should know that the Bill of Rights which is supposed to secure the freedoms of the citizen fades into insignificance against the harsh, repressive and wholly undemocratic provisions of the [Bophuthatswana] Internal Security Act of 1979.'¹⁴³ [¹⁴³ *New Nation* 26 February 1993]

Mr Sefora also revealed a response from the Madikwe magistrate's office to an application by his party for permission to hold a meeting. The magistrate had demanded from Mr Sefora the party's registration certificate, and the full names and addresses of the meeting convenors, the chairman and all those who would be attending the meeting. Mr Sefora said that the meeting could not take place because of the 'totally ridiculous nature of the demands' which, he added, were unheard of anywhere outside Bophuthatswana.¹⁴⁴ [¹⁴⁴ *Ibid*]

In April 1993 some 300 students at the Medical University of Southern Africa at GaRankuwa hijacked two buses belonging to the Bophuthatswana Transport Company. One of the buses was gutted when the students set it on fire, but the second was only partially damaged.¹⁴⁵ [¹⁴⁵ *The Citizen* 29 April 1993]

Chief Mangope said in the same month that the territory's detractors were increasingly building shacks illegally in Bophuthatswana in order to 'destroy the homeland'. He added, 'People of other nationalities come into Bophuthatswana at night and build shacks. These people will tomorrow be in the forefront of political disturbances caused by organisations which do not belong in this country.' Chief Mangope said that 'illegal squatting' would rob the Batswana of their land if it was not challenged. He appealed to chiefs to work with the administration in the fight against 'squatting'.¹⁴⁶ [¹⁴⁶ *Ibid* 16 April 1993]

In May 1993 the Bophuthatswana information service announced by radio that the University of Bophuthatswana (Unibo) was to be 'closed indefinitely with effect from 8am on 11 May'. The announcement was made after a student demonstration at the university on 7 May which was dispersed by the Bophuthatswana police. Five students, including two student leaders, Messrs Solomon Bokaba and Tshepo Mofokeng, were subsequently admitted to the Bophelong Hospital after they had allegedly been shot and beaten by homeland police during the march.¹⁴⁷ [¹⁴⁷ *Ibid* 8 May 1993]

The general secretary of the Union of Democratic University Staff Associations, Mr Nico Cloete,

explained that the closure had come after weeks of conflict, with the police ‘repeatedly invading campus and indiscriminately attacking students and staff’. Matters had come to a head on 7 May, he added, when police casspirs had rammed the gates of the university, unleashing ‘a reign of terror’.¹⁴⁸ [¹⁴⁸ Ibid 12 May 1993] Reacting to the allegation of police attacks on students during the march, a spokesman for the Bophuthatswana police, Colonel Dave George, said that police had acted in self-defence as the marchers had been angry and unruly.¹⁴⁹ [¹⁴⁹ *Sowetan* 10 May 1993]

On 10 June 1993 a meeting convened by the administration of Bophuthatswana to address the crisis at Unibo was disrupted by hundreds of students who stormed into the Mmabatho convention centre and broke up the meeting. The students sang *Nkosi Sikelel’iAfrika*, which had been prohibited from being sung in the territory. The general secretary of the students’ representative council, Mr Obakeng Mongale, said that the students were thereby passing a vote of no confidence in the administration of Chief Mangope. Some 20 students were later arrested by the Bophuthatswana police.¹⁵⁰ [¹⁵⁰ *The Star* 11 June 1993] In June 1993 Chief Mangope prohibited a protest march organised by the African National Congress (ANC) in Mmabatho to demand freedom of speech and free political activity in the homeland, as well as the reincorporation of the territory into South Africa.¹⁵¹ [¹⁵¹ *The Citizen* 19 June 1993]

A spokesman for the homeland administration said that nobody had applied to either the ministry of justice or the Mmabatho administration for permission for the march to take place. ‘A march would clearly be part of the ANC/South African Communist Party (SACP)/Congress of South African Trade Unions alliance’s plan to destabilise Bophuthatswana and make it ungovernable. The [administration] could not and would not stand by to allow this obscene and undemocratic campaign to undermine law and order within its borders,’ the spokesman said.¹⁵² [¹⁵² Ibid]

Addressing a meeting of civil servants in Mmabatho in July 1993, Chief Mangope told them that his administration would not continue to employ people whose sympathies lay with organisations whose stated intention was to destroy Bophuthatswana. He said, ‘Members of the ANC/SACP cannot work for the government. You do not employ as your chief someone who wants to kill you, who wants to stab you in the back’. In reaction a spokesman for the ANC, Mr Carl Niehaus, said that the statement constituted yet another example of the political intolerance prevalent in the homeland.¹⁵³ [¹⁵³ *The Star* 21 July 1993]

In the same month the Bophuthatswana authorities overruled a decision by the Unibo administration to reopen the university and it deployed troops on the university campus. The university council had decided to reopen the university in the third week of July after it had been closed in the wake of student protests at the beginning of June 1993.¹⁵⁴ [¹⁵⁴ *The Weekly Mail* 23 July 1993]

The Bophuthatswana administration permitted Unibo to reopen only on 23 August 1993, with stringent conditions which students had to agree to before they were allowed to resume their studies. The university council undertook to expel any student found guilty of contravening any of the stipulated

conditions (see also chapter on *Education*).¹⁵⁵ [¹⁵⁵ *Sowetan* 23 August 1993]

Ciskei

In January 1993 the chairman of the Ciskei Military Council, Brigadier Joshua ‘Oupa’ Gqozo, gave informal settlers throughout the Ciskei who had built shacks without the administration’s permission a week to move. His statement came three years after his declaration, soon after seizing power in 1990, that people should build houses wherever there was open space in the homeland.¹⁵⁶ [¹⁵⁶ *The Weekly Mail* 22 January 1993]

Brig Gqozo said that he wanted the shack dwellers to move back to their original homes. If they wanted land to build houses they should seek permission from the headmen and councillors in the Ciskei. ‘I want people to obey my headmen, my councillors, my chiefs and my tribal authorities. We are going to take action against squatters. We will throw their stuff away. Squatting is causing bad administration,’ he said. Leaders of local community organisations said that they believed that Brig Gqozo’s threat stemmed from the fact that residents of the Ciskei shack settlements strongly supported the African National Congress (ANC).¹⁵⁷ [¹⁵⁷ *Ibid*]

Later in January 1993 Brig Gqozo said that newspaper reports that civil servants in the homeland had been ‘forced to fund’ the territory’s 1993 independence celebrations had been ‘scurrilous and cheap propaganda’. Independence celebrations, he added, had not been possible during the previous two years because of political intolerance and threats of violence. This year, however, Ciskei ‘patriots’ had urged his administration to allow them to organise independence celebrations. ‘We as a government felt compelled to accede to their request, but owing to the economic climate in which the entire region finds itself, we pointed out that there were certain constraints with which the budget for such national celebrations would have to contend.’ He claimed that the committee formed to organise the celebrations had taken it upon itself to request donations from people to augment funds available from the Ciskei administration.¹⁵⁸ [¹⁵⁸ *Daily Dispatch* 26 January 1993]

The secretary general of the African Democratic Movement (ADM) in the Ciskei, Mr Thamsanqa Linda, said in the same month that violence against people and their property had helped the organisation gain ‘massive support’ in Mdantsane. Brig Gqozo said, ‘Whoever came up with tyre [necklacing] and petrol bombings of houses helped the ADM and we are thankful to him because many people have joined the movement since then.’¹⁵⁹ [¹⁵⁹ *Ibid* 28 January 1993]

In May 1993 the Ciskei administration granted ‘unconditional indemnity’ to all those members of the Ciskei Defence Force (CDF) who had been involved in an incident in Bisho in September 1992 in which 29 people had been shot dead and 200 injured (see 1992/93 *Survey* pp440–441). ‘It is the considered opinion of the Ciskei Council of State that criminal prosecution of persons in this regard would simply impact negatively on the multiparty negotiations process,’ the council said.¹⁶⁰ [¹⁶⁰ *Business Day* 19 May 1993]

The decision to grant indemnity came days after an announcement by the Ciskei attorney general, Mr Willem Jurgens, that charges were being prepared against 70 people, including Ciskei soldiers and an ANC official, Mr Ronnie Kasrils, for their part in the incident.¹⁶¹ [¹⁶¹ Ibid]

At the end of May 1993 a new political organisation aligned to the Ciskei administration and known as the Christian People's Movement was launched at a rally at Backland, a farm belonging to Brig Gqozo. The movement was to replace the ADM. A spokesman for the movement said that the rally had been held to consult ADM members 'regarding a possible change in the aims of the movement' and that this consideration had been prompted by a 'spate of attacks on ADM members and their families'. Organisations opposed to the Ciskei administration claimed that the launch of the new movement was 'another trick' by Brig Gqozo to deceive the people after his 'failure' to present the ADM as a 'genuine political movement' in the homeland.¹⁶² [¹⁶² *Daily Dispatch* 3 June 1993, *The Weekly Mail* 4 June 1993]

In mid-June 1993 four members of the CDF—two officers and two non-commissioned officers—were arrested for 'conduct prejudicial to good military discipline', according to the chief of the territory's defence force, Brigadier Dirk van der Bank. He denied allegations that the four had plotted to overthrow Brig Gqozo.¹⁶³ [¹⁶³ *Daily Dispatch* 22 June 1993]

Towards the end of August 1993 Brig Gqozo said that the Ciskei administration would establish its own 'private army' (separate from the CDF) if Umkhonto we Sizwe (Umkhonto) was not disbanded. He warned that 'unless the activities of Umkhonto in the Ciskei are stopped, we will have to build a similar force'. Brig Gqozo alleged that the ANC was 'to blame for 99% of the violence in the Ciskei', saying that he had statistics to back up his claim and that he would make them available to anyone who wished to see them.¹⁶⁴ [¹⁶⁴ *City Press* 29 August 1993] A report published at the beginning of August 1993 said that Ciskei had 'trained and armed 100 young men to form the nucleus of a secret militia' to support the administration of Brig Gqozo and that the training was to be conducted by officers of the CDF.¹⁶⁵ [¹⁶⁵ Ibid 1 August 1993] The Ciskei administration denied these allegations.

In August 1993 the Bisho Supreme Court ruled at the end of an inquest hearing into the deaths of the former commander-in-chief of the CDF, Major General Charles Sebe, and Colonel Onward Guzana in January 1991 that Brig Gqozo had ordered the killing of Mr Sebe. However, the court could make no finding regarding Mr Guzana's death. The court ruled that the two men had been on a mission to overthrow the military ruler when they had been shot. It found that their plans had been uncovered by Ciskei intelligence agents, and that they had then been led to their deaths 'like lambs to the slaughter'.¹⁶⁶ [¹⁶⁶ *The Star* 31 August 1993]

Reacting to the court's finding, the administration of the Ciskei said that 'the 1991 killing was justified'. An organisation, Lawyers for Human Rights, called on Brig Gqozo to resign and for his immediate arrest and prosecution. The ANC echoed these sentiments while the Border Council of Churches called for Brig Gqozo to step down as ruler of the Ciskei.¹⁶⁷ [¹⁶⁷ Ibid]

In November 1993 the trial of Brig Gqozo on charges of being an accomplice to the murder of Mr Sebe began in the Bisho Supreme Court. Brig Gqozo's legal representative, Mr D de Bruyn, said that as head of state his client could not be 'held responsible in a personal capacity' for the murder and asked that the charges be dropped. Replying to this argument, the attorney general of the Ciskei, Mr Willem Jurgens, said that it was not possible for the chairman of the Ciskei council of state to be immune from prosecution if he committed a crime.¹⁶⁸ [¹⁶⁸ *The Citizen* 17 November 1993] The trial was continuing at the time of writing.

Gazankulu

The Gazankulu minister of works, Mr Samuel Nxumalo, was elected chief minister of the homeland administration during a sitting of the legislative assembly at Giyani in April 1993, following the death of Professor Hudson Ntsanwisi a month earlier. Mr Nxumalo said that he was pleased to be able to lead Gazankulu and that he believed the 'vast experience he had gained while working with [Professor] Ntsanwisi' would help him shape the future of the homeland.¹⁶⁹ [¹⁶⁹ *Sowetan* 7 April 1993]

Addressing the Gazankulu Legislative Assembly in June 1993, the president of the African National Congress (ANC), Mr Nelson Mandela, said, 'Let us forget the past and its criminal actions. Now is the time for us to work together. In our view co-operation should address the rights of workers, including civil servants, teachers and nurses.' Mr Mandela told the legislative assembly that while the ANC viewed the homeland's parliament as 'highly illegitimate' he had accepted the invitation to address the assembly without hesitation. Mr Nxumalo said that Mr Mandela's visit had been arranged by his predecessor, Professor Ntsanwisi.¹⁷⁰ [¹⁷⁰ *Ibid* 15 June 1993]

Kangwane

In June 1993 the minister of foreign affairs, Mr Roelof (Pik) Botha, addressed a meeting of 50 traditional leaders in KaNgwane. Reacting to reports that chiefs in the homeland had snubbed him, Mr Botha suggested that 'very few chiefs attended [the meeting] because of intimidation' and that most of them had sent assistants. He said that he had told the traditional leaders 'not to succumb to intimidation' but to 'give each and every political leader a chance to state his party's case in order for voters to make an informed and intelligent decision at the polling booth'.¹⁷¹ [¹⁷¹ *The Citizen* 14 June 1993]

Kwandebele

In January 1993, in a bid to resolve political differences between the ANC and Intando ye Sizwe Party, a KwaNdebele-based political party, the two organisations agreed to make dual membership of both parties possible. They also agreed to hold joint rallies and to set up a liaison committee between the

ANC and the homeland party.¹⁷² [¹⁷² *The Star* 13 January 1993]

Kwazulu

The KwaZulu Legislative Assembly passed a resolution in February 1993 warning that South Africa would be ‘plunged into civil war’ if the government and the African National Congress (ANC) attempted to direct the negotiations process through bilateral talks between them (see also chapter on *Constitutional Change*). ‘We reaffirm our conviction that the bilateralism pursued by [the minister of constitutional development], Mr Roelf Meyer, with the ANC is enormously dangerous for South Africa,’ the legislative assembly said. In another resolution the assembly said that KwaZulu would ignore any agreements reached in any negotiations forum in which it had not participated.¹⁷³ [¹⁷³ *The Citizen* 4 February 1993]

On 30 March 1993 the chief minister of KwaZulu and the leader of the Inkatha Freedom Party (IFP), Chief Mangosuthu Buthelezi, received a standing ovation from the territory’s legislative assembly when he completed a policy speech delivered over a period of two-and-a-half weeks. The text of the speech ran to 427 pages and included a 60-page dissertation on the IFP’s constitutional proposals for Natal/KwaZulu.¹⁷⁴ [¹⁷⁴ *Business Day* 31 March 1993] The speech was believed to be the longest ever made to a legislative body.

The secretary of KwaZulu’s Department of Education and Culture, Mr Wilfred Zwane, announced in June 1993 that he would take ‘early retirement’ because of ‘discrimination practices in the administration against KwaZulu citizens’ which hindered their promotion to senior posts. ‘If you are working within KwaZulu you have no chance to reach the higher ranks. The system does not allow blacks to develop experience,’ Mr Zwane claimed. He added that the Public Service Commission favoured whites for all senior posts in the KwaZulu administration. However, the director of the commission, Mr Daniel Joubert, denied Mr Zwane’s allegations.¹⁷⁵ [¹⁷⁵ *New Nation* 11 June 1993]

The commander of King Goodwill Zwelithini’s personal regiment and the chairman of the central committee of the IFP, Mr Albert Mncwango, said in July 1993, ‘The regiment is ready for war. I am waiting for a signal from the king and [Chief] Buthelezi. The ANC and the government should know that if they refute our demands [at the negotiating table], we will cross the bridge.’ He suggested that only an open war carried out until there was a clear winner would ensure peace between the two rival political organisations. Mr Mncwango claimed that the regiment had half a million soldiers ranging from 25 to 45 years of age.¹⁷⁶ [¹⁷⁶ *The Weekly Mail* 16 July 1993]

In August 1993 the government agreed to the transfer of about 500 000ha of land from Natal to KwaZulu. In terms of the agreement between the government and the KwaZulu administration, some of the land was to be transferred to the KwaZulu Finance and Development Corporation, while other portions were to be given to tribes and tribal authorities. The agreement appeared to be a compromise on

KwaZulu's original demands for full control of the land. The land transferred comprised 90 pieces and consisted of tribal villages and townships, conservation areas, forests and agricultural land.¹⁷⁷ [¹⁷⁷ *Business Day* 24 August 1993]

A spokesman for the ANC, Mr Carl Niehaus, said that his organisation was unhappy about the unilateral transfer of land when the South African government was talking about reintegrating the homelands into a united South Africa (see also chapter on *Land, Agriculture and Rural Areas*).¹⁷⁸ [¹⁷⁸ *Ibid*]

An attempt by the KwaZulu administration to have decisions made by 'sufficient consensus' at the national negotiations at the World Trade Centre (east Rand) set aside failed when its application to the Transvaal Provincial Division of the Supreme Court in Pretoria was dismissed with costs in September 1993 (see also chapter on *Constitutional Change*). In delivering judgement, the judge president of the Transvaal, Mr Justice C F Eloff, said that the court could review only decisions made by statutory bodies or contractual agreements creating rights and obligations. Reacting to the judgement, one of the KwaZulu negotiators, Dr Ben Ngubane, said, 'We are back to square one,' and added that the ruling made a summit meeting of political leaders 'an absolute necessity', particularly in the light of the continuing political violence (see below).¹⁷⁹ [¹⁷⁹ *Ibid* 10 September 1993]

A United States-based human rights agency, Africa Watch, said in a report in September 1993 that KwaZulu was a 'one-party state' and that only the IFP had the freedom to organise within the homeland. It added that in the homeland freedom of speech, assembly and association for groups such as the ANC were routinely denied. Africa Watch said that the chieftainship system was abused to ensure that chiefs opposed to the IFP or Chief Buthelezi were removed.¹⁸⁰ [¹⁸⁰ *Ibid* 22 September 1993]

The report also said that the services of the KwaZulu administration were misused to promote support for the IFP among the administration's employees and those claiming welfare benefits. It added that the KwaZulu Police 'are allowed to operate with an almost complete lack of accountability. They fail to offer equal protection to individuals and groups believed to support the ANC, engage in acts of random or politically directed violence and are widely perceived to be the armed wing of the IFP'. 'These allegations are false,' the KwaZulu administration said.¹⁸¹ [¹⁸¹ *Ibid* 22 August 1993]

Lebowa

In March 1993 the chairman of the Lebowa Development Corporation, Mr Willie Ramoshaba, said at a press conference in Johannesburg that the Lebowa cabinet, which had appointed the corporation's board, was interfering with the running of the corporation and that members of the cabinet were using their influence to obtain loans for themselves and to dismiss staff members who opposed corruption.¹⁸² [¹⁸² *The Star* 24 March 1993]

Mr Ramoshaba cited a case in which he alleged that Mr P Z Ramodike, the brother of the homeland's

chief minister, Mr Nelson Ramodike, had obtained a loan from the corporation to buy the chief minister's business complex near Lenyenye after the chief minister had himself failed to secure a loan to buy a farm. The application for the loan by the chief minister's brother was allegedly approved in five days instead of the usual period of two months and the money was said to have been deposited into the chief minister's bank account. In reply to these allegations, Mr Nelson Ramodike claimed that he had used his 'own resources, and financial assistance from the Land Bank and Nedbank in Tzaneen' to buy the farm. However, confidential documents of the Lebowa Development Corporation were said to have revealed that the chief minister had indicated to the corporation that the sale of the business complex was to enable him to buy the farm.¹⁸³ [¹⁸³ Ibid]

Mr Ramoshaba was subsequently dismissed from his post. Later in the same month staff members of the Lebowa Development Corporation staged a two-hour demonstration outside the offices of the corporation at Lebowakgomo, at which they denounced alleged nepotism in the allocation of jobs.¹⁸⁴ [¹⁸⁴ Ibid]

In April 1993 Mr Nelson Ramodike was booed out of a memorial service held in Pietersburg (northern Transvaal) for the assassinated general secretary of the South African Communist Party, Mr Chris Hani. Officials of the African National Congress (ANC) who attended the service were unable to calm down members of the emotional crowd of 5 000 people who demanded that Mr Ramodike be barred from the memorial service. Mr Ramodike subsequently left the service.¹⁸⁵ [¹⁸⁵ *Sowetan* 15 April 1993]

The minister of regional and land affairs, Mr André Fourie, announced at the end of August 1993 that the government was taking 'immediate control of Lebowa's deteriorating financial situation'. Mr Fourie said that the 'unprecedented intervention, including the freezing of all cheques issued by the administration of Lebowa' had become 'necessary in the interests of South African taxpayers'. Mr Fourie explained that Lebowa had overspent its 1992/93 budget of R3,6bn by about R722m. He also said that an investigation into financial irregularities would be launched following indications that corruption and self-enrichment by officials had reached 'alarming proportions'. Evidence that officials had been upgrading their posts and authorising salary back-payments had been confirmed by the office of the auditor general, Mr Fourie said.¹⁸⁶ [¹⁸⁶ *Business Day* 1 September 1993]

Mr Ramodike denied these accusations and said that South African finance officials seconded to Lebowa were incompetent.¹⁸⁷ [¹⁸⁷ Ibid] The ANC described the government's takeover of the financial administration of the homeland as 'hypocritical and arrogant'. It said, 'We ask why the government has chosen to deal with certain homeland administrations, particularly those that are vocal in their opposition to its policies. From its inception the homeland system had no sound political, moral or economic basis, but was part of grand apartheid's demographic engineering.'¹⁸⁸ [¹⁸⁸ Ibid 2 September 1993]

The financial crisis in Lebowa had allegedly been triggered by the mass promotion of public servants who had alleged that they were unfairly paid low salaries and had demanded more pay. The promotions had cost the administration R60m by the beginning of September 1993. The additional funds had been

paid out of a bank account opened on behalf of Lebowa by the government three years previously when the homeland administration had begun experiencing cash flow problems (for further details see chapter on *The Economy*).¹⁸⁹ [¹⁸⁹ Ibid 3 September 1993]

Qwaqwa

In September 1993 the chief minister of QwaQwa, Chief Kenneth Mopeli, held talks in Mmabatho (Bophuthatswana) with representatives of Bophuthatswana and of the National Party in the Orange Free State (OFS) to discuss the possibility of a common region which would include the OFS and parts of both homelands.¹⁹⁰ [¹⁹⁰ *The Citizen* 10 September 1993]

Transkei

Early in 1993 a committee of the Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (the Goldstone commission) under the chairmanship of Mr Gert Steyn and sitting in Port Elizabeth (eastern Cape) heard allegations that the military wing of the Pan-Africanist Congress (PAC), the Azanian People's Liberation Army (Apla), had carried out at least 41 attacks in South Africa in 1991 and 1992 using the Transkei as its base. The counsel for the South African Police (SAP), Mr François van Zyl, told the committee that various attacks had been carried out on the instructions of the Apla high command in the Transkei. The Transkei administration was subsequently invited to respond to the allegations. The chairman of the Transkei Military Council, Major General Bantu Holomisa, rejected the invitation. He also denied that the Transkei was being used as a springboard for Apla attacks on South Africa (see chapter on *Security*).¹⁹¹ [¹⁹¹ Ibid 5, 6 January 1993]

In February 1993 Gen Holomisa claimed that South Africa was training Africans to pose as members of Apla. He claimed that those undergoing training were being used in attacks on civilians in South Africa to provide 'proof' that Apla was at war with Umkhonto we Sizwe, the military wing of the African National Congress (ANC). A spokesman for the ministry of law and order, Captain Craig Kotze, dismissed the claim as 'malicious propaganda' and said that 'any evidence Gen Holomisa has to support it must be produced as rapidly as possible for investigation'.¹⁹² [¹⁹² *The Natal Witness* 6 February 1993]

A group of 80 supporters of the PAC picketed the South African embassy in Umtata, the capital of the Transkei, in February 1993 to protest against the alleged presence of members of the South African Defence Force's 32 Battalion and the Koevoet unit of the SAP along the Transkei/ South African boundary. The picketers dispersed abruptly when the Transkei riot police fired teargas at the group.¹⁹³ [¹⁹³ *The Citizen* 27 February 1993]

Gen Holomisa announced in April 1993 that he had discussed the political situation in South Africa with the commander of Apla, Mr Sabelo Phama, and members of the national executive of the PAC during

the previous month.¹⁹⁴ [¹⁹⁴ Ibid 3 April 1993]

Tensions between the South African government and the Transkei administration eased after talks between the homeland authorities and senior SAP officers later in April 1993. An immediate consequence of the meeting was that the boundary controls imposed by South Africa were ‘adapted’ to ensure that there was less disruption of traffic crossing between the Transkei and ‘South Africa’.¹⁹⁵ [¹⁹⁵ *The Star* 8 April 1993]

Proposals on combating security threats to South Africans and Transkeians were agreed upon by the commissioner of the SAP, General Johan van der Merwe, and his Transkeian counterpart, General Richmond Mankahla, before being submitted to their respective administrations for consideration. The deputy minister of law and order, Mr Gert Myburgh, said that Gen Mankahla undertook to intensify policing in the Transkei ‘to combat any threat to South African citizens’.¹⁹⁶ [¹⁹⁶ Ibid]

Towards the end of May 1993 Gen Holomisa dismissed a South African military intelligence report linking him to the infiltration into Natal of a nine-man killer squad consisting of members of Apla and of a Transkei Defence Force unit earlier in the month, saying that the report was part of a disinformation campaign. The action, codenamed ‘Operation Trench’, was said to have the objective of killing whites. Gen Holomisa accused South African military intelligence and the newspaper which published the report of conspiring to defame him, adding that if hard evidence existed linking him to the activities of the killer squad, then ‘surely they should prove that in court’.¹⁹⁷ [¹⁹⁷ Ibid 28 May 1993]

Venda

The secretary of the National Party branch in Venda, Mr I Mtiitwani, claimed in March 1993 that more than 5 000 Africans in the homeland had joined the party.¹⁹⁸ [¹⁹⁸ *The Citizen* 17 March 1993]

Nearly all Indian-owned shops in Thohoyandou, the capital of Venda, were looted and stoned in April 1993 after the alleged abduction of a 13-year-old boy on the banks of the Mvudi River, the Venda police commissioner, Captain M J Munyani, said. Violence in reaction to the alleged abduction resulted in vandalism, looting and theft of Indian businesses. Capt Munyani explained that local people believed that Indians ‘hired people to kill children’ for ‘muti’—a belief which he described as ‘a false rumour that caused lots of damage’. The 13-year-old boy subsequently returned home unharmed.¹⁹⁹ [¹⁹⁹ Ibid 23 April 1993]

Paramilitary Units

Afrikaner Weerstandsbeweging

The leader of the Afrikaner Weerstandsbeweging (AWB), Mr Eugene TerreBlanche, said in February 1993 that the AWB and the Wenkommando, the AWB's paramilitary wing, were self-defence units established to protect 'their people' and their property against the African National Congress (ANC) and the Azanian People's Liberation Army (Apla), the military wing of the Pan-Africanist Congress (PAC). Reacting to a statement by the state president, Mr F W de Klerk, that private armies such as those established by the AWB and the ANC would be absorbed into the police, Mr TerreBlanche said that the AWB would fight 'terrorism' along with the police and the South African Defence Force (SADF), but it was not prepared to serve with the ANC and the PAC in a combined unit.²⁰⁰ [200 Ibid 2 February 1993]

Three men, Messrs André Vorster, Frans van der Walt and Abraham Young, were convicted in the Port Elizabeth regional court in March 1993 of the bombing of a farm store belonging to a member of the ANC, Mr Malcolm Hepburn, in the eastern Cape in January. The explosion had caused R50 000 worth of damage and had destroyed the store. Mr Young was a member of the AWB. Two other AWB members—Messrs Petrus Lombard and Barend Mostert—were convicted on a charge of illegally procuring explosives for the bombing.²⁰¹ [201 *The Star* 5 March 1993]

According to a document allegedly sent to Mr TerreBlanche and his general staff in March 1993, a group of AWB members, including SADF personnel and policemen, had formed an underground unit 'to carry out reprisals for the murder of innocent civilians'. Mr TerreBlanche denied that he or his staff were responsible for the formation of the 'retribution unit' and said that the unit had been formed because 'circumstances demanded it'. A spokesman for the ministry of law and order, Captain Craig Kotze, described the formation of the unit as 'deplorable' and said that strong action would be taken against people who took the law into their own hands.²⁰² [202 *The Citizen* 24 March 1993]

At a meeting in the same month in Vereeniging (southern Transvaal), which was organised by the AWB and the South African Iron and Steel Workers' Union, Mr TerreBlanche said that the time was right for whites to prepare to defend themselves 'in a military sort of organisation' and that an ANC government was 'totally unacceptable'.²⁰³ [203 *The Star* 30 March 1993]

After the assassination of the general secretary of the South African Communist Party (SACP), Mr Chris Hani, in April 1993, Mr TerreBlanche confirmed that the alleged killer, Mr Janus Waluz, was a member of the AWB. Mr Waluz had joined the AWB in 1986 but had never been a member of the Wenkommando, according to the leader of the organisation. Mr Waluz was later convicted of the murder of Mr Hani (see *Attacks on persons* below).²⁰⁴ [204 Ibid 13 April 1993]

In April 1993 residents of Tshing, a township near Ventersdorp (western Transvaal), armed themselves and erected road barricades after armed AWB members had threatened three times to invade the township. A spokesman for the ANC Youth League in the township, Mr Dan Moagi, said that a group of men in AWB uniforms had entered the township, swearing and threatening that residents would meet Mr Hani's fate. They had returned twice, wearing black uniforms and brandishing R-4 rifles.²⁰⁵ [205 Ibid 21 April 1994]

In June 1993 after storming through a heavy police cordon, a group of whites chanting 'AWB, AWB' drove an armoured vehicle through the front doors of the World Trade Centre (east Rand), the venue for the multiparty negotiations. The group smashed windows as members of the negotiating teams fled. The crowd also rocked cars arriving at the centre and pulled off their windscreen wipers.²⁰⁶ [²⁰⁶ Ibid 25 June 1993]

The Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (the Goldstone commission) subsequently initiated an investigation into the intrusion at the World Trade Centre. In a statement in July 1993 the general staff of the AWB said that the chairman of the commission, Mr Justice Richard Goldstone, was 'totally unacceptable' as an independent judge and warned that the AWB would lose faith in the South African judiciary if Judge Goldstone was allowed to continue his investigations. The AWB said that Judge Goldstone had used a 'vengeful expression' in his report on the incident at the World Trade Centre by describing members of the AWB as 'hooligans'. The general staff said further, 'Hurtful and humiliating English terms were used against the Boer nation. The people Mr Justice Goldstone is referring to in his report are young Christian men and women who occupied the World Trade Centre to apologise to God ... Mr Justice Goldstone has always been antagonistic towards the Boer nation and its republican idea. The AWB can therefore never acknowledge the position of power given to him.'²⁰⁷ [²⁰⁷ *The Citizen* 19 July 1993]

In August 1993, 42 members of the AWB convicted in the Johannesburg magistrate's court on trespassing charges arising out of the storming of the World Trade Centre in June, were given the option of an admission of guilt fine of R300 each.²⁰⁸ [²⁰⁸ Ibid 19 August 1993] Twenty-nine people subsequently agreed to pay the fine. At the time of writing the response of the remaining 13 people was not known.²⁰⁹ [²⁰⁹ *Weekly Mail and Guardian* 8 October 1993] A further 18 people were charged with public violence and were to stand trial in March 1994.²¹⁰ [²¹⁰ *Business Day* 30 December 1993]

The Wenkommando was granted the freedom of Delareyville (western Transvaal) in September 1993 despite a petition to the town council from the town's business community opposing the decision. The businessmen said they were concerned about the effect such recognition of the AWB might have on their businesses. Many people who signed a petition protesting against the granting of the freedom of the town to the AWB had been threatened by the organisation, according to the western Transvaal media officer of the ANC, Mr Rankoa Molefe.²¹¹ [²¹¹ Ibid 16 September 1993] Other town councils which also granted the freedom of their towns to the AWB in 1993 were Bloemhof (Transvaal), and Lichtenburg and Schweizer-Reneke (both western Transvaal).

Azanian National Liberation Army

In May 1993 the Azanian National Liberation Army (Azanla), the military wing of the Black Consciousness Movement of Azania (BCMA), claimed responsibility in a phone call to the press for an attack on the Highgate Hotel near East London (eastern Cape) which left five people dead and seven

injured. The caller, who would not identify himself, said that the attack had been carried out by three members of Azanla. However, a BCMA spokesman in Harare (Zimbabwe) cast doubt on the claim, saying he would have been informed if the attack had been carried out by Azanla.²¹² [²¹² *Ibid* 4 May 1993]

Early in September 1993 another caller, who said he was a commander of Azanla, claimed responsibility for a bomb blast at the Riverside Lodge in Ladybrand (Orange Free State). The attack caused damage estimated at R1m to the hotel. No one was injured in the blast. The caller explained that the attack was carried out because ‘we know the [multiparty negotiations] are not going to deliver anything good for our people—the black people of Azania’.²¹³ [²¹³ *The Star* 6 September 1993]

Azanla members marched in central Johannesburg in September 1993 to mark the death in detention in 1977 of the black consciousness leader, Mr Steve Bantu Biko, before attending a commemoration service organised by the Azanian People’s Organisation at St Mary’s Cathedral.²¹⁴ [²¹⁴ *Sowetan* 13 September 1993]

The secretary for defence of the BCMA, Mr Nkutsoeu Motsau, and another Azanla commander, Mr Patrick Hlahla, were arrested by the Bophuthatswana Police at Motswedi on 5 September 1993 and found to be in possession of arms and explosives. According to the legal representative of the two men, Mr Cyril Morolo, the Bophuthatswana Police believed that Mr Motsau was ‘the mastermind behind all military operations carried out by Azanla since 1990’ which had claimed the lives of a number of security men. Further details regarding the detention of the men were unavailable at the time of writing.²¹⁵ [²¹⁵ *City Press* 12 September 1993]

Azanian People’s Liberation Army

In their submission to the Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (the Goldstone commission) in January 1993 the South African Police (SAP) said that the Azanian People’s Liberation Army (Apla), the military wing of the Pan-Africanist Congress (PAC), had 120 trained members in South Africa. The counsel for the SAP, Mr François van Zyl, told the commission that the number of Apla members who had received ‘crash [training] courses’ in South Africa was unknown but that the group had 2 700 members outside the country, not all of whom had received military training. He said that new members were being recruited and sent overseas for training, with ‘considerable numbers’ of members of the Pan-Africanist Students’ Organisation (Paso) and the Azanian National Youth Unity (Azanyu) known to have joined Apla.²¹⁶ [²¹⁶ *Eastern Province Herald* 5 January 1993]

The PAC secretary for political affairs, Mr Jackie Seroke, said in January 1993 that the government was trying to use Apla to discredit the PAC after it had failed to get the PAC to suspend its armed struggle. ‘The government wanted us to stop the attacks [on South African whites] because the police had failed to capture cadres. In both the Pretoria and Gaborone meetings we refused to knuckle down to

government pressure to stop our military struggle,' Mr Seroke said.²¹⁷ [²¹⁷ *Sowetan* 6 January 1993]

The director of publicity and information of the PAC, Mr Waters Toboti, said in the same month that the commander of Apla, Mr Sabelo Phama, had made it clear that the armed struggle would continue and noted that South Africa was 'a highly militarised society, with most whites trained to shoot and belonging to the citizen force'. Mr Phama had also said that the distinction between hard and soft targets was a controversial issue, adding that the main targets remained the 'pillars of the racist regime and its support structures'.²¹⁸ [²¹⁸ *Eastern Province Herald* 15 January 1993]

In March 1993 two Apla members, Messrs John May and William Mxhoshana, were each sentenced to 11 years' imprisonment in the Bloemfontein regional court for attempted murder, malicious destruction of property and the illegal possession of weapons. Three machine guns, eight hand grenades and a quantity of ammunition had been found in their possession. Their conviction arose out of an incident in December 1991 in which a hand grenade had been thrown into the charge office of the Batho police station in Bloemfontein (Orange Free State), injuring a student constable and damaging the office.²¹⁹ [²¹⁹ *The Citizen* 5 March 1993]

In March 1993 the Goldstone commission linked Apla to 34 attacks in which 16 people had died and a number of people had been injured. The main target of attack had been members of the security forces. In its preliminary report on the attacks the commission found that Apla was involved in 15 attacks on the police, 13 attacks on farmhouses, three attacks on houses in Ficksburg (Orange Free State), an attack on a golf club at King William's Town (eastern Cape), and attacks on restaurants in Cape Town and Queenstown (eastern Cape). The report said that the 16 people who had died in Apla attacks did not include an undisclosed number who had died in recent attacks on cars in the Pretoria/Witwatersrand/Vereeniging area.²²⁰ [²²⁰ *Ibid* 25 March 1993]

At the funeral of an Apla member, Mr Fanuel Mudau, at Vuwami (Venda) in May 1993 the national organiser of the PAC, Mr Maxwell Nemadzivhanani, allegedly told mourners that 'farmers were legitimate targets' of Apla. 'We will always be after the farmers who have illegally occupied our land ... until they pressurise [the state president, Mr F W] de Klerk, for the total liberation of Azania,' Mr Nemadzivhanani said.²²¹ [²²¹ *The Star* 24 May 1993]

In August 1993 a former member of Apla and resident of Khayelitsha (Cape Town), Mr Simon Ngcine, was fined R1 000 or three months' imprisonment by a Pretoria regional court magistrate, Mr P Johnson, for refusing to testify before a committee of the Goldstone commission. Mr Ngcine had been charged with contravening the Prevention of Public Violence and Intimidation Act of 1991 after refusing to testify before the committee on 29 January 1993.²²² [²²² *The Citizen* 12 August 1993]

Boere Republican Army

The Boere Republican Army, the military wing of the Boere Weerstandsbeweging, claimed responsibility for a bomb blast which rocked the Johannesburg magistrate's court on 16 July 1993. A door to the court building was damaged by the blast. However, court business, including the trial of six people appearing in connection with the storming of the World Trade Centre (east Rand) in June 1993, went ahead as usual (see also *Afrikaner Weerstandsbeweging* above).²²³ [²²³ Ibid 17 July 1993]

Proposed Kwazulu Army

In October 1993 the KwaZulu Legislative Assembly announced that it intended to establish an army 'to defend Natal communities against violence which has left at least 10 000 dead in the province in recent years'. It said that 400 men were to be trained. The decision followed an earlier call by the president of the Inkatha Freedom Party (IFP) and the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, for the establishment of selfdefence units in the homeland.²²⁴ [²²⁴ Ibid 5 October 1993]

The secretary of the KwaZulu Legislative Assembly, Mr M R Mzimela, said that the defence units would each consist of three or four men armed with 'ordinary weapons, sometimes just traditional weapons. One can use anything to protect oneself, and we will emphasise security awareness'. A spokesman for the IFP, Mr Ed Tillet, said that there had been a 'phenomenal response' to Chief Buthelezi's earlier call to IFP supporters to contribute R5 each towards the establishment of self-defence units. Mr Tillet added that the units were likely to be deployed on the Reef as well as in Natal. The men, who were to be recruited throughout Natal, were to be trained for six weeks.²²⁵ [²²⁵ Ibid]

The African National Congress (ANC) said in reaction that it regarded the decision of the KwaZulu Legislative Assembly as a 'declaration of war' and an attempt to enforce secession. A Natal spokesman for the ANC, Mr Dumisane Makhaya, warned Chief Buthelezi, 'Our patience is not endless. Should they start a war it will be a tooth for a tooth and an eye for an eye.'²²⁶ [²²⁶ Ibid 6 November 1993]

Oos Transvaal Boerekommando

Under the leadership of Mr Gawie Volschenk, a teacher who had been implicated in sabotage at a school in the eastern Transvaal in January 1992 (see 1992/93 *Survey* p450), the Oos Transvaal Boerekommando (OTB) broke away from the Afrikaner Weerstandsbeweging's Wenkommando towards the end of February 1992. The OTB was reported to be based in the Hendrina/Middelburg area. Its sphere of influence was allegedly limited to the eastern Transvaal despite claims by its leadership of membership extending into Natal and parts of the Orange Free State. Individuals were allowed to join the OTB only if they were vouched for by a trusted member of the organisation and cleared by an advisory committee.²²⁷ [²²⁷ *Tribute* September 1993]

Pretoria Boerekommandogroep

The Pretoria Boerekommandogroep was formed in 1992 and was closely linked to the Boerevryheidsbeweging—an organisation which actively propagated the concept of an Afrikaner homeland extending northwards from Pretoria. The group was organised along the lines of a community watch.²²⁸ [²²⁸ Ibid]

Umkhonto We Sizwe

In February 1993 the African National Congress (ANC) said that its military wing, Umkhonto we Sizwe (Umkhonto), would be disbanded before the proposed national election in April 1994 to forestall suggestions that it was reserving for itself a 'Savimbi option', ie that it would reject the election results and attempt to take power through civil war. The head of the department of international affairs of the ANC, Mr Thabo Mbeki, said that a multiparty structure had to be formed to take control of all armed forces, including the South African Defence Force, Umkhonto and the armies of the 'independent' homelands.²²⁹ [²²⁹ *Cape Times* 1 February 1993]

In February 1993 the police discovered arms and ammunition during the routine check of a car at a roadblock near Golela on the Natal/Swaziland border. The arms cache, which included two RPG7 rocket launchers, six rockets, 34 hand grenades, about 3 000 AK-47 rifle cartridges, nine Makarov pistols and 13 Stechkin pistols, was concealed in the boot of the car. Three ANC members who were in the car were arrested. The police alleged that the arms smuggling was part of an Umkhonto operation.²³⁰ [²³⁰ *The Weekly Mail* 5 February 1993]

The ANC subsequently denied it had anything to do with the arms smuggling. An ANC representative, Mr Matthew Phosa, said that the organisation had established 'beyond reasonable doubt' that the national executive committee of the ANC and the southern Natal regional executive committee of the ANC had not been involved in the smuggling.²³¹ [²³¹ *The Star* 9 February 1993]

According to South African military intelligence, in April 1993 more than 12 000 members of Umkhonto were in training in camps in other countries. Of 8 146 ANC members in Uganda, 6 895 were said to be receiving military training while 3 985 of 5 035 ANC members in Tanzania were also being trained. More than 100 members of Umkhonto were said to be stationed in India for conventional military training. South African military intelligence said that there were only 60 Umkhonto members still in Libya, ten of whom were working as administrative personnel while the remainder were receiving specialist military training. A 'small group' of recruits was undergoing specialist training in Ghana, while 20 Umkhonto cadres were being trained in intelligence in Cuba. It added that 200 of the 600 remaining ANC members in Zambia were receiving ordinance, logistic and intelligence training.²³² [²³² *Sunday Times* 11 April 1993]

It was reported in May 1993 that returned Umkhonto members had described their situation as 'characterised by isolation, desperation and disillusionment'. A Methodist pastor, the Rev Paul Verryn, who provided counselling for members of Umkhonto, said, 'Many feel a deep sense of betrayal. They feel that they have given up their lives for nothing. When they returned, they believed that liberation had arrived and that they were returning to a free South Africa.' He added that the level of frustration among Umkhonto members was very high and that hunger, lack of accommodation and proper clothing, and an inability to provide for their families was very humiliating for them. The Umkhonto chief of staff, Mr Sipiwe Nyanda, said that 'the Transitional Executive Council will have to take this cadreship on board. In the meantime the ANC will do whatever is within its means to help the soldiers'.²³³ [²³³ *New Nation* 11 May 1993]

For more than ten days in August 1993, 27 Umkhonto members occupied the regional offices of the ANC in Durban in protest against what they said was the failure of the ANC leadership to assist them financially or to involve them in the planning of a new integrated defence force. The protesters compelled the Durban offices to close down operations, had telephone services disconnected and vowed to step up protest action if their grievances were not met.²³⁴ [²³⁴ *Weekly Mail and Guardian* 20 August 1993] The protesters subsequently met the national leadership of the ANC in Johannesburg to discuss their grievances.

The commander of Umkhonto, Mr Joe Modise, told a special meeting of Umkhonto personnel in KaNgwane in September 1993 that the process of converting Umkhonto from 'a guerrilla to a regular force' had been completed but that the armed wing had 'many problems resulting from the changes' taking place in South Africa. He also said that community defence in the form of self-defence units had been 'rushed into without the necessary preparation'. In some areas Umkhonto members had been involved in political feuding, with 'many self-defence units becoming a law unto themselves'. At the meeting agreement was reached on a plan for the total restructuring of the leadership of Umkhonto and the establishment of a R10m fund to deal with 'serious welfare problems' among Umkhonto members.²³⁵ [²³⁵ *The Citizen* 6 September 1993]

Wit Wolwe

In March 1993 a flag-bearing delegation of members of the Wit Wolwe—some of them wearing balaclavas—handed a list of demands to a government official at the Union Buildings in Pretoria. The demands made included the restoration of a Boer republic and the unconditional release of all 'Boer freedom fighters'.²³⁶ [²³⁶ *Ibid* 1 March 1993]

The Wit Wolwe claimed responsibility for the shooting in Nigel (east Rand) in March 1993 of a five-year-old girl, Mzandile Morajane. The organisation warned of similar attacks if 'the authorities fail to stop the killing of whites'. The secretary of the Wit Wolwe, Mr 'Boerestaat' Bosman, explained that the shooting of the child was in retaliation for recent attacks on whites at Eikenhof (south of Johannesburg),

which had left three people dead.²³⁷ [²³⁷ Ibid 23 March 1993]

The Media

In an editorial in January 1993 *The Natal Mercury* said, ‘When it comes to the great issues of liberty, the so-called democratic movements show an astonishing lack of understanding and respect for freedom of speech. Thus, for the second time in the past 12 months, political activists have rounded on an eastern Cape newspaper because of what they perceive to be politically incorrect reporting. The African National Congress (ANC) publicly burnt copies of the *Eastern Province Herald* in Port Elizabeth last year, and now Pan-Africanist Congress (PAC) supporters have staged a sit-in at the *Daily Dispatch*’s Umtata bureau and hijacked a staff member ... Political organisations must make a fundamental choice: either they stand for freedom or they don’t. There is no such thing as only a little bit of democracy.’²³⁸ [²³⁸ *The Natal Mercury* 29 January 1993] (See also *Consumer boycotts* above).

In introducing the second reading of the Registration of Newspapers Amendment Bill, the minister of home affairs, Mr Louis Pienaar, said in February 1993 that the repeal of the act was being proposed, except for one provision relating to films. The bill abolished measures which had required the registration of newspapers with the government. The deputy minister of justice, Mr Danie Schutte, added that the media would play an important role in the establishment of a democracy in South Africa. The bill was passed in March 1993.²³⁹ [²³⁹ *The Citizen* 9 February 1993]

Mr Jan van Eck MP (Independent), a member of the ANC, said that press freedom meant not only the right of the press to publish what they wanted, but also the right of individuals and organisations to establish their own newspapers without being regulated by the government. Mr van Eck added that the mainstream press, with few exceptions, had supported the existing ‘minority dispensation’ and its interests, while the majority of South Africans had not been able to depend on any newspaper to promote their interests. He said further that if South African newspapers were to repeat their ‘performance’ during the campaign for the March 1992 referendum—when virtually all newspapers had ‘slavishly’ supported the ‘Yes’ vote to the virtual exclusion of opponents in the ‘No’ vote camp—the majority of South Africans ‘are not going to embrace this as being press freedom’. One of the greatest threats to press freedom, Mr van Eck added, was the lack of political diversity in the media. Eighty percent of existing newspapers supported the National Party slavishly or implicitly and, with few exceptions, most were anti-ANC and did ‘everything possible’ to reflect the ANC in a bad light, he said.²⁴⁰ [²⁴⁰ *The Star* 9 February 1993]

The leader of the Boerestaat Party, Mr Robert van Tonder, said in February 1993 that the party had decided to apply for a licence for a radio transmitter to boost Afrikaans broadcasting which, he added, was ‘in a continual state of decline’. Mr van Tonder claimed, ‘Recordings show that the South African Broadcasting Corporation (SABC), on all its transmitters collectively, broadcasts 74% British/American culture against 26% Boer culture and language.’ He said that the proposed ‘Boer transmitter’ would

promote the Boer language and culture as well as the ‘old Dutch culture’.²⁴¹ [²⁴¹ *The Citizen* 20 February 1993]

The state president, Mr F W de Klerk, said at an annual banquet of the SABC board in Cape Town in March 1993 that it was important for the broadcasting corporation to be depoliticised because of its considerable influence. He said that it had a responsibility to ensure that it played a neutral and objective role in the current situation in South Africa.²⁴² [²⁴² *Ibid* 3 March 1993]

The chairman of the Press Council of South Africa, Professor Kobus van Rooyen, told a meeting of the South Africa Media Council in the same month that there was need for a ‘100% media-freedom guarantee in the bill of rights’ and that the guarantee should be applied and interpreted by a constitutional court. ‘A 100% guarantee does not imply that there should be no restrictions on the media. The 100% means that only if Parliament is unanimous [in imposing media restrictions] should this guarantee be repealed. We have proposed such a guarantee to the government,’ he said.²⁴³ [²⁴³ *Business Day* 8 March 1993]

The Independent Media Diversity Trust was launched in March 1993 to assist financially independent newspapers and magazines if they were threatened with closure as a result of the withdrawal of overseas funds. The chairman of the board of trustees and the head of the Central Witwatersrand Metropolitan Chamber, Dr Frederik Van Zyl Slabbert, said that it was vital that the independent media be supported and encouraged because many publications were already facing financial crises. Dr Slabbert explained that the trust had received a R1m grant from four commercial media groups—Argus, M-Net, Nasionale Pers and Times Media—and a mining house, Johannesburg Consolidated Investment Company. However, he added, local and overseas funders would be approached for contributions so that the trust had a respectable and viable financial base.²⁴⁴ [²⁴⁴ *The Star* 16 March 1993]

By 27 April 1993, 58 journalists had been attacked in South Africa since the beginning of the year—43 of them since 19 April, when the assassinated general secretary of the South African Communist Party, Mr Chris Hani, was buried. The 58 included a television reporter, Mr Calvin Thusago, who was murdered in Sharpeville (southern Transvaal) on 23 April 1993, and his colleague, Mr Dudley Saunders, who escaped with serious injuries.²⁴⁵ [²⁴⁵ *The Citizen* 27 April 1993]

In early 1993 Mr de Klerk appointed a panel of eight jurists, headed by Mr Justice Ismail Mohamed and Mr Justice Piet Schabert, to nominate the 25 members of the new SABC board. The panel held a number of public hearings at Kempton Park (east Rand) to interview prospective candidates for the board. In May 1993 the panel submitted a list of 25 names to Mr de Klerk. The suggestions made by the jurists included that the chancellor of the University of the North, Professor Njabulo Ndebele, be made chairman of the board and Dr Slabbert vice chairman. Mr de Klerk rejected the initial list of nominations and suggested that certain changes be made to the list. In particular, he objected to the nomination of Professor Ndebele as chairman of the board. The panel of jurists then submitted a list to Mr de Klerk incorporating some, but not all, of his proposed amendments.²⁴⁶ [²⁴⁶ *Business Day* 1 June 1993, *The Star* 3 June 1993]

Mr de Klerk subsequently announced the appointments to the SABC board, which included the nomination of Dr Slabbert as chairman and the executive director of the Education Development Trust, Dr Ivy Matsepe-Cassaburi, as vice chairwoman. The publication of the list and details of how it had been altered raised a storm of protest.²⁴⁷ [²⁴⁷ *The Star* 3 June 1993, *The Argus* 1 June 1993]

The head of the information division of the ANC, Dr Pallo Jordan, said that Mr de Klerk had clearly exceeded his powers in rejecting some of the appointments made by the panel and that he had thus undermined the legitimate process that had led to the selection of the new board. The new board was accepted by the National Party and the Democratic Party. However, the spokesman for broadcasting of the Conservative Party, Dr Pieter Mulder, said that Afrikaner interests would suffer 'great damage' as a result of the new board, adding that Afrikaners (and specifically conservative Afrikaners) were not represented on the board.²⁴⁸ [²⁴⁸ *The Argus* 1 June 1993]

Dr Slabbert said that he would take on the position of board chairman reluctantly in view of the controversy surrounding his appointment instead of Professor Ndebele. However, Dr Slabbert resigned as chairman of the board on 31 May 1993 saying that he had 'too many other commitments'. Dr Matsepe-Cassaburi then became chairwoman of the board.²⁴⁹ [²⁴⁹ *Ibid*, *The Star* 5 August 1993]

Radio Pretoria, a radio station established by the Afrikaner Kulturbond, and supported by the Afrikaner Volksfront, was given a temporary licence to broadcast for ten hours only on 18 September 1993. However, after the Department of Home Affairs refused to renew the radio station's licence, it decided to continue broadcasting illegally. An armed guard was set up to protect the radio station and members of the guard said that they would oppose any attempts to shut down the station.²⁵⁰ [²⁵⁰ *The Star* 20 September 1993] Although the government criticised the continued broadcasting, it eventually renewed the station's licence.²⁵¹ [²⁵¹ *Ibid* 22 September 1993]

The Independent Broadcasting Authority Bill, which sought to regulate broadcasting in the country and to provide for equal allocation of broadcasting time to different political parties, was tabled in Parliament on 21 September 1993 and subsequently passed.²⁵² [²⁵² *Business Day* 22 September 1993] Another bill, the Independent Media Commission Bill, which sought to establish a body to monitor the airwaves and state communications services in the run-up to the first democratic election, was passed by Parliament on 23 September 1993. (For further details see chapter on *Constitutional Change*.)²⁵³ [²⁵³ *The Citizen* 24 September 18 1993]

Cultural Matters

The former minister of national education, Mr Louis Pienaar, called in April 1993 for the establishment of a language commission to protect the language rights of Afrikaans-speaking people, saying that such

a body would allow individuals to air their grievances without the risk of incurring high court costs. ‘There are enough of us Afrikaans speakers from all communities to prick the balloon of arrogance of English usage. As in other areas, the playing field must be levelled,’ he said.²⁵⁴ [²⁵⁴ Ibid 27 April 1993]

In May 1993 the general secretary of the National Arts Initiative (NAI), Mr Mike van Graan, accused the African National Congress (ANC) of trying to ‘manipulate the arts in ways not too dissimilar to our past rulers’. (The NAI is a nationwide network formed in 1992 by ‘hundreds of artists of all races’ who believed that ‘they, and not politicians, should determine cultural policy’.) Mr van Graan suggested that the ANC had tried to sideline the NAI by appointing 15 arts trustees—mainly ANC members and supporters—to the newly formed Foundation of Arts and Culture at a conference organised by the Department of Arts and Culture of the ANC earlier in the month. ‘With horror, we watch again as the arts are sacrificed on the altar of political expediency,’ Mr van Graan said. The ANC denied the allegations.²⁵⁵ [²⁵⁵ Ibid 20 May 1993]

In July 1993 the western Transvaal region of the ANC called on the London Philharmonic Orchestra to cancel its planned performance at Sun City (Bophuthatswana) later in the month. In a letter to the orchestra the region said that it had ‘declared a cultural boycott of Sun City and other entertainment centres in the area’ until there was an end to repression in Bophuthatswana.²⁵⁶ [²⁵⁶ Ibid 13 July 1993] However, the call was not heeded and the performance eventually took place as planned. The head office of the ANC had said earlier that it would not oppose the orchestra performing at Sun City provided performances were attended by a nonracial audience.

Political Conflict

According to figures compiled by the South African Institute of Race Relations, 3 706 people had been killed in political violence by the end of December 1993, compared to 3 347 deaths in the same period in 1992 (an increase of 11%). Statistics compiled by the Institute of political fatalities in South Africa (including the ten homelands) in 1992 and 1993, and the average fatality rate for each month, were as follows:

Political fatalities in South Africa: 1992 and 1993a

1992

1993

Month

Total

AveTotal

AveJanuary

139

4,5

135^b

4,4

February

238

8,2

148

5,3

March

348

11,2

143

4,6

April

300

10,0

212

7,1

May

230

7,4

339

10,9

June

324

10,8

309

10,3

July

278

9,0

547

17,6

August

361

11,6

451

14,5

September

339

11,3

425

14,2

October

332

10,7

361^b

11,6

November

299

9,7

351^b

11,7

December

159

5,1

285^b

9,2

Total

3 347

9,2

3 706^b

10,2

a

This figure represents an average of minimum and maximum fatality figures. Minimum totals are derived from police reports appearing in the press, as well as fatalities reported by other sources, where circumstances indicate the political nature of the incident. Maximum totals include figures of fatalities, where political causes are unclear or not as yet established. Fatalities caused by faction fights, for example, are included, provided a political reason can be suspected. Deaths caused by family feuds, or purely owing to tribal conflict, as well as crime-related fatalities, are not included. These would, however, be included in an update of the original figure, should new findings at a later stage indicate a political factor.

b

These figures are preliminary, as reports from some monitoring agencies had not been received at the time of writing.

Sabotage

In August 1993 a Johannesburg magistrate, Mr J L le Grange, sentenced an Afrikaner Weerstandsbeweging (AWB) member, Mr Johannes Visser, and another man, Mr Frederick Wilson, to an effective two years' imprisonment each for an arson attack at the offices of the receiver of revenue in Boksburg (east Rand) in January 1992 (see 1992/93 *Survey* p450). Bail for Mr Visser was later set at R2 000 pending an appeal against the conviction and sentence. Mr Wilson, who was serving a sentence on other charges, did not request bail.²⁵⁷ [²⁵⁷ Ibid 25 August 1993]

The commander general of the AWB's military wing, Mr Dirk Ackermann, and another AWB member, Mr Johan Zietsman, were detained in Kroonstad (Orange Free State) on 11 September 1993 in terms of the Internal Security Act of 1982. The men were held in connection with 'planned terrorism against the state', according to a spokesman for the ministry of law and order, Captain Craig Kotze, who gave no further details. However, it was reported that documents found during the course of a police investigation of the two men contained detailed information of 'acts of sabotage planned against an army base, the Army Battle School', at Lohatla (north western Cape).²⁵⁸ [²⁵⁸ *Weekly Mail and Guardian* 1 October 1993] It was also alleged that the AWB had planned to attack the Koeberg nuclear power station (western

Cape). Mr Ackermann was alleged to have played a 'prominent role' in the right-wing storming of the World Trade Centre (east Rand) in June 1993 (see *Afrikaner Weerstandsbeweging* above).²⁵⁹ [²⁵⁹ Ibid]

Police said that the plans of the AWB to commit various acts of sabotage had been uncovered during an investigation of the bombing in September 1993 of a shopping complex in Bronkhorstspuit (east of Pretoria), in which Warrant Officer Lappies Labuschagne had been killed. The police said that they were investigating a suspected plot by right-wing extremists to attack high-profile targets around the country and that they had arrested four members of the AWB, one of whom was later released.²⁶⁰ [²⁶⁰ *The Star* 14 October 1993]

Attacks on Persons

Attacks on Blacks by Whites

In January 1993 members of the Wit Wolwe said at a press conference in Brits (central Transvaal) that the organisation regarded every 'black man as an enemy' and that it would launch attacks at 'soft targets' as well as 'cross-border raids' (for example, on the Transkei), should the government not act against the Azanian People's Liberation Army (Apla) and Umkhonto we Sizwe (Umkhonto).²⁶¹ [²⁶¹ *Business Day* 5 January 1993] A spokesman for the South African Police (SAP), Colonel Reg Crewe, said in response that the police had taken note of the threats by the Wit Wolwe against Apla and Umkhonto but could not 'act against them at this stage because no crime has been committed', and that it would 'carefully watch the situation'. The African National Congress (ANC) demanded that the police take the 'necessary action' to prevent the Wit Wolwe from carrying out their 'flagrantly racist threats'.²⁶² [²⁶² *The Citizen* 6 January 1993]

According to the SAP, on 7 January 1993 two white men travelling in a car stopped Mr Douglas Nkwali, a resident of the Kraaifontein shack settlement near Bellville (western Cape), while on his way to work and forced him into their car. They drove to an isolated spot in the Cape Peninsula where they ordered him out of the car and shot him seven times before driving away. Mr Nkwali was subsequently admitted to Tygerberg Hospital.²⁶³ [²⁶³ Ibid 9 January 1993]

Two people—Mr Thomas Mathonsi and a 13-year-old African girl—were seriously wounded in separate incidents in February 1993 when two white men shot randomly at African pedestrians at Hartebeespoort Dam, near Pretoria. The injured were subsequently admitted to the H F Verwoerd Hospital in Pretoria.²⁶⁴ [²⁶⁴ *Sowetan* 23 February 1993]

Later in February 1993, an 11-month-old African baby, Boipel More, was admitted in a coma to the Leratong Hospital in Krugersdorp (west Rand) after she and her mother, Ms Francina More, had stones thrown at them by a group of white youths in an open vehicle. Dr Christopher Cieplucha, who treated the injured baby, said that she had a fractured skull and that she was in 'a severe condition'. A

spokesman for the Swartruggens police, Sergeant Attie Breedt, said that an attempted murder docket had been opened against the youths.²⁶⁵ [²⁶⁵ *Sowetan*, *The Star* 23 February 1993]

On 23 February 1993 a 17-year-old white youth appeared in the Swartruggens magistrate's court on a charge of attempted murder arising out of the attack on Boipelo More. The youth was released into the custody of his school principal and the case postponed to 11 March 1993. The police said that the four youths allegedly involved in the incident had not all been arrested 'because they were writing examinations'. Later a police spokesman said that the youths had not been arrested because 'there was no evidence to implicate the entire group' and that the police could charge only the youth who had allegedly thrown the stone that had hit the baby.²⁶⁶ [²⁶⁶ *The Star* 25 February 1993] The youth was subsequently found not guilty of attempted murder.

Later in the same month two school boys from the Etwatwa shack settlement in Daveyton (east Rand)—13-year-old Solly Mailula and ten-year-old Fanie Mlambo—were admitted to hospital after they had been shot by white men as they walked to the sportsfield in the shack settlement. On admission to hospital Fanie Mlambo underwent an emergency operation to have his left leg amputated as it had been shattered by a bullet. The condition of Solly Mailula, who had been shot in the back, was described as 'satisfactory'.²⁶⁷ [²⁶⁷ *Sowetan* 25 February 1993]

A spokeswoman for the east Rand police, Captain Ida van Zweel, subsequently said that police were investigating a charge of attempted murder. According to eye witnesses, 'white men drove around the squatter camp' and 'fired shots indiscriminately at the settlement'. The white men were reported to have fled after shooting the two boys.²⁶⁸ [²⁶⁸ *Ibid*]

Also in February 1993, four white youths travelling in a red Mazda stopped at the side of a road near Florida (west Rand), alighted and assaulted Mr Abey Mokgeledi of Swanieville (west Rand). One of the youths allegedly screamed at Mr Mokgeledi, 'Jy's 'n kaffer [You're a kaffir]'. Mr Mokgeledi said that he replied, 'So what? Does my being a kaffir bother you?', whereupon he was hit in the face with a metre-long stick. Three of the youths then got back into the car and drove away while the fourth youth went into a nearby house.²⁶⁹ [²⁶⁹ *City Press* 28 February 1993] Mr Mokgeledi was subsequently admitted to the Leratong Hospital, where one of his eyes had to be surgically removed. He said afterwards that he had reported the incident to the Florida police station, but that the police had refused to take a statement from him although he had told them that one of his assailants had gone into a house which he could point out to them. The police station commander, Captain W van Zyl, said that the allegations by Mr Mokgeledi against the police were 'serious and if true, then the policeman who did not react promptly to Mr Mokgeledi's claims does not deserve to be in the SAP'.²⁷⁰ [²⁷⁰ *Ibid*]

In March 1993 four white men held up Mr Clement Buthelezi on the Krugersdorp-Pretoria road and robbed him of his car. According to the northern Transvaal police, 'Two cars forced Mr Buthelezi's car off the road. The four men jumped out, all of them armed with hand weapons, and ordered Mr Buthelezi out of his car. They loaded him into the boot of one of the cars and only later released him in a field and

took his car. No shots were fired, no one was injured and no arrests have been made.’²⁷¹ [²⁷¹ *The Citizen* 9 March 1993]

Later in March 1993 about 200 angry Africans in central Pretoria made a citizen’s arrest of two white men who had allegedly randomly shot and injured two Africans. A police spokesman, Colonel Royce Merton, said that the two men had a stolen P38 Walther pistol which they had used to shoot at passersby. Two people were injured in the attack, one seriously. Both of the injured were admitted to the Kalafong Hospital.²⁷² [²⁷² *The Star* 18 March 1993]

A police spokesman said in July 1993 that an eye-witness had told police at De Wildt (near Pretoria) that he had seen two white men drive up to an African 4km away and start assaulting him. The eye witness reported that the man had managed to escape into the nearby veld. His attackers had returned with a firearm and fired into the veld, wounding him in the head. The victim was unconscious when he was admitted to the GaRankuwa Hospital. Police were reported to be searching for his two attackers.²⁷³ [²⁷³ *The Star* 5 July 1993]

Later in the same month three white men shot dead an African woman in Johannesburg, and according to police, may have later killed a man. A police spokesman, Lieutenant Colonel David Bruce, said that a Soweto resident, Ms Constance Masuku, was waiting for a taxi near the Xavier Street offramp of the M2 when she was shot dead by one of three men in a white pick-up van.²⁷⁴ [²⁷⁴ *Ibid* 30 July 1993]

Col Bruce said that an hour later residents of Windsor East (north west of Johannesburg) had heard an African man shouting, ‘Hulle steek my, hulle steek my [They are stabbing me].’ The unidentified man tried to run away from his attackers, but was stabbed to death when he got caught on a razor-wire fence. ‘The residents also saw a white Toyota pick-up van with two white occupants,’ Col Bruce said.²⁷⁵ [²⁷⁵ *Ibid*]

In September 1993 two armed white men opened fire on a pedestrian, Mr Alfred Radebe, when he refused to tell them his political affiliation. A police liaison officer, Major Henriette Bester, said that two white men in a white Opel Kadett had stopped alongside a road in Maraisburg (west Rand). They had asked Mr Radebe which political party he belonged to and when he told them that he was not interested in politics they opened fire on him. Mr Radebe, who was hit three times, was subsequently admitted to the Leratong Hospital.²⁷⁶ [²⁷⁶ *The Citizen* 9 September 1993]

Also in September 1993, a security assistant employed by the Johannesburg City Council, Mr Vernon Vosloo, was sentenced in the Witwatersrand Local Division of the Supreme Court in Johannesburg to 15 years’ imprisonment for the ‘cowardly, brutal and senseless’ murder of an unknown African man. The judge, Mr Justice J Myburgh, had found earlier that Mr Vosloo had stabbed the deceased 14 times ‘in a totally unprovoked attack’ in South Hills (Johannesburg) in May 1992.²⁷⁷ [²⁷⁷ *Ibid*]

Attacks on Whites by Blacks

Two German doctors—Dr Johan Gorny and his wife—were attacked in Brakpan (east Rand) on 15 January 1993 while on their way to work at the Pholosong Hospital (Tsakane). An SAP spokesman said that the couple were driving through Brakpan when they were confronted by two Africans standing in the middle of the road. One of the men had fired a handgun at their vehicle. Dr Johan Gorny had accelerated past the attackers and the couple escaped without injury.²⁷⁸ [²⁷⁸ Ibid 16 January 1993]

A United Nations (UN) observer, Mr Jim Anderson, was stabbed in the arm and robbed of his UN vehicle in Alexandra (Johannesburg) early in February 1993. A member of the UN observer team, Mr Brian Kelly, said that Mr Anderson was leaving the township after attending an Alexandra interim crisis committee meeting when he had lost his way. Mr Anderson was attacked by two Africans when he stopped to ask for directions. He was not seriously injured. Police later recovered the vehicle but made no arrests.²⁷⁹ [²⁷⁹ *The Star* 9 February 1993]

A white security guard employed by the Department of Justice in Pretoria, Mr Anthony Jansen, was killed by a group of Africans on 13 February 1993 while he and a friend, Mr Stoffel Mpane, were walking home after visiting a shebeen in Soshanguve, north of Pretoria. Mr Jansen died on the scene after he and Mr Mpane were attacked by six Africans armed with stones. Mr Mpane fled from the scene.²⁸⁰ [²⁸⁰ *The Citizen* 15 February 1993]

In March 1993 Mr Frikkie Botha was shot dead by four Africans outside the Carousel entertainment centre, near Pretoria. Mr Botha and his wife, who was driving their car, were waiting at a red traffic light when four men, who had been sitting in a car parked on the side of the road, approached them. Mr Botha climbed out of his car to speak to the men and was shot dead at point-blank range.²⁸¹ [²⁸¹ Ibid 23 March 1993]

In March 1993 an Iscor employee, Mr Tony Concer, was shot in the chest by gunmen who ambushed the car in which he and another man were travelling near Boipatong (southern Transvaal). The driver of the car, Mr Daan de Bruin, rushed Mr Concer to hospital, but he was declared dead on arrival. The incident was reported to be the third AK-47 attack on whites in the area in four days. Vanderbijlpark police subsequently launched an extensive ground-and-air search for his killers.²⁸² [²⁸² *Business Day* 23 March 1993]

In the same month Mr Nataniel Nel and his visiting British friend, Mr Roy Brown, were attacked by African gunmen on the Evaton-Sebokeng road (southern Transvaal) when Mr Nel stopped his car behind a taxi at an intersection. Two men jumped out of the taxi and ran to Mr Nel's window. One of the two men then produced a gun. Mr Nel turned his car around and sped away as the man opened fire. Four people had died and several had been injured in similar attacks in the area, according to press reports.²⁸³ [²⁸³ *The Star* 31 March 1993]

In April 1993 a Spoornet security official, Mr Leon Smit, died after he was stripped naked and set alight

at the Chris Hani shack settlement near Sasolburg (Orange Free State). His hands and feet had been tied and he had burn wounds on his body and head, according to the police. Mr Smit died soon after being admitted to the Sasolburg Hospital.²⁸⁴ [²⁸⁴ Ibid 13 April 1993]

In the same month Mr Nicholas Brown was burned to death in Lwandle, near the Strand (western Cape). A spokesman for the western Cape police, Lieutenant John Sterrenberg, said that Mr Brown and Mr Willem Johannes van der Westhuizen had gone to the Lwandle hostel to buy alcohol. Mr Westhuizen went into the hostel and when he came out he saw his car being stoned. He hid in the hostel and later, when it was safe, fled to a nearby smallholding and called the police.²⁸⁵ [²⁸⁵ *The Citizen* 13 April 1993]

Another man, Mr Anton Ferreira, was also burned to death while his companion, Mr Andrew Woodhouse Hopkins, died in the Somerset Hospital of multiple burn wounds and head injuries sustained in an attack on both men in Lwandle in April 1993. Police said that they were unable to account for the presence of the two men in the township.²⁸⁶ [²⁸⁶ Ibid]

The general manager of Richards Bay Minerals, Mr Keith Rumble, was attacked by gunmen with automatic rifles while on a fishing trip with his family and two friends, Messrs Glen and James Weakley, at Sinangwane in the Transkei in April 1993. Both the Weakley brothers died in the attack.²⁸⁷ [²⁸⁷ *The Star* 15 April 1993]

A Bethal farmer, Mr Chris Genis, and his son, also named Chris, sustained serious burn wounds when a petrol bomb was thrown into the cabin of their van by African youths near the Delmas (eastern Transvaal) airfield in the same month. Although their clothes were on fire the men drove on to escape from their attackers. They jumped out of the vehicle and ran for about a kilometre to obtain help at the airfield. They were later admitted to the Andrew McCollm Hospital in Pretoria.²⁸⁸ [²⁸⁸ *The Citizen* 17 April 1993]

In August 1993 police said that Mr Andrew Catternach of Randfontein smallholdings (west Rand) was shot dead at a garage in Westonaria when he and two women, Misses Celeste Murray and Caren Ramalho, were returning from a party in Westonaria to Turffontein (Johannesburg). They had stopped at the garage when three African men, one of whom had held a shotgun, another an AK-47 rifle and the third a handgun, had approached their car from behind. The man holding the handgun had walked to the driver's side of the car and had shot Mr Catternach in the head. The Africans then disappeared. The women jumped out of the car and fled. When police arrived at the garage they found Mr Catternach dead.²⁸⁹ [²⁸⁹ Ibid 23 August 1993]

On 25 August 1993 an American exchange student at the University of the Western Cape, Miss Amy Biehl, was stabbed to death by African youths in Guguletu (Cape Town) while taking some African friends to their homes in the township. Several youths, some of them members of the Pan-Africanist Students' Organisation (Paso), were subsequently arrested in connection with the murder, which was condemned by both the African National Congress (ANC) and the Azanian People's Organisation

(Azapo).²⁹⁰ [²⁹⁰ Ibid 27 August 1993]

On 22 November 1993 charges against three of the seven youths accused of killing Miss Biehl were withdrawn after a member of the ANC, Mr Charles Benjamin, refused to testify for the state in the murder trial, which was held in the Cape of Good Hope Provincial Division of the Supreme Court in Cape Town. The three youths were Messrs Mankekenke Lungilisa, Mzukisi Mxoli and Mlungisi Ngxaza. After the release of the three youths Paso supporters left the court chanting 'One settler, one bullet' and 'War'.²⁹¹ [²⁹¹ *The Star* 23 November 1993]

Afterwards Mr Benjamin told the press that his decision not to testify had been 'purely personal'. He said that the ANC 'told me it was my duty to help the police in the investigation'. Mr Benjamin added that the raid by the South African Defence Force on an alleged base of the Pan-Africanist Congress in Umtata (Transkei) earlier in the month, in which five people had been killed, had led to his decision not to testify for the state.²⁹² [²⁹² Ibid]

The trial of the remaining four accused, Messrs Mongesi Manqina, Mzikhona Nofemela and Vusumuzi Ntamo, and an unnamed 15-year-old, was in progress at the time of writing.²⁹³ [²⁹³ Ibid]

In September 1993 a white electrician, Mr Hans Taylor, accompanied by two municipal police for protection, entered Tokoza (east Rand) to carry out electrical repairs. Mr Taylor was shot dead by unknown gunmen, together with one of the policemen. A spokesman for the east Rand police, Sergeant Michelle Erasmus, said that Mr Taylor's body was set alight by his attackers after his murder.²⁹⁴ [²⁹⁴ *The Citizen* 11 September 1993]

In October 1993 a Halfway House (Johannesburg) resident, Mr Johannes Rheeder, was shot dead by five youths at a garage near Tembisa (east Rand) in the presence of his wife, Ronel. The couple had stopped at the garage in Chloorkop Road to fill their car with petrol and have its tyres checked when they were attacked.²⁹⁵ [²⁹⁵ Ibid 4 October 1993]

Attacks on Policemen and Soldiers

In May 1993 three policemen died in a hail of AK-47 gunfire and six others were injured in Dobsonville (Soweto) when the vehicle in which they were travelling was ambushed in Roodepoort Road. The policemen were going home after performing night duty when attackers opened fire on them at a red traffic light, according to a spokesman for the Soweto police, Colonel Tienie Halgryn. Col Halgryn said that the attackers fled into the dark after the shooting.²⁹⁶ [²⁹⁶ *The Star* 5 May 1993] The Azanian People's Liberation Army subsequently claimed responsibility for the attack.²⁹⁷ [²⁹⁷ *The Natal Mercury* 6 May 1993]

A KwaZulu policeman, Constable Alson Mkhize, and his one-year-old baby were killed in the same

month in Umgababa (southern Natal) when hooded men sprayed the policeman's home with bullets. Police said that the gunmen entered Const Mkhize's house with AK-47 rifles and shot him dead. They then shot and wounded his wife, Gladys, and shot dead their baby who was in her arms.²⁹⁸ [²⁹⁸ *The Star* 7 May 1993]

An off-duty policeman, Sergeant M Mahava, was shot and fatally wounded in his car by unknown attackers in Joubert Park (Johannesburg), also in May 1993. A Witwatersrand police liaison officer, Major Eugene Opperman, said that two men approached Sgt Mahava while he was sitting in his car on the corner of Quartz and Wolmarans Streets. 'One suddenly drew a firearm and shot Sgt Mahava in the head. Then the two men fled. The critically injured man was taken to the Garden City Clinic but later died,' he said.²⁹⁹ [²⁹⁹ *The Citizen* 5 May 1993]

According to a spokesman for the Soweto police, Major Joseph Ngobeni, Constable Johannes Shabangu was shot by a member of a crowd in Dube (Soweto) on 11 May 1993. Maj Ngobeni said that members of the Internal Stability Unit (ISU) were driving through Dube when they saw a group of about 600 people setting fire to a delivery vehicle. The policemen stopped to check on the driver of the burning vehicle. As Const Shabangu got out of the police vehicle, a member of the crowd fired at him, hitting him in the head. He was taken to Baragwanath Hospital, where he died.³⁰⁰ [³⁰⁰ *The Star* 12 May 1993]

Two members of the ISU of the South African Police (SAP), Constables B Z Bildt and A M du Plessis, were wounded when an unidentified gunman fired at them in separate incidents at Mandela Park (east Rand) on 15 May 1993. According to the SAP, the two constables were returning home when they were attacked. Both were wounded in the leg.³⁰¹ [³⁰¹ *Ibid* 17 May 1993]

Maj Opperman said in the same month that attacks on policemen in the Witwatersrand area had increased since the assassination of the general secretary of the South African Communist Party, Mr Chris Hanu, in April 1993. Maj Opperman said that there were 44 attacks on policemen in the week after Mr Hanu's murder, with a further 65 attacks in the second week after his murder. Some 98% of the attacks, including the throwing of petrol bombs and stones, had occurred in and around townships, with most carried out by youths between the ages of 14 and 19 years.³⁰² [³⁰² *The Citizen*, *The Star* 18 May 1993]

According to the police, two policemen—Sergeants Johan van Rooyen and Henry Maarman—were attacked in separate incidents in the Cape on 17 May 1993. Sgt van Rooyen was injured in the leg after being attacked and stabbed while on patrol in the Nahoon Reef area (eastern Cape) while Sgt Maarman, who was off-duty, was stabbed 12 times by a man in an alley outside a nightclub in Beaufort West (southern Cape).³⁰³ [³⁰³ *The Citizen* 19 May 1993]

On 24 May 1993 the Witwatersrand regional police commissioner, Lieutenant General Koos Calitz, who was inspecting townships in the east Rand which were experiencing substantial political violence, narrowly escaped death when groundfire hit his helicopter, forcing it to make an emergency landing at the Rand airport (east Rand). A bullet hit the fuel tank and another narrowly missed the general as the

helicopter flew over the Mandela Park shack settlement, according to the police, who said that it was a 'miracle' that the fuel tank had not exploded.³⁰⁴ [³⁰⁴ *The Star* 25 May 1993]

Constable Leon Haarhoff of the ISU was shot dead at the Phola Park shack settlement (east Rand) on 2 May 1993 when he and seven other policemen were attacked by a man armed with an AK-47 rifle. The policemen had been patrolling the area when they were attacked.³⁰⁵ [³⁰⁵ *The Citizen* 26 May 1993]

In June 1993 Sergeant Pieter Henning of Kempton Park (east Rand), who was doing police duty on farms in the eastern Transvaal, was killed when he and three colleagues rushed to the assistance of a farm foreman on a farm in the Hazyview district. According to the police, Sgt Henning was the 42nd member of the police force to die on duty since the beginning of the year.³⁰⁶ [³⁰⁶ *Ibid* 17 June 1993]

Police authorities announced in July 1993 that a total of 109 policemen had been killed and 1 720 injured during the course of duty in the first six months of 1993. They also said that the homes of 516 policemen had been attacked during the same period and that 915 private vehicles belonging to policemen had been destroyed or damaged. In addition, 691 official police vehicles had been damaged and 45 police stations attacked.³⁰⁷ [³⁰⁷ *Sowetan* 12 July 1993]

The state president, Mr F W de Klerk, called in June 1993 for drastic steps to curb attacks on policemen and said that the government would support any 'firm steps by the SAP against the wanton killing of policemen and women'. Mr de Klerk also said that the question of the legitimacy of the SAP should be removed from the current political debate.³⁰⁸ [³⁰⁸ *The Citizen* 19 June 1993]

Attacks on Councillors and Other Members of Executive Bodies

In the early hours of the 1993 new year the house of a Vosloorus (east Rand) councillor, Mr Percy Twala, was gutted after it had been set on fire by unknown people. The incident followed demands by the local civic association that councillors resign from their posts.³⁰⁹ [³⁰⁹ *Sunday Times* 10 January 1993]

The house of the deputy mayor of Imbali (Pietermaritzburg, Natal), Mr Abdoon Awetha, was attacked with gunfire at the end of February 1993. The mayor of Imbali, Mr Phikelele Ndlovu, who together with Mr Awetha had been acquitted on a charge of murdering the Natal Midlands leader of the African National Congress (ANC), Mr S'kumbuzo Ngwenya, only a week before the incident, blamed the ANC for the attack. The police said that no one had been injured, and that they did not know the motive for the attack.³¹⁰ [³¹⁰ *The Natal Mercury*, *The Natal Witness* 1 March 1993]

A 62-year-old councillor in Mdantsane (East London, eastern Cape), Mr Siyathandana Yeko, was shot dead in his house in March 1993. Police said that he had been shot with a pistol by a man who had entered the house and asked for him. After shooting Mr Yeko, the gunman demanded Mr Yeko's firearm

from his family and fled. A relative said that Mr Yeko had been a respected member of the community until he had become a councillor in November 1992.³¹¹ [³¹¹ *Daily Dispatch* 2 April 1993]

A Crossroads (Cape Town) councillor, Mr Nzima Nkadama, was shot dead in his home in May 1993. A police spokesman said that the police had picked up three shotgun cartridges at the scene of the crime. In recent months four other councillors had been gunned down in two separate incidents in the area and the houses of councillors had also been set alight.³¹² [³¹² *The Argus* 24 May 1993]

Conflict Between Political Groups

Conflict Involving the African National Congress and the Inkatha Freedom Party

Natal Violence

A northern Natal branch of the African National Congress (ANC) claimed early in January 1993 that leaders of the Inkatha Freedom Party (IFP) had held ‘mass meetings’ in the region over the festive season and that it had urged supporters to arm themselves and to train the jobless on how to handle firearms. A member of the central committee of the IFP, Mr Musa Myeni, was named as one of the leaders who had attended the meetings at which ‘people responsible for attacks on ANC members and Reef communities’ were said to have been paraded and ‘applauded like heroes’. The meetings were alleged to have been held at Eshowe, Empangeni and Mtubatuba (all in northern Natal).³¹³ [³¹³ *Business Day* 8 January 1993]

The ANC said that every induna in the area had been asked to provide 15 people for weapons training and every family head to ensure, with the help of the KwaZulu Police (KZP), that he or she was armed. However, an IFP leader in the Transvaal, Mr Humphrey Ndlovu, denied the allegations and said that Mr Myeni had addressed the meetings only in order to ‘spell out Inkatha strategy’.³¹⁴ [³¹⁴ *Ibid*]

Two townships in the Natal Midlands—Bruntonville, near Mooi River, and Wembezi, near Estcourt—were declared unrest areas in January 1993 as a result of political violence. The declaration included the imposition of a curfew between 9pm and 4am. A spokesman for the South African Police (SAP), Lieutenant Colonel Ray Harrald, said that police reinforcements had been deployed in the areas and patrols stepped up in order to bring the situation under control. He said, ‘The SAP is gravely concerned about unnecessary loss of life and damage to property and we urge all residents to give us full support so that the situation can be stabilised as soon as possible.’ Col Harrald added that between 1 and 9 January ongoing attacks and counter-attacks between IFP and ANC supporters in Wembezi had claimed ten lives, with many people injured and many homes destroyed. The hostel housing IFP supporters in Bruntonville had also been ravaged by several arson and hand-grenade attacks.³¹⁵ [³¹⁵ *The Natal Witness* 9 January 1993]

The deputy chairman of the Midlands branch of the ANC, Mr Blade Nzimande, said later in January

1993 that 20 residents of Bruntville who were members of the ANC had been detained in terms of unrest regulations. Sixteen of the 20 were later released without being charged and the remaining four were charged. The releases and charges were confirmed by a spokesman for the SAP, Captain Henry Budhran.³¹⁶ [³¹⁶ Ibid 26 January 1993]

Towards the end of January 1993 the head of the SAP's crime combating and investigation division, Lieutenant General Johan le Roux, said that by 17 January 1993, 44 people had died in political violence in KwaZulu/Natal (in comparison with more than 100 deaths in December 1992). Current conflict areas in the region were said to be Bruntville, Empangeni, the reserves around KwaMbonambi (northern Natal), Durban, residential areas around Pietermaritzburg and areas close to Port Shepstone (Natal south coast).³¹⁷ [³¹⁷ *Cape Times* 25 January 1993]

The Richmond (southern Natal) branch of the IFP said in February 1993 that two of its members had been killed and five others wounded while on their way to work. Attackers had opened fire on the seven women with AK-47 rifles and R-4 assault rifles, killing Mrs Sidawu Mafu and Mrs S Funeka and wounding five other women—Mses Ndandalazi Mbandlwa, Boneni Mbhele, Bonani Msibi, Tholo Ndlovu and Fanisile Xaba.³¹⁸ [³¹⁸ *The Citizen* 15 February 1993]

On 16 February 1993 ten people were murdered in a dawn attack on the Bhambayi shack settlement about 20km from Durban. An SAP liaison officer said that the people killed had suffered stab and hack wounds, while one person had also been shot. Police recovered an AK-47 rifle, a revolver, a shotgun, a home-made shotgun and ammunition from the scene of the crime.³¹⁹ [³¹⁹ Ibid 17 February 1993]

The IFP claimed in mid-February 1993 that the ANC had started a campaign in Ezakheni, outside Ladysmith (northern Natal), to purchase AK-47 rifles. It said that ANC-supporting youths in the township's A and B sections were compelling residents to pay R50 each for the required ammunition. The youths, allegedly members of a newly formed civic association, were said to be going from door to door, demanding money and telling residents that the arms were needed to fight the IFP.³²⁰ [³²⁰ *The Natal Witness* 17 February 1993] The ANC denied these allegations.

In March 1993 a bus carrying 80 ANC supporters was ambushed near Wartburg (Natal Midlands). Four people died and 16 were injured in the attack. The bus was carrying people to Pietermaritzburg for the court hearing of three ANC members who had been arrested in connection with the murder of six schoolchildren, according to a spokesman for the Midlands branch of the ANC, Mr Mzwandile Mbongwe. Capt Budhran said that the bus was ambushed about 30km from Table Mountain (near Pietermaritzburg).³²¹ [³²¹ *The Star* 9 March 1993]

A total of 20 people were reported to have been killed in three vehicle ambushes within sight of Table Mountain. The first ambush occurred on 2 March 1993 when gunmen murdered six children on their way to school at Mboyi. On 5 March 1993 ten people were shot dead when a minibus was ambushed at

Enkanyezini, about 15km from Mboyi.³²² [³²² Ibid]

In March 1993 the chairman of the Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (the Goldstone commission), Mr Justice Richard Goldstone, announced that a committee of the commission would investigate the conduct of the KZP in violence, including the assassination of two leaders of the ANC in Natal.³²³ [³²³ Ibid 17 March 1993] The committee was requested to investigate:

- the conduct of the KZP with regard to its investigation into the murder of the deputy chairman of the Natal Midlands branch of the ANC, Mr Reggie Hadebe, on 28 October 1992 and also its investigation of the murder of the chairman of the Newcastle (northern Natal) branch of the ANC, Professor Hlalanathi Sibankulu, on 12 November 1992;
- the illegal possession in August 1992 of an AK-47 rifle by an individual identified only as Constable Ngubane and the investigation by the KZP of the matter;
- the failure of the KZP to rearrest two murder suspects whose whereabouts were known to them after the suspects had absconded from custody. The suspects had been arrested in connection with fatal rifle and hand-grenade attacks on two houses in KwaMakhutha (Natal south coast) in March 1990; and
- the lack of progress in the investigation by the KZP into a case in which uniformed members of the KZP had allegedly shot dead a resident of KwaMashu (Durban) in 1990.³²⁴ [³²⁴ Ibid]

During the last weekend in March 1993, 12 people were killed in several townships and rural settlements in Natal. Affected areas were Esikhawini, KwaMashu, Mehломnyama (all on the Natal north coast), Patheni (Natal Midlands) and Umlazi (Durban).³²⁵ [³²⁵ *The Citizen* 30 March 1993]

In the same month, in the Natal Provincial Division of the Supreme Court in Pietermaritzburg, the Natal judge president, Mr Justice J A Howard, imposed the death sentence on two men found guilty of murder. Judge Howard said that 'cruel and senseless killings in South Africa had to be stopped', adding that the 'death sentence was the only appropriate punishment' for the murders of the ten minibus passengers at Enkanyezini on 5 March 1993 (see above). The convicted men were Messrs Absalom Dladla and Wilfred Ndlovu, who were found to have ambushed the minibus and then 'moved in to finish off the occupants at close range' when the vehicle had stopped.³²⁶ [³²⁶ Ibid 1 May 1993]

In May 1993 an ANC Youth League meeting to promote free political activity, which had been scheduled to take place at the Eshowe football grounds, had to be moved because of alleged intimidation by the IFP. Representatives of the youth league said that on arriving at the venue they had found the local leader of the IFP, Mr David Ntombela, and members of the KZP and that people had felt too

intimidated to then use the venue.³²⁷ [³²⁷ *Echo* 27 May 1993]

Mr Ntombela said that he was at the venue with the local chief, Chief Vulindlela Ndlovu, and that members of the KZP were there as his bodyguards. He explained further, 'I was there as a member of the regional dispute resolution committee to find out what was happening and also to monitor the meeting because I would have had to explain to the committee if violence took place. The chief was there waiting to hear from the leaders of the youth league from where they obtained permission for the rally.'³²⁸ [³²⁸ *Ibid*]

In June 1993, 15 people were shot dead and four injured in separate attacks by gunmen in rural areas near Estcourt and in KwaMakhutha. The Natal Midlands branch of the ANC claimed that all the victims in the Midlands were ANC members, alleging that the killings were part of a campaign of 'genocide by Inkatha'.³²⁹ [³²⁹ *The Citizen* 5 June 1993] The IFP denied that it was conducting such a campaign.

According to a spokesman for the *National Peace Accord*, on 20 June 1993, 13 deaths in two separate attacks in townships near Port Shepstone were reported, bringing the weekend death toll in the province to 33.³³⁰ [³³⁰ *Business Day* 22 June 1993]

Sixteen people died violently during the third weekend of July 1993 in townships in KwaZulu and Natal, according to the SAP and the KZP. Affected areas included the Bhambayi shack settlement, KwaMakhutha, Umbumbulu (Natal south coast) and Umlazi.³³¹ [³³¹ *Sowetan* 20 July 1993]

Violence claimed 11 lives in Natal during the third weekend of October 1993, according to the KZP. The victims included two policemen suspected of having been murdered by members of the Azanian People's Liberation Army (Apla). Six of the dead, whose bodies were discovered in the greater Durban area, had been stabbed. The two policemen had been abducted in Bhongweni (southern Natal).³³² [³³² *The Citizen*, *Sowetan* 19 October 1993] An Apla response to these allegations was not forthcoming.

Reef Violence

On 22 May 1993, 13 people were shot dead and more than 60 injured in Tokoza (east Rand) during a protest march organised by the ANC, as marchers moved towards a hostel which housed IFP supporters. The leader of the IFP in the Transvaal, Mr Themba Khoza, said that alternative routes could have been followed by the marchers, but that 'their intention was to march past the Tokoza hostels and through the area which is predominantly IFP-supporting', and that violence had erupted as a result of the 'ANC marchers and Tokoza residents' being provocative. However, the chairman of the Pretoria/Witwatersrand/Vereeniging (PWV) region of the ANC, Mr Tokyo Sexwale, said that 'marchers had not sought confrontation and that people always marched along this route and that trouble always came from the hostel'. Mr Sexwale said that the hostel had been described as a 'flashpoint' by the Goldstone commission.³³³ [³³³ *Business Day* 24 May 1993]

In the following 48 hours violence spread from Tokoza to other townships in the east Rand, including Katlehong, Vosloorus and the Zonkizizwe shack settlement. A further 22 people were killed, including a young girl who was stabbed to death. Thirteen people died in Katlehong, seven in Vosloorus and two at the shack settlement.³³⁴ [³³⁴ *The Star* 24 May 1993]

A spokesman for the South African Police (SAP), Captain Wicus Weber, said that eight homes had been burnt in Katlehong's Mavimbela Section and that in one of the burnt houses police had found the charred remains of four people and two bodies with hack and stab wounds nearby. However, most of the deaths were caused by gunshot wounds.³³⁵ [³³⁵ *Ibid*] Capt Weber said that the death toll since the early hours of 23 May had risen to 33 after 11 more bodies were found on the east Rand on 24 May.³³⁶ [³³⁶ *Sowetan* 25 May 1993]

In its preliminary report on the eruption of violence in Tokoza, published in late May 1993, the Goldstone commission said that the ANC alliance had 'given little consideration to the desirability of marching past the Tokoza hostel'. The commission said that 'marshals should have known that hostel inmates would have been averse to an ANC march nearby'. The march had also failed to comply with an undertaking given to the local authority and the chief magistrate that 1 000 marshals would be provided for the march. There were substantially fewer present, according to the commission's report.³³⁷ [³³⁷ *City Press* 30 May 1993]

Also in May 1993, a member of the ANC, Mr Michael Phama, was found guilty in the Transvaal Provincial Division of the Witwatersrand Supreme Court by Mr Justice M C de Klerk of 21 counts of murder and 14 of attempted murder. Earlier, Mr Phama had confessed that he, together with four other people, had attacked a group of IFP members before a rally at the Tokoza stadium on 8 September 1991.³³⁸ [³³⁸ *Ibid* 4 July 1993] Mr Phama was sentenced in October to 21 terms of life imprisonment for 21 murders and 12 years' imprisonment for each of the 14 cases of attempted murder, as well as ten years' imprisonment for the possession of an AK-47 rifle and six years' imprisonment for the possession of ammunition. The last two sentences were to run concurrently.³³⁹ [³³⁹ *The Star* 13 October 1993]

Police said that in four days of fighting in Katlehong and Tokoza in the first week of July 1993 the death toll totalled 44. An SAP spokeswoman, Lieutenant Janine Smith, said that five of the victims had died when gunmen had opened fire on a minibus.³⁴⁰ [³⁴⁰ *Business Day, The Citizen* 6 July 1993]

In the same week relief organisations such as the Red Cross and Operation Hunger began supplying food and clothing to victims of violence on the east Rand. The financial development officer of the Red Cross, Ms Julie Elkman, said that more than 100 people had sought refuge at a hall in Palm Ridge (Germiston), while about 220 others had camped at the Natalspruit Hospital (Katlehong). Ms Elkman also said that a joint relief operation had been established with the international committee of the Red Cross. The two organisations donated R600 burial vouchers to the families of people who had been killed in Katlehong and Tokoza. Operation Hunger subsequently began a feeding scheme for the

displaced.³⁴¹ [³⁴¹ *Sowetan* 8 July 1993]

According to residents of the Zenzele shack settlement in Daveyton (east Rand), conflict developed between the shack residents over the renaming of the settlement as 'Mangosuthu', which had been proposed by supporters of the IFP. Some 16 shacks were reported to have been razed and eight houses in Daveyton burnt down. The violence, which started in the shack settlement, spread to Katlehong and Tokoza and the death toll after two days of fighting between rival groups was 22.³⁴² [³⁴² *Ibid* 23 July 1993]

At the end of July 1993 three men—Messrs Justice Mbeka, Nomusa Ngwenya and Elias Zulu—and a woman, Mrs Mampie Zulu, were killed when a group burst into the room of a shack at Ivory Park (Midrand) and opened fire. A spokesman for the IFP, Mr Humphrey Ndlovu, said that ten men had burst into the room and accused Mr Mbeka of being 'a spy for the Zulus' and 'shot him many times'. Mr Ndlovu said that ANC supporters were behind the murders. According to the SAP, Mrs Zulu was killed when she resisted being raped by the attackers.³⁴³ [³⁴³ *The Citizen* 31 July 1993] The ANC denied that its supporters were responsible for the attack.

The chairman of the IFP in Katlehong and a member of a local peace committee, Mr Absalom Shozi, was shot, stabbed and burnt to death in Katlehong, also in July 1993. On 1 August three men armed with AK-47 rifles burst into the funeral parlour where Mr Shozi's body was lying prior to burial and took away the body.³⁴⁴ [³⁴⁴ *Sowetan* 2 August 1993]

In the first week of August 1993, 143 people were killed in violence in east Rand townships, according to the police.³⁴⁵ [³⁴⁵ *The Citizen* 7 August 1993] The SAP said that between 3 July and 26 August 1993, 544 people died violently in townships in the east Rand. An SAP spokeswoman, Sergeant Michelle Erasmus, said that the figure related only to civilians whose bodies had been found with hack and bullet wounds and did not include members of the police force who had been found dead in the area.³⁴⁶ [³⁴⁶ *Ibid* 26 August 1993]

An organiser for the IFP in the Transvaal, Mr Peter Magwaza, who also served on the executive of the Wits/Vaal regional peace committee, was admitted to the Baragwanath Hospital after being shot at his home in Soweto on 9 September 1993. An IFP spokesman, Mr Ed Tillet, said that the 'apparent motiveless attack on Mr Magwaza is part of a concerted campaign to target IFP peace activists for elimination'.³⁴⁷ [³⁴⁷ *Ibid* 11 September 1993]

The chairman of the KwaThema (east Rand) branch of the IFP, Mr Samuel Motha, was shot dead by unknown gunmen as he left his home for work on 29 September 1993. Mr Ndlovu said that Mr Motha was killed by unknown men but 'we believe that the killers came from the ANC. We believe it is Umkhonto we Sizwe who carried out the brutality. This is another way of wiping out the leadership of the IFP in the Transvaal'.³⁴⁸ [³⁴⁸ *Sowetan* 30 September 1993] An ANC response to these allegations was not forthcoming at the time of writing.

On 28 September 1993, 20 gunmen armed with AK-47 rifles and 9mm pistols broke through a wall at the Scaw Metals Hostel in Wadeville (east Rand) and fired on inmates. Three hostel residents were wounded in the attack, according to the police. Police said that the attackers had used a sledge hammer to break a hole in the wall of the hostel.³⁴⁹ [³⁴⁹ *The Citizen* 30 September 1993] Both the IFP and the ANC claimed they had the ‘widest support’ among residents of the hostel, and both parties claimed that the attack had been launched by the other party.³⁵⁰ [³⁵⁰ *Ibid*]

The organiser of the National Union of Metalworkers of South Africa (Numsa), Mr Alfred Woodington, said that the hostel, which housed between 1 500 and 2 000 workers, mainly Xhosa and Zulu-speaking, had been neutral territory. ‘It now seems the IFP wants to annex it in an attempt to build a further power base in the east Rand. We have recently made proposals to management for increased security. We would like to see a joint effort [to secure peace] involving Scaw’s security company, Numsa’s marshals and members of the United Workers’ Union of South Africa [a trade union with links with the IFP]. But the company is resisting our proposals,’ he said. The IFP did not respond to these allegations. Scaw Metals later rejected the proposals made by Numsa for increased security.³⁵¹ [³⁵¹ *Weekly Mail and Guardian* 1 October 1993]

Conflict Between the African National Congress and the Azanian People’s Organisation

The chairman of the Azanian People’s Organisation (Azapo) in the Transvaal, Mr Nkosi Molala, said at a press conference in Johannesburg in October 1993 that African National Congress (ANC) youths had disrupted a peace rally organised by Azapo at Phatsima near Rustenburg (western Transvaal) several days earlier. Mr Molala said that he had been about to address the rally when a group of toyi-toyiing ANC youths had confronted him. The youths, the local leadership of the ANC, the ANC Youth League and the local civic association had then asked him and the national organiser of Azapo, Mr Fundile Mafongosi, and a leader of the Azanian Youth Organisation, Mr George Biya, why the Azapo members were in the village without the permission of these groups. Some of the youths had chanted anti-Azapo slogans. ‘We were then frog-marched out of the village after humiliating intimidation and body searches,’ Mr Molala said.³⁵² [³⁵² *Sowetan* 5 October 1993]

In the same month Azapo accused the ANC of ‘taking part in a national campaign to liquidate the black consciousness movement’ after attacks on its members at Boitekong (near Rustenburg) on 11 October 1993. The publicity secretary of Azapo, Dr Gomolemo Mokahe, said that an Azapo member, Mr Frans Sovara, had been stabbed in the back and burned ‘in what appeared to be a necklacing attempt’ and that three houses belonging to members of Azapo had been razed to the ground.³⁵³ [³⁵³ *The Citizen* 13 October 1993] However, the ANC denied that it was conducting a campaign to destroy the black consciousness movement.³⁵⁴ [³⁵⁴ *The Star* 14 October 1993]

Conflict Between the African National Congress and the Pan-Africanist Congress

In March 1993 three people—two men and a woman—died in Fort Beaufort (eastern Cape) in conflict between the ANC and the Pan-Africanist Congress (PAC). The conflict allegedly arose when a school teacher unfairly promoted pupils who were supporters of the PAC's student wing, the Pan-Africanist Students' Organisation (Paso). However, the national director of the PAC, Mr Waters Toboti, denied this allegation, saying that both the 'teacher and pupils were victims of political intolerance'. The South African Police liaison officer for the eastern Cape, Captain Lisbe Vermeulen, said that while the conflict appeared to have subsided, the police were investigating a case of attempted murder.³⁵⁵ [³⁵⁵ *New Nation* 26 March 1993]

In October 1993 five students were injured in a gun and hand-grenade attack on the University of Fort Hare campus (eastern Cape) after a fight between supporters of the ANC and the PAC. According to a spokesman for the PAC, Mr Mninizo Mnyakama, two of the five injured, all of whom were members of Paso, had sustained serious injuries. Mr Mnyakama said that the conflict had started when ANC members who had been holding a meeting in a hall had refused to allow PAC members to hold a workshop at the same venue. He said further that the PAC supporters had then locked the ANC members inside the hall and that fighting had subsequently broken out. The PAC members were returning to the campus when they were sprayed with bullets, according to Mr Mnyakama. The Ciskei Police said that they had opened an attempted murder docket.³⁵⁶ [³⁵⁶ *The Citizen* 26 October 1993]

Other Types of Conflict

Hostel Residents Vs Householders

Speaking in Johannesburg in February 1993 on behalf of six chiefs from the Msinga area (north of Durban), Mr Ephraim Ximba said that traditional leaders and chiefs from Msinga had launched a peace and reconciliation campaign to end the internecine violence in Transvaal hostels. He added that 'faction fighting' among Zulu-speaking migrant workers living in hostels in Johannesburg had claimed 100 lives since September 1992. 'Zulus are fighting Zulus. It's brother against brother,' he said. Mr Ximba stated that the chiefs wanted perpetrators of 'this senseless fighting' to be imprisoned without bail and to be severely dealt with thereafter.³⁵⁷ [³⁵⁷ *Ibid* 23 February 1993]

Thirty people were killed in Tembisa (east Rand) when 200 hostel residents attacked township residents at the end of July 1993. The dead included 12 people who were burned to death in a minibus. Train services to Katlehong were suspended, with police warning motorists to avoid using the old Vereeniging Road past Tokoza and Katlehong. Fighting between hostel and township residents subsequently spread to other east Rand townships.³⁵⁸ [³⁵⁸ *Sowetan, The Star* 2 August 1993]

A spokesman for the South African Police (SAP), Major Eugene Opperman, said that police had arrested three suspects at a hostel in connection with the Tembisa killings and that they had also taken possession

of two AK-47 rifles and a pistol. The police said that the violence at Tokoza had been initiated by residents of houses against a 'Zulu hostel' and that the 'Zulus had retaliated by carrying out attacks on residents', resulting in repeated attacks and counter-attacks. Several vehicles were hijacked by the attackers during the fighting.³⁵⁹ [³⁵⁹ *Sowetan* 2 August 1993]

As the fighting in the east Rand continued into September 1993 many families fled from houses adjacent to hostels controlled by the Inkatha Freedom Party (IFP). It was reported that in Tokoza alone 300 houses had been abandoned by their owners.³⁶⁰ [³⁶⁰ *The Star* 13 September 1993] According to the African National Congress (ANC), occupants of 800 houses in Katlehong and Tokoza had been forced by IFP supporters to abandon their homes, after the IFP supporters had demanded money from the occupants or compelled them to take out IFP membership.³⁶¹ [³⁶¹ *Business Day* 17 September 1993]

A member of the central committee of the IFP, Mr Themba Khoza, said that ANC supporters had abandoned their homes. The houses had then been occupied by IFP supporters, some of whom had threatened to burn down the houses if they were evicted. Mr Khoza added that 'we cannot allow the situation to deteriorate' and that 'the problem must be addressed'.³⁶² [³⁶² *Ibid*]

In October 1993 the chairman of the Transvaal Hostel Residents' Association, Mr Joseph Kubheka, said that hostel and household residents of Katlehong and Tokoza were working together to resolve their differences. He urged communities in these townships to 'emulate Vosloorus and open lines of communication'. A spokesman for the Pretoria/Witwatersrand/Vereeniging (PWV) region of the ANC, Mr Vusi Kunene, said that attacks on residents by hostel dwellers from the Buyafuthi and Kwesine hostels had been foiled because Vosloorus hostel residents had alerted community bodies in the townships.³⁶³ [³⁶³ *Ibid* 5 October 1993]

The Afrikaner Weerstandsbeweging delivered food, clothes and medicine to IFP-controlled hostels in the east Rand in October 1993. The secretary of the Tokoza branch of the IFP Women's Brigade, Mrs Gertrude Mzizi, explained that the aid was delivered by people 'acting under the auspices of the Freedom Alliance' (see also chapter on *Constitutional Change*).³⁶⁴ [³⁶⁴ *The Star* 18 October 1993]

Hostel Residents Vs Shack Dwellers

A resident of the KwaMadala Hostel in Vanderbijlpark, Mr Henter Ndlovu, appeared in the Sebokeng magistrate's court on 13 July 1993 in connection with the killing of 50 people in the Vaal Triangle. He was also an accused in the trial at the Delmas Circuit Court of a group of men charged with the killing of 15 people in a shack settlement near Boipatong (southern Transvaal) in June 1992 (see 1992/93 *Survey* pp461-462). Mr Ndlovu was on bail at the time of his arrest on 9 July 1993, together with Mr Khethisi Kheswa, notoriously known as the 'Vaal Monster'.³⁶⁵ [³⁶⁵ *Sowetan* 13 July 1993]

Mr Kheswa died several hours after allegedly being driven out on an investigation to a site in Sasolburg

by three members of the Vanderbijlpark unrest and violence investigation unit. Mr Ndlovu was not asked to plead and his case was remanded to 26 July 1993. Two other KwaMadala Hostel residents arrested with Mr Ndlovu were being held in custody while police investigated their alleged role in the killing of 18 people on 18 April 1993 on the eve of the funeral of the general secretary of the South African Communist Party, Mr Chris Hani.³⁶⁶ [³⁶⁶ Ibid] Investigations were continuing at the time of writing, according to the police.

Five people were killed during fighting between shack dwellers and residents of the Denver Hostel (Johannesburg) over the last weekend of October 1993.³⁶⁷ [³⁶⁷ Ibid 2 November 1993]

Late in October 1993 members of the SAP raided the Denver Hostel and took possession of an assortment of arms and ammunition, including two AK-47 rifles, one submachine gun, one shotgun, three pistol magazines, four metallic toy guns and 486 assorted firearm rounds. According to a police spokesman, Warrant Officer Andy Pieke, the hostel had been raided by the police after reports that it had become a haven for criminals. A number of shooting incidents had occurred there, he added.³⁶⁸ [³⁶⁸ *The Citizen* 29 October 1993]

Conflict Among Exiles

In February 1993 the returned exiles co-ordinating committee, an organisation consisting of returned exiles dissatisfied with the ANC, dissociated itself from a group called the South African Republican Army, which had claimed responsibility for killing members of the ANC. A spokesman for the committee, Mr Mwezi Twala, said that his office had been inundated with calls about the republican army. Mr Twala said that he had no knowledge of the organisation, adding that he had only read about it in the press.³⁶⁹ [³⁶⁹ Ibid 23 February 1993]

Earlier, a man who identified himself as Mr Douglas Ndlovu and claimed to be a member of the republican army had telephoned several newspapers and said that his organisation had assassinated the leader of the ANC in the Natal Midlands, Mr Reggie Hadebe, on 28 October 1992. Members of the SAP in Pretoria said that there was no evidence to substantiate the existence of the South African Republican Army.³⁷⁰ [³⁷⁰ Ibid]

For ten days in August 1993, 27 returned exiles and members of Umkhonto we Sizwe (Umkhonto) occupied the offices of the ANC in Durban and held staff hostage, in protest against the ANC's alleged failure to take care of Umkhonto members. Their grievances stemmed mainly from financial problems as a result of unemployment. The protesters subsequently met the national leadership of the ANC in Johannesburg to discuss their grievances (see also *Paramilitary Units* above).³⁷¹ [³⁷¹ *Sunday Times* 22 August 1993]

Violence in the Transport Sector

Attacks on Railway Commuters

In February 1993 Mr Justice J H Coetzee sentenced a member of the IFP, Mr Xolani Mnguni, to death for the murder of Mr William Aphane. Mr Mnguni killed Mr Aphane by forcing him under the wheels of a train running between Johannesburg and Soweto on 29 November 1991. Judge Coetzee said that although Mr Mnguni was a first offender, and that first offenders were usually not given the death penalty, he found it was the only appropriate sentence, adding that 'defenceless commuters were senselessly killed almost every day, and only because they belonged to organisations different to those of the killers'. A witness, Mr Trevor Jabulani Ndlovu, who was commended by the judge for his 'courage, integrity and civic duty' in giving evidence, had told the court how Mr Aphane was stabbed and beaten before being thrown out of the train on to the tracks, where his body was ripped apart by the wheels of the train.³⁷² [³⁷² *Sowetan* 15 February 1993]

The minister of law and order, Mr Hernus Kriel, said in response to a question in Parliament in February 1993 that a total of 216 people had died as a result of violence on trains on the Witwatersrand during 1992.³⁷³ [³⁷³ *The Citizen* 25 February 1993]

In March 1993 a Rand Supreme Court judge, Mr Justice Johan Els, said that the police had done everything they could to find the perpetrators of a 1991 train attack. Judge Els was speaking after he sentenced an IFP member, Mr Albert Dlamini, to eight years' imprisonment for attempting to murder a train commuter.³⁷⁴ [³⁷⁴ *Sowetan* 12 March 1993] Judge Els found Mr Dlamini of Mazibuko Hostel in Katlehong (east Rand) guilty of attempting to kill a commuter on a Germiston-bound train on 9 October 1991 and of illegal possession of a firearm and ammunition. Mr Dlamini was jailed for eight years for attempted murder and two years for illegal possession of a gun and ammunition. The sentences were to run concurrently.³⁷⁵ [³⁷⁵ *Business Day*, *Sowetan* 12 March 1993]

Reacting to an attack on train commuters at Langlaage station (Johannesburg) on 6 August 1993, which had resulted in the deaths of five people and the injury of nine, the Human Rights Commission (HRC) said that 'high violence levels have returned to the Pretoria/Witwatersrand/Vereeniging area, shooting up from 36 deaths in March to 344 deaths in July'. The HRC urged railway authorities to exercise maximum vigilance and not to allow security on trains to lapse.³⁷⁶ [³⁷⁶ *The Citizen* 7 August 1993]

Early in November 1993 gunmen shot dead one man and injured nine people when they opened fire on train commuters at the Germiston railway station. The attackers, one of whom was armed with a 9mm pistol, were on the train when they opened fire. According to the SAP, three women and six men were taken to hospital for treatment. No arrests were made.³⁷⁷ [³⁷⁷ *Ibid* 3 November 1993]

Taxi Violence

See chapter on *Housing and Infrastructure*.

Government Initiatives Regarding Violence

In May 1993 in an attempt to break the cycle of violence on the east Rand the government declared four east Rand townships—Katlehong (Germiston), Tembisa (Kempton Park), Tokoza (Alberton) and Vosloorus (Boksburg)—unrest areas.³⁷⁸ [³⁷⁸ Ibid 29 May 1993]

In August 1993, 2 000 extra troops were deployed on the east Rand in an attempt to stabilise the situation. Although officers involved in the exercise, codenamed ‘Operation Pikadel’, refused to divulge details of the operation, journalists said that it was ‘the biggest peacetime operation undertaken by the South African Defence Force’. The operation involved the use of armoured cars, mounted with 90mm guns, and Ratel armoured fighting vehicles, some of which had heavy calibre machine guns and rocket launchers.³⁷⁹ [³⁷⁹ *Sunday Tribune* 8 August 1993, *The Argus* 10 August 1993]

People’s Courts

On 8 December 1993 eight people were shot, stabbed and hacked to death at Moleleki Section in Katlehong (east Rand) in what the police believed was ‘a people’s court mass execution’. One of the men had been decapitated and his head had been chopped to pieces. The hands of the eight victims had been tied with rope. A number of AK-47 cartridges were found nearby. According to a South African Police spokeswoman, Lieutenant Janine Smith, the ‘initial police investigations indicated the executions were a result of a people’s court sitting’.³⁸⁰ [³⁸⁰ *Sowetan* 10 December 1993]

EDUCATION

Key Points

- The government announced in 1993 that the own affairs departments of education, the Department of Education and Training (DET) and the Department of National Education would be amalgamated by 31 March 1994. The education departments of the non-independent homelands would have the option of joining this process and the position of the ‘independent’ homelands’ education departments would be determined during negotiations.
- The National Education and Training Forum was established in August 1993 to discuss education policy and the restructuring of the education system.
- In 1993/94 a total of R27,26bn was allocated to education in the national budget (including the ten homelands). Education expenditure amounted to 21,4% of the budget and 7,3% of gross domestic

product.

- According to the DET, by August 1993 African schools had lost the equivalent of one term as a result of pupil boycotts and teacher strikes. Schools in Soweto reportedly lost two terms of schooling during the year.
- Between 1986 and 1992 the annual increase in pupil enrolment in South Africa (excluding the 'independent' homelands) was as follows: DET, 5,9%; House of Assembly, 0,5%; House of Delegates, 0,5%; House of Representatives, 1,2%; and non-independent homelands, 5,1%.
- The overall matric pass rate in 1992 was 56%. The pass rate for Africans was 44%, for coloured pupils, 86%; for Indians, 95%; and for whites, 98%.
- In 1992, 14% of teachers at DET schools and schools in the non-independent homelands did not have a teaching qualification and 57% were underqualified (ie did not have a matric with three or more years of teacher training).
- The first nationwide teachers' strike was conducted by the South African Democratic Teachers' Union in August 1993 to protest against an annual salary increase of 5%.
- In October 1993 the Education Labour Relations Act was passed. It gave teachers the right to strike and employers the right to lock teachers out provided that certain procedures were adhered to.
- In July 1993 the Technikons Act was passed. It provided, among other things, for technikons to confer degrees on their students.

Broad Policy Matters

In late 1992 and 1993 four sets of education policy documents were published: the final version of the *Education Renewal Strategy* (ERS), published by the Department of National Education; the report of the National Education Policy Investigation (Nepi), published by the National Education Co-ordinating Committee (NECC); the report of the Growing Together Project, sponsored by Old Mutual and Nedcor; and the Urban Foundation's report, *Education Governance in South Africa*.

The ERS said that race should not feature in structuring the education system of South Africa. It made the following main proposals:¹ [¹ Department of National Education (DNE), *Education Renewal Strategy (ERS): Management Solutions for Education in South Africa*, November 1992]

- an education system with a central education authority should be established to ensure the necessary

uniformity in the development of education. Regional education authorities with decision-making autonomy should also be set up;

- there should be at least nine years' general compulsory education with approximately 95% of the cost borne by the state;
- distance education should be substantially extended, especially with regard to teacher education and senior secondary education. The government believed that distance educational methods could provide education at a much lower cost than more conventional methods;
- a structured system of vocational education and training should be established, incorporating a clearly defined qualification structure which would be linked to the existing national qualification structure and the formal education system;
- a minimum of three years' appropriate teacher education should be provided, with a system of 'internship' being implemented during the training period and technikons being given an extended role in teacher education;
- programmes offered at universities and technikons should be rationalised so as to avoid unnecessary duplication;
- pre-primary education should be provided by the private sector and community initiatives as a compulsory, state-financed year of pre-school education was unaffordable owing to the large number of pupils involved; and
- three models of school education with varying degrees of state control should be implemented.

The minister of national education, Mr Piet Marais, said in November 1992 that the ERS was not merely a blueprint for the implementation of policy, but that it also represented different policies, with proposals for short to medium-term solutions to the most important problems in education. He said that the proposals had been arrived at after consultation with a number of organisations, including the different education departments, the homelands, private schools, the teaching profession, and universities and technikons. He said that although groups which were affiliated to extra-parliamentary political parties had been invited to participate in developing the ERS, they had chosen not to be involved.² [DNE, *ERS: Questions and Answers*, November 1992]

Nepi was an enquiry into educational policy options for a future South Africa. It was commissioned by the NECC, a national organisation representing parents, students and teachers, mainly from black communities. The chairman of the Nepi executive committee, Mr Jakes Gerwel, said that the reports did not constitute a model for a new education system or a set of recommendations for a more equitable dispensation. They were rather an analysis of feasible options for the short to medium-term and were intended to generate discussion and debate.

Nepi research began in December 1990 and the results were published in 1993. The Nepi report comprised 13 volumes dealing, inter alia, with the following areas of education: adult basic education, adult further education, the curriculum, early childhood education, education planning, education governance and administration, human resources development, language, library information services, post-secondary education, support services and teacher education. The reports were compiled by more than 300 volunteers consisting of political leaders, academics and educationalists.³ [³ National Education Policy Investigation (Nepi), *The Framework Report and Final Report Summaries: A Project of the National Education Co-ordinating Committee*, Cape Town, Oxford University Press, 1993; *Indicator SA* autumn 1993]

The Nepi research was guided by five principles against which all policy proposals were evaluated: nonracism, nonsexism, democracy, a unitary system and the redress of inequalities brought about under apartheid.⁴ [⁴ Nepi, *The Framework Report and Final Report Summaries* 1993]

The Nepi report said that there was international consensus on several features which were necessary for a well-managed education and training system:⁵ [⁵ *Ibid*]

- good quality general schooling, available to all, was a high priority for economic growth and redistribution;
- good quality secondary and higher education was needed to generate a pool of professional and specialist leaders, managers and innovators;
- internal efficiency within the school system needed to be promoted through effective departmental administration, cost-effective administration and the strengthening of the local governance of schools;
- adult education needed to be co-ordinated and supported; and
- flexible and effective vocational education and training was a critical element in industrial development and sustained economic progress.

The Nepi report emphasised the importance of ‘articulation’ within the education system (ie provision for pupils or students to move within an educational sector or between educational sectors). Nepi said that it was necessary for those who had been streamed into an ‘inferior’ education course to be able to obtain credits for entry to a better one.⁶ [⁶ *Ibid*]

In January 1993 Drs Peter Buckland and Jane Hofmeyr of the education policy and system change unit of the Urban Foundation published *Education Governance in South Africa*. The document analysed education governance (ie the system of education administration and control, as well as the process

whereby education policies are formulated, adopted, implemented and monitored) and suggested policies for the future.

Drs Buckland and Hofmeyr said that in future there would probably be a 'mixed system of governance' with both centralised and decentralised aspects. They said that central control was necessary to ensure reform but that decentralisation was an important means of defusing conflict and of encouraging participation and innovation. They added that decision making in education should be linked to the ability to make decisions about allocation of funds. They said that one of the reasons why there had been no meaningful decision making at a local level under the current system was that control over education financing had been highly centralised.⁷ [⁷ *Buckland P and Hofmeyr J, Education Governance in South Africa*, Education Policy and System Change Unit: Urban Foundation, Johannesburg, 1993]

The following principles were outlined by Drs Buckland and Hofmeyr as being essential to the structuring of a new education governance system:⁸ [⁸ *Ibid*]

- there needed to be a commitment to a set of core values against which policy suggestions could be assessed;
- the desire to include as many 'constituencies' as possible in the governance of the system needed to be balanced against the need to ensure efficiency, coherence and national unity in the educational system;
- decision making needed to occur at a level as close to the people directly affected by such decisions as was compatible with efficient and effective administration. Drs Buckland and Hofmeyr believed that this measure would promote accountability;
- the coherence of a unitary national education system needed to be maintained, so that any transfer of decision-making authority would not disrupt the system;
- provision needed to be made for differential participation in the process of policy formulation and implementation so that as wide a cross-section of interest groups as possible could participate in policy formulation. However, a 'more closely accountable group' should be charged with responsibility for the adoption of policy and a group of accountable officials should be responsible for implementation; and
- support of decision-making authority needed to be provided by allocating sufficient resources to those making decisions. Alternatively, those authorities making decisions needed to be able to generate their own resources.

The Professional Economic Panel was established in April 1992 and sponsored by Nedcor and Old Mutual to develop detailed strategies to improve the economic situation and to create a climate for sustainable improvement in the country's economy. The panel's task included the formulation of

recommendations for a national education strategy and the provision of education for the 'lost generation'. The panel comprised 22 members and included business leaders and economists. A number of other business leaders, economists, environmentalists and educationalists contributed to the report.⁹ [9 Professional Economic Panel, *Growing Together: Institutions and Initiatives for Economic Democracy and Growth*, 1993]

The panel, whose report was published at the beginning of 1993, said that the development of human resources was the basis for all other development and that all countries which had achieved political stability and economic growth had done so by means of improving education levels and increasing investment in other forms of human development. The panel made five proposals regarding education and skills training:¹⁰ [10 Ibid]

- greater efficiency and equity should be achieved in education expenditure (see *Finance* below);
- a human development foundation should be established to promote accredited, modular training through the nonformal education system of individuals with incomplete formal schooling or no formal schooling at all (see *Adult Education* below);
- a trust fund should be established to finance and promote adult basic education (see *Literacy* below);
- a database of facilities for education and training should be established to facilitate co-ordinated and optimal use of such facilities and assist in deciding on the construction of new facilities; and
- a nationwide youth development programme should be established (see *Education and employment* below).

The African National Congress said in April 1993 that its proposals for a future education system were that :¹¹ [11 *Mayibuye* April 1993]

- there should be a single national education department structured along national, regional, local and institutional lines, each level having a specific structure and powers. The operation of the department would take into account the redress of discrimination, the elimination of racism and the promotion of democracy;
- there should be ten years of free, compulsory education for all;
- a unified system of nationally recognised vocational and training qualifications should be established which could be linked to the formal schooling system and which would reduce the differentiation between academic and vocational streams;

- a national education board responsible for the administration of schools and the formulation of policy for primary, secondary and farm schools should be established;
- a national training board should be established. It would be responsible for adult education and training, and the education of workers and unemployed people;
- structures should be created at a national level for the development of the curriculum, the granting of qualifications, and for assessing, monitoring and controlling education finance; and
- responsibility for provision, finance and control of personnel at a local level should be delegated to local or district education authorities. Schools, whether state, state-aided or private, would be entitled to raise additional funds.

In October 1993 the Congress of South African Trade Unions (Cosatu) made eight proposals for the restructuring of the education system. These were that:¹² [¹² *Sowetan* 20 October 1993]

- ten years of free compulsory schooling be accompanied by improvement of the curriculum and pupil/teacher ratios, and the provision of adequate resources;
- a single national education and training system with nationally coordinated accreditation and certification of courses be offered in both the nonformal and formal education sectors;
- there be a commitment to lifelong learning with structured programmes for adult workers teaching a minimum number of skills;
- the education system take account of labour market planning so that the workforce had the appropriate level and number of skills to meet objectives for economic growth. To this end public-works and jobcreation programmes should also provide training programmes for people engaged in these projects, with such training leading to nationally recognised qualifications;
- priority be given to teacher upgrading;
- there be greater involvement by the private sector in training the workforce. Cosatu said that the private sector spent less than 1% of its payroll on training compared to 5% of the private-sector payroll in Germany and Japan. Cosatu also said that existing training facilities should be used more fully; and
- there be an end to discrimination in access to education and training. Specific programmes should be developed to identify and target those who had been disadvantaged in the past (such as women, rural dwellers and the marginalised youth).

The Inkatha Freedom Party (IFP) said in its policy document on education, published in 1993, that in a federal system responsibility for education would be the prerogative of individual states rather than the federal government, although the government should play a role in the formulation of national standards, particularly regarding tertiary education. The IFP said that management of schools and tertiary institutions should be devolved to appropriate management bodies. Elected community representatives should make an input to such bodies.¹³ [¹³ Inkatha Freedom Party (IFP), *Education Policy*, IFP Information Centre, Durban, 1993]

The IFP said that while responsibility for education should be decentralised, no schools should be able to discriminate on grounds of race, although they should be able to select pupils on the basis of sex, language proficiency or religion. The party said that subject to the payment of fees tertiary institutions should not be able to exclude students on anything other than academic grounds.¹⁴ [¹⁴ Ibid]

The IFP added that the government should assist in funding pre-primary schooling and should fund fully all compulsory schooling. (The IFP said that schooling should be compulsory between the ages of six and 16 years.) Disparities in per capita expenditure (see *Per capita expenditure* below) should be eliminated, the IFP said, but fiscal constraints would require reducing expenditure on those who had been favoured in the past.¹⁵ [¹⁵ Ibid]

Educational Restructuring

At the opening of Parliament in January 1993 the state president, Mr F W de Klerk, announced that the own affairs departments of education, the Department of Education and Training, and the Department of National Education would be amalgamated to form one education department by the end of March 1994. He said that the education departments of the nonindependent homelands would have the option of being incorporated into the new department and that the future of the 'independent' homelands' education departments would be determined during the course of negotiations. The Department of Education Co-ordination was established in April 1993 to oversee and co-ordinate this process.¹⁶ [¹⁶ *DEC News* vol 4 no 1; *The Citizen* 26 March 1993] At the time of writing the own affairs departments of education continued to operate separately.

National Education and Training Forum

In May 1993 the government agreed to the establishment of an education and training forum following discussions with business organisations and the National Education Conference (an organisation consisting of extraparliamentary political organisations, pupil and teacher organisations, and trade unions, which had been formed in 1992 with the aims of persuading the government and business to become involved in an education forum and of rebuilding a 'culture of learning and teaching' in

schools).¹⁷ [¹⁷ *The Star* 2 September 1992] Prior to the government's agreement to establish the forum school boycotts were organised by the Congress of South African Students and strikes were conducted by the South African Democratic Teachers' Union (Sadtu) in protest against the government's 'unilateral restructuring' of the education system (see *School Education* below).

A facilitating committee was established to negotiate a founding agreement for the forum. The committee consisted of representatives of the following organisations: the Afrikaanse Handelsinstituut, the Chamber of Mines of South Africa, the Committee of Colleges Education, the Committee of University Principals, the Department of Education Coordination, the Department of Education and Training, the Department of National Education, the House of Representatives, the Federal Committee of Technical College Principals, the National Education Conference, the National Professional Teachers' Organisation of South Africa, the National Training Board, the Private Sector Council, Sadtu, the Steel and Engineering Industries Federation of South Africa, the Teachers' Federal Council, and the Union of Teachers' Associations of South Africa.¹⁸ [¹⁸ Information supplied by Ms Gwynne Main of the secretariat of the facilitating committee of the National Education and Training Forum (NETF), 7 July 1993]

The draft founding agreement of the forum was published at the beginning of July 1993 and the forum was formally constituted on 7 August. The objectives of the National Education and Training Forum (NETF), as stated in the founding agreement, were:¹⁹ [¹⁹ NETF, *Founding Agreement (Draft)*, 28 June 1993]

- to seek agreement on how to resolve the education crisis and on which action should be taken immediately;
- to seek agreement on the restructuring of the education system so that it was an acceptable national system capable of correcting imbalances and of meeting the development needs of South Africa; and
- to seek agreement on core values and a broad policy framework for a future system, as well as on a process which would achieve an integrated approach to education and training.

The founding agreement stated that the forum should consist of all national stakeholders in education and training, including political parties. At the time of writing submissions for representation on the forum were being considered by a working group established by the facilitating committee. There were three levels within the forum—a plenary group, an executive committee and especially appointed working groups. The plenary group consisted of all the stakeholders participating in the forum and was the body which had decision-making powers. As far as possible decisions were reached through consensus. However, provision was made for 'sufficient consensus' in implementing decisions.²⁰ [²⁰ *Ibid*]

The executive committee consisted of representatives of the stakeholders and was responsible for planning, co-ordinating and guiding the work of the forum, for constituting and managing the work of the working groups, and for making recommendations to the plenary group. Working groups were

established to investigate issues referred to them by the plenary group and the executive committee. The working groups could include specialists who were not members of the forum.²¹ [²¹ Ibid]

In July 1993 the chairman of the facilitating committee, Mr André Dippenaar, announced that two working groups would be established. The first would deal with what he termed 'education flashpoints' (ie areas of immediate crisis which were causing disruption in education) and the second would make proposals for the restructuring of areas of education believed to be in urgent need of attention.²² [²² *The Star* 5 July 1993]

Although responsibility for the management of education remained with the government, the director general of national education, Dr Johan Garbers, said that since the government was represented on the forum, it would be impossible if consensus was reached for recommendations not to be implemented. He said that only external constraints such as lack of funds or legal problems would prevent the decisions of the forum from being implemented.²³ [²³ Ibid]

A spokesman for the National Education Conference, Mr Ahmed Essop, said, however, that there was no guarantee that the forum would bring an end to the disruptions which had occurred in African schools in the first term of 1993. He said that one of the main roles of the forum would be to develop future models for education, to discuss the 1994/95 education budget and to redress the racial allocation of resources.²⁴ [²⁴ *Business Day* 8 July 1993]

Educational Orientation

In May 1993 a lecturer in the Department of Economics at Rhodes University, Mr Andrew Donaldson, argued for the reorganising of postsecondary institutions to facilitate specialised vocational orientation, the more effective regulation of enrolment, the setting of standards and research priorities at universities, and the encouragement of employment-linked bursaries, loans and research awards. He said that institutional specialisation would improve cost efficiency, strengthen post-secondary teaching and foster applied research programmes. Mr Donaldson said that extensive government and private-sector involvement in the rationing and earmarking of grants awarded for undergraduate and postgraduate study could be used to influence enrolment trends and research priorities. He added that employment-linked bursaries had a number of advantages, including that they were more useful to the poor, they were less likely than funds from large national loan-schemes to be used for other purposes, and a link would be forged between study choices and career prospects.²⁵ [²⁵ *Optima* May 1993]

The *Education Renewal Strategy* (ERS) suggested that in view of the cost to the country of the high failure rate at tertiary institutions, requirements in addition to a matriculation exemption or senior certificate should be set for entrance to certain fields of study at universities or technikons. The ERS added that setting additional requirements for certain fields of study could also encourage students to study courses which were relevant to the manpower needs of the country, although it did not say how this would be achieved. The document stated that the Universities and Technikons Advisory Council and

the Committee of University Principals should examine whether the setting of intake limits could be related to funding.²⁶ [²⁶ DNE, *ERS: Management Solutions*, November 1992]

The Department of National Education (DNE) said that one of the problems in the education system was the small number of African students who took mathematics and science for matric—30% and 20% respectively in 1991.²⁷ [²⁷ Ibid] The DNE said that pupils tended to choose ‘general or academically oriented’ study programmes and added that there was an urgent need for more learners to follow vocationally oriented study programmes for matric.

The National Education Policy Investigation (Nepi) report said that while a strong post-secondary educational sector was not sufficient to ensure that economic development took place, it nevertheless played an important role. Nepi said, therefore, that a new post-secondary education system would have to play a major role in developing the human resources needed for national development, creating the necessary research and development capacity to benefit from international technological innovation, and linking university and technikon research to national development priorities.²⁸ [²⁸ Nepi, *The Framework Report*, 1993]

Education and Employment

The Nepi report said that the following problems in education affected the provision of vocational education and training (VET) in South Africa:²⁹ [²⁹ Ibid]

- the poor preparation in mathematics and science by the majority of black students (see *Standard 10 examination results* below);
- the ‘dismal record’ of private-sector training and the absence of effective national state co-ordination of such training;
- the severe imbalance of enrolment at universities as opposed to technikons, and the racial and gender imbalance of enrolment at these institutions;
- the poor quality of vocational education at school and college level; and
- the shortage of adult basic education, youth training schemes, and training programmes for the informal sector, rural poor and the unemployed.

The Professional Economic Panel said that about 90% of those who were unemployed were below 30 years of age. The panel added that of those who would become unemployed in the 1990s at least this

proportion would be under the age of 25 years. The panel maintained, therefore, that a youth development programme should be initiated. The programme should be voluntary, available to people between the ages of 18 and 25 years, and run full time over two years. The panel said further that the programme should be residential and available free of charge to all people satisfying the age criterion. It should make use of existing infrastructure, such as the facilities of the South African Defence Force which would become redundant in the future. The panel estimated that assuming an annual intake of 100 000 people, the programme would cost R600m for the first year of its operation and R1,2bn for every year thereafter.³⁰ [³⁰ Professional Economic Panel, *Growing Together*, 1993]

For further details on education and employment see also the chapters on *Employment* and *The Economy*.

Finance

In 1993/94 a total of R27,26bn was allocated by the government to education in South Africa (including the ten homelands), which was an increase of 12% over the amount allocated in the previous year. Education expenditure in 1993/94 amounted to 21,4% of the total budget and 7,3% of gross domestic product (GDP), compared with 20,7% of the budget and 7,3% of GDP in 1992/93, and 20,9% of the budget and 6,4% of GDP in 1990/91. The amount allocated to education in 1993/94 exceeded the allocation to all protection services and to all economic services combined.³¹ [³¹ Department of Finance, *Budget Review*, 17 March 1993; *The Natal Witness* 19 March 1993]

An economic consultant to the Urban Foundation (UF) and the Helen Suzman Professor of Political Economy at the University of the Witwatersrand, Professor Charles Simkins, and a senior education policy analyst at the UF, Dr Jane Hofmeyr, said that a greater allocation of the budget to education could not 'reasonably' have been expected under current economic circumstances, especially since the allocation was 'high by international standards'.³² [³² *The Natal Witness* 19 March 1993] The Education Renewal Strategy (ERS) said earlier that based on figures in the 1992/93 budget, education expenditure as a proportion of the total budget had 'reached its limit', and that consequently, 'the community will have to be more involved in financing education'.³³ [³³ DNE, *ERS*, November 1992]

The average annual growth in expenditure on education between 1990/91 and 1993/94 was 16,2% and the amount allocated to education increased by a total of 57% over this period. The only item of social spending to have grown faster than education was social security and welfare, which increased by an average of 22,4% a year over the same period, largely as a result of the closing of the racial gap in social pensions (see also chapter on *Health and Welfare*). The following table shows education expenditure in South Africa (including the ten homelands) from 1990/91 to 1993/94:³⁴ [³⁴ Department of Finance, *Budget Review*, 17 March 1993]

Education expenditure: 1990/91–1993/94

199199199199Pre-primary, primary and secondary

14 863

17 093

21 018

23 328

Tertiary

2 495

2 836

3 375

3 935

Total

17 358

19 929

24 393

27 263

The table below gives a more detailed breakdown of expenditure on school, college and tertiary education in South Africa (excluding the 'independent' homelands) from 1989/90 to 1993/94:³⁵ [35
Information supplied by Dr R Cilliers of the DNE, 10 December 1993]

*Allocations to schools, colleges, universities and technikons: 1989/90–1993/94^a**1989/90**1990/91*

1991/92

1992/93

1993/94

College and school education^b

Assembly

3 788

4 339

4 788

5 139

5 261

Delegates

673

805

977

1 119

1 238

Representatives

1 844

2 157

2 522

2 923

3 074

DET^c

1 998

3 118

3 405

4 468

5 557

Non-independent homelands

1 964

2 996

3 165

4 251

5 140

Sub-total

10 267

13 415

14 857

17 900

20 270

Technikons

335

394

478

565

686

Universities

1 425

1 649

1 775

1 949

2 306

Sub-total

1 760

2 043

2 253

2 514

2 992

Total^d

12 028

15 458

17 110

20 414

23 062

a

Excluding the 'independent' homelands

b

Includes private ordinary schools

c

Department of Education and Training

d

Figures for 1989/90 to 1992/93 are revised estimates and include supplementary and additional amounts. The figure for 1993/94 is preliminary. Figures may not add up owing to rounding.

The ERS said that between 1987 and 1992 the total education budget had increased by 119%, but added that because of the increasing cost of education and the growth in student and pupil numbers, education expenditure per pupil had decreased in real terms. It said that as a result backlogs in education had not been redressed. It added that education would have to be restructured to make it more affordable.³⁶ [³⁶ DNE, *ERS*, November 1992] The 1992 annual report of the Department of National Education showed that the state's contribution to school education had dropped from 90,9% in 1986 to 75,3% in 1992 and that its contribution to university education had dropped from 84,7% in 1986 to 67,6% in 1992.³⁷ [³⁷ DNE, annual report 1992]

The table below gives a breakdown of estimated education expenditure in 1993/94 in South Africa (including the ten homelands):³⁸ [³⁸ Various estimates of income and expenditure for 1993/94]

Estimated education expenditure: 1993/94

Amo Department of National Education

432 690

Department of Education and Training

5 720 065

House of Assembly

7 283 856

House of Delegates

1 207 866

House of Representatives

3 005 033

Sub-total

17 649 510

Homelands

Bophuthatswana

927 571

Ciskei

488 833

Gazankulu

538 219

KaNgwane

375 294

KwaNdebele

N/A

KwaZulu

2 232 359

Lebowa

N/A

QwaQwa

232 045

Transkei

N/A

Venda

N/A

Sub-total

N/A

Total

N/A

N/A – Not available

The minister of finance, Mr Derek Keys, said that the 1993/94 allocation made ‘adequate provision’ for the start of the long-term financing plan for education as expounded in the ERS (see *Estimates of parity costs*

The South African Democratic Teachers’ Union said in response to the 1993/94 budget that it was ‘shocked’ that Mr Keys had allocated funds in terms of the ERS and added that it was ‘another blatant example of unilateral decision making by the government’. A spokesman for the National Education Co-ordinating Committee, Mr Desmond Thompson, said that the use of the ERS as a guideline for education

spending negated the positive effects of the increase in education funding.⁴⁰ [⁴⁰ *South* 27 May 1993]

The 1993/94 budget of the Department of Education and Training (DET) increased by R1,14bn over that of the previous financial year (an increase of 25,5%).⁴¹ [⁴¹ 1992/93 *Survey* p584] The director general of education and training, Dr Bernhard Louw, said that the increase would go towards creating 6 500 new staff posts, of which about 1 100 would be administrative posts at schools where past concentration on the creation of teaching jobs had 'created problems as far as administrative support staff were concerned'. Dr Louw said that 80% of the teaching posts would be at ordinary schools and the rest at vocational schools and schools for the handicapped.⁴² [⁴² *Financial Mail* 26 March 1993]

Dr Louw said further that the DET planned capital expenditure of R792m in 1993/94. This amount was substantially higher than the amount allocated in the budget (R598m) and the difference, Dr Louw said, would be made up from the sale of strategic oil reserves. He said that R39m would be allocated for the provision of buildings and campuses for four teacher training colleges which had been operating in schools and temporary buildings. He added that the rest of the capital expenditure would be spent on building 4 300 classrooms at existing and new schools.⁴³ [⁴³ *Ibid*]

The minister of education and culture in the House of Representatives, Mr Pieter Saaiman, said that in 1993/94 salary packages in his department would have to be reduced by R250m to address shortages in areas such as administration, equipment, land and buildings, and professional and special services.⁴⁴ [⁴⁴ *The Star* 18 May 1993]

It was reported in July 1993 that corporate social investment was a significant source of funds for education. According to a report by Business and Marketing Intelligence (BMI), in 1990/91 R554m was invested in education in this manner (an increase of 87% over the amount allocated in 1987). In 1992/93 a sum of R750m was allocated to education as part of corporate social investment strategies. BMI said that between 1987 and 1990 an average of 66% of all social investment budgets went to educational programmes, with more than 700 companies donating to education.⁴⁵ [⁴⁵ *Tribute* July 1993]

It was reported in March 1993 that the Independent Development Trust had allocated nearly R400m to pre-primary and primary education since its inception in 1990.⁴⁶ [⁴⁶ *Argus* 9 March 1993]

Per Capita Expenditure

In the 1992/93 financial year per capita spending on college and school education (excluding private ordinary schools) in the different education departments was as follows:⁴⁷ [⁴⁷ *Hansard* (R) 10 q col 1042, 6 April 1993]

Per capita education expenditure: 1992/93

Amo Department of Education and Training

1 659

House of Assembly

4 372

House of Delegates

3 702

House of Representatives

2 902

Non-independent homelands

Gazankulu

1 214

KaNgwane

1 046

KwaNdebele

1 297

KwaZulu

1 080

Lebowa

1 201

QwaQwa

1 748

The minister of national education, Mr Piet Marais, said in April 1993 that the following factors should be taken into account when comparing per capita spending on education:⁴⁸ [⁴⁸ *The Natal Witness* 6 April 1993]

- primary education was less expensive than secondary education and the ratio of the number of primary to secondary pupils could differ between departments; and
- more than 70% of a department's education budget was spent on teachers' salaries. Mr Marais said that qualification levels differed significantly between departments, with teachers with lower qualifications being paid less.

Mr Marais said that the creation of a nonracial education system would contribute to the eventual equalisation of per capita expenditure on pupils. He added, however, that it would take time before parity was achieved in the average qualifications of teachers in the different education departments and before the pass rates, repeat rates and drop-out rates in different departments were comparable. He said that full parity in per capita expenditure would, therefore, not be possible in the short te

Estimates of Parity Costs

The National Education Policy Investigation (Nepi) said that given the limited capacity of the state to increase spending on education and training, the redress of inequalities and the restoration of efficiency in education would have to come largely from redistribution within the education budget and from organisational change. It said that an appropriate balance would have to be sought between improvements in general education for all and advances in higher education and training.⁵⁰ [⁵⁰ Nepi, *The Framework Report*, 1993]

The *Education Renewal Strategy* (ERS) said that education expenditure should constitute no more than 6% of gross domestic product (GDP). It said that if parity in education was defined as achieving the same 'provisioning levels' in all departments (ie the same learner/educator ratios and the same resources), by the year 2003, R64,9bn would have to be spent on education in South Africa (including all ten homelands). The ERS said that even if the economy grew by 3% a year, this amount would exceed the target of 6% of GDP by more than R35bn and the country would be able to finance primary education only.⁵¹ [⁵¹ DNE, *ERS, November 1992*]

The ERS said that if expenditure on education was not to exceed 6% of GDP and schooling was to be compulsory for nine years, a number of modifications would have to be made to the education system. These included that the state provide only 95% of the finance for the first nine years and 75% of the finance for the subsequent three years; that the pupil/teacher ratio in primary schools be 35:1 and in

secondary schools be 32:1; and that there be increased use of distance education in the last three years of school, as well as in tertiary education. In this case, R32,8bn would have to be spent on education by 2003 (in which year education expenditure would exceed 6% of GDP by R5bn) and R34,8bn by 2008 (in which year education expenditure would be equal to 6% of GDP).⁵² [⁵² *Ibid*]

The Nepi report said that generally speaking the greater the maximisation of public finance, the greater the opportunity for the state to pursue equity and redress, and the greater the maximisation of private finance, the greater the opportunity for differences to occur between education institutions. Nepi said that the major issue regarding financing of education was how to maximise the possibility for development without violating the principle of equity.⁵³ [⁵³ *Nepi, The Framework Report*, 1993]

The Professional Economic Panel estimated in 1993 that with improvements in organisational effectiveness and productivity, the education system could save between 20% and 30% of its operating costs (or an amount of R5bn a year at current costs). It added that even if only 50% of savings could be realised, the amount saved of R2,5bn could be 'redirected to more pressing education sectors'. The panel proposed that a task team be established to review all educational expenditure and to advise on areas in which greater efficiency and decreased spending could be achieved without affecting the quality of service provided.⁵⁴ [⁵⁴ *Professional Economic Panel, Growing Together*, 1993]

A senior policy analyst at the education policy and system change unit of the Urban Foundation, Dr Jane Hofmeyr, said in August 1993 that immediate equality in per capita spending on education would be possible only by equalising expenditure at the per capita level of coloured education, which was less than half that spent on white education. She said that one of the consequences would be that the salaries of teachers with four years of post-matric training would become unaffordable. Professor Servaas van den Berg of the Department of Economics at the University of Stellenbosch said that without substantial economic growth budgetary redistribution would accomplish very little.⁵⁵ [⁵⁵ *Financial Mail* 6 August 1993]

It was reported in the *Financial Mail* in March 1993 that if total education expenditure were divided on an equal basis, average per capita expenditure would be R1 765, which would represent a gain of R665 per African pupil and a loss of R3 235 per white pupil.⁵⁶ [⁵⁶ *Ibid* 4 March 1993]

Bursaries and Loans

In 1993 the Department of Education and Culture (DEC) in the House of Delegates provided bursaries to 891 people at teacher training colleges and universities. The value of these bursaries was R10 900 each.⁵⁷ [⁵⁷ *Hansard* (D) 14 q cols 1474–1475, 6 May 1993] In 1993 the DEC in the House of Representatives provided bursaries to 5 495 students at teacher training colleges and universities to the value of R7 000 each.⁵⁸ [⁵⁸ *Hansard* (R) 13 q col 1259, 27 April 1993]

Information about bursaries provided by the House of Assembly and the Department of Education and Training was not available at the time of writing.

School Education

Education in black schools in 1993 was characterised by widespread teacher strikes, pupil boycotts and violence (see chapter on *Political Developments*). Pupil protests occurred mainly in response to the issue of examination fees and what was seen as the government's 'unilateral restructuring' of the education system (see *Policy* below), while teacher protests occurred mainly in response to a 5% salary increase and rationalisation in schools under the House of Representatives (see *Conditions of service* under *Teachers* below). Protests were also organised to put pressure on the government for the establishment of a national education forum (see *National Education and Training Forum* above).

According to a communications officer of the Department of Education and Training (DET), Mr Geoff Makwakwa, between January and August 1993 there were 29 111 reported incidents of non-attendance at schools, 8737 incidents of low attendance, 6 797 incidents of pupils leaving school early and 1 356 incidents of teachers and pupils being present at schools but no teaching taking place. Mr Makwakwa said that based on reported incidents over this period, 51m pupil days had been lost in DET schools out of a total of 1 192m possible pupil days (ie 4% of all pupil days were lost). (The comparable figures in 1992 were 11m pupil days lost and 16 000 reported incidents of disruption.)⁵⁹ [⁵⁹ Interview with a communications officer at the Department of Education and Training (DET), Mr Geoff Makwakwa, 15 October 1993; *Business Day* 19 May 1993]

However, the actual extent of the disruptions, particularly in certain urban areas, was significantly greater than had been reported to the DET. For example, in Soweto in the first term of 1993, out of a total of 59 teaching days, 20 were lost as a result of strikes and boycotts, and schools in the Naledi area of Soweto lost a further six when principals and teachers were 'expelled' from schools. In the Port Elizabeth area (eastern Cape) at least 18 days were lost out of a possible 49 in the first term.⁶⁰ [⁶⁰ Various press reports]

The Johannesburg regional chief director of the DET, Mr Richard Motau, said that even on 'normal' school days when no teacher strikes or pupil protests were taking place schools often broke up after only one or two hours.⁶¹ [⁶¹ *Business Day* 8 June 1993]

A spokesman for the DET said in August 1993 that most schools had lost the equivalent of a term because of strikes and boycotts, while schools in Soweto had lost almost two terms.⁶² [⁶² *The Star* 24 August 1993]

The secretary of the National Education Co-ordinating Committee (NECC) in Natal, Mr S'bu Sithole, said that the education crisis in Natal had been compounded by ongoing township violence and the

continued refusal by the KwaZulu administration to recognise the South African Democratic Teachers' Union (Sadtu).⁶³ [⁶³ *The Natal Witness* 15 June 1993]

The general secretary of the NECC, Mr James Maseko, estimated in June 1993 that between only 10% and 15% of the year's curriculum had been covered because of the widespread disruptions.⁶⁴ [⁶⁴ *Business Day* 24 June 1993]

The regional co-ordinator for education and peace of the Consultative Business Movement, Mr Mongezi Stofile, said in September 1993 that during the past decade there had been numerous appeals to go back to school from student organisations and the NECC, but that these programmes had tended to lose momentum or get derailed as 'yet another issue emerged for crossing swords with the education authorities'. Mr Stofile said that the common factor among all these initiatives had been a tendency to condemn the state for inefficiency and allocation of insufficient resources. He maintained that the exclusion of the black community from meaningful participation in policy formulation and decision making had made the black education system the most visible symbol of the apartheid system. Mr Stofile argued that attempts to involve parents in addressing the education crisis had failed because communities did not have the skills, the experience or the institutional infrastructure to take up their responsibilities effectively.⁶⁵ [⁶⁵ *Weekly Mail and Guardian* 10 September 1993]

Mr Stofile said that there was an alarming level of demotivation among learners and teachers, particularly in the Pretoria/Witwatersrand/Vereeniging region and the western Cape. He added that the experiences of successful education systems and economies showed that it was economic opportunity which gave relevance to education and provided learners with a sense of purpose. This pointed to the urgent need for business to provide support for a motivation programme for youth which would incorporate skills training, employment schemes and a mass literacy scheme.⁶⁶ [⁶⁶ *Ibid*]

The publicity secretary of the Azanian People's Organisation, Dr Gomolemo Mokahe, warned in August 1993 of a 'culture of lethargy and anarchy' in black education.⁶⁷ [⁶⁷ *City Press* 15 August 1993] The political editor of *City Press*, Mr Sekola Sello, said that the 'perfect mix for chaos' in black education had been created, with 'intransigent authorities', teachers who were venting their anger over poor teaching conditions and low salaries, and pupils who were no longer interested in learning.⁶⁸ [⁶⁸ *Ibid*]

The assistant secretary of the Pan-Africanist Students' Organisation, Mr George Mpiya, said in September 1993 that the problems in education were the result of 'a general lack of facilities in African schools which discourage people from taking an active part in the learning process'.⁶⁹ [⁶⁹ *Sunday Nation* 19 September 1993]

The national general secretary of the Congress of South African Students, Mr Thendo Ratshitanga, said in the same month that there was a need in the short term to upgrade physical conditions at schools so that pupils would have the tools with which to work, and to establish structures such as student representative councils to develop the relationship between teachers and pupils. He said that parents

should be involved more fully in the education of their children and that parents and pupils should establish joint school management structures with teachers. Mr Ratshitanga said that in the long term there was a need to change the curriculum (see *Curricula* below).⁷⁰ [⁷⁰ Ibid]

A researcher at the Centre for the Study of Violence and Reconciliation at the University of the Witwatersrand, Mr Reuben Mogano, said in April 1993, after completing a study on violence in the classroom, that the frustration of expectations which had been raised over the previous two years was one of the main causes of violence in schools. He said that for black schoolchildren, especially school leavers, the 1990s had 'so far delivered only degenerating conditions and growing despair'. Mr Mogano argued that such unmet expectations had also manifested themselves in 'the collapse of discipline and the gradual erosion of any culture of learning'. He said that the campaign conducted by a number of political parties to urge pupils to go back to school had helped intensify conflict in schools. Mr Mogano said that pupils who had previously occupied positions of leadership and status and who were effectively being sidelined by political parties were trying to reassert their power. Teachers were often regarded by such pupils as rivals. He warned that a backlash could be expected if conditions in education under a future government did not match pupils' hopes.⁷¹ [⁷¹ *Business Day* 22 April 1993]

Policy

The *Education Renewal Strategy* (ERS) of the Department of National Education, published in November 1992, said that because the community would have to be more involved in upgrading education (see *Finance* above), responsibility for the provision of education should be 'brought closer to the local communities'. It consequently proposed that education authorities should as far as possible establish management councils at all schools. The ERS said that where such councils existed and were operating effectively, as many decision-making and executive functions as possible should be devolved to them.⁷² [⁷² DNE, *ERS*, November 1992]

The ERS also proposed that vocational education start early. However, the National Education Policy Investigation (Nepi) report suggested that there should be a commitment to the highest possible level of general education before a student was trained for a specific vocation.⁷³ [⁷³ *Indicator SA* autumn 1993]

According to the Nepi report, a number of changes needed to occur in the schooling system. These included:⁷⁴ [⁷⁴ Nepi, *The Framework Report*, 1993]

- the extension and improvement of early childhood education opportunities;
- improvement in the quality and availability of books and teaching materials which had been suitably adapted for a new South African curriculum;

- accelerated programmes of classroom building and furnishing, particularly in rapidly growing informal urban settlements and in rural areas;
- a longer and better organised school day, which included a lunch break;
- revision of the content and organisation of teacher education, including in-service training;
- greater use of distance education, including radio and television;
- development and strengthening of community libraries and the linking of such libraries to schools and other community services; and
- systematic improvement in the management and administration of schools.

The Nepi report said that there were ‘striking’ differences in school administration between different education departments. It said that white schools were generally served by a network of committees and subcommittees involving teachers, parents and trustees, while township and rural schools were unlikely to have functioning school committees, with school principals carrying a substantial teaching load in addition to a range of bureaucratic functions. The report said that poor school administration (from the organisation of timetables to the review and promotion of teachers) was one of the most important causes of inferior schooling in South Africa.⁷⁵ [⁷⁵ Nepi, *Education Planning, Systems and Structure*, Oxford University Press, Cape Town, 1993]

The minister of education and culture in the House of Assembly, Mr Piet Marais, said in May 1993 that of the 1 954 schools under his department, 1 565 (80%) were model C schools (ie schools which had formerly been state subsidised but which had been converted to state-aided schools) (see 1992/93 *Survey* p591). Such schools received a state subsidy which covered 75% of their normal operating costs. The governing bodies of such schools could raise the remainder of their funds through fees and donations. Admission policies of model C schools were determined by their governing bodies. Eighteen schools had opted to be model D schools (ie state subsidised but allowed to recruit an unlimited number of black pupils). Another 89 schools were model B or status-quo schools (ie partly state subsidised, with a management council, but unable to raise additional funds through fees and with a maximum of 50% of the pupils allowed to be black). There were 282 private schools registered with the department.⁷⁶ [⁷⁶ *Education Monitor* May 1993; *Hansard* (Appropriation Committee) col 7558, 11 May 1993]

In the education departments of the houses of Delegates and Representatives and in the Department of Education and Training (DET) there were three types of schools: state schools, state-aided schools and private schools.

State schools under the House of Delegates were owned and fully funded by the state. The premises of state-aided schools were owned by the community and these schools were fully subsidised in respect of

operating costs only. Private schools under the House of Delegates which were registered with the department were eligible for a subsidy. State schools constituted 91% of all schools under the House of Delegates; state-aided schools, 8%; and private schools, 1%.⁷⁷ [⁷⁷ *Education Monitor* May 1993]

According to a researcher at the education policy unit of the University of Natal (Durban), Mr John Pampallis, although only approximately half of the schools under the House of Representatives were state schools, they catered for more than half of the total pupil population. Mr Pampallis said that almost half of the schools under the House of Representatives were state-aided schools and that there were 'very few' private schools under the house. Each of the different types of school operated on the same basis as those under the House of Delegates.⁷⁸ [⁷⁸ *Ibid*]

Public or state schools under the DET were owned and fully funded by the government. However, these schools could establish school funds to supplement the funds they received from the state. Parents and pupils were not legally obliged to contribute to such school funds. According to Mr Pampallis, state-aided DET schools were subsidised by the state to the extent of between 75% and 80% of expenditure incurred. They were mainly primary schools situated on farms. He said that in 1990, 42% of total DET primary-school enrolment was at state-aided schools, together with 2,6% of secondary-school enrolment. The remaining pupils (ie 58% of primary-school pupils and 97,4% of secondary-school pupils) were registered at state and private schools. Private schools which were registered with the DET received subsidies of between 0% and 45% of expenditure. Mr Pampallis said that in 1990 there were 57 such private schools and that a further 11 registered with the DET during that year, indicating a growing interest in private schooling as a result of the 'chaotic state of African public schooling'.⁷⁹ [⁷⁹ *Ibid*]

In the non-independent homelands and in Ciskei and Venda there were four types of schools: community schools, government schools, private schools and state-aided schools. Community schools were built and maintained by the community with teachers' salaries and certain other expenses being paid by the homeland administrations. In 1990, 87% of schools in these areas were community schools. State-aided schools were mainly farm and hospital schools. Community schools were built and maintained by the communities they served, while farm and hospital schools were built and maintained by the farm or hospital which they served. The only homelands where government schools (which were owned and fully funded by the homeland administrations) were in the majority were in the Ciskei and QwaQwa.⁸⁰ [⁸⁰ *Ibid*] Figures for Bophuthatswana and the Transkei were not available.

Mr Marais said in January 1993 that there was wide acceptance of the model C system by parents and teachers. He said that research conducted at the end of 1992 had shown that only 7% of parents had not paid their fees and that 94% of parents regarded the system as 'satisfactory to reasonably satisfactory'.⁸¹ [⁸¹ *Business Day* 11 January 1993]

It was reported in January 1993 that most model C schools had at least doubled their fees between 1992 and 1993. The executive director of the Transvaal Teachers' Association, Mr Hugo Ackermann, said that the average annual fee for primary schools was about R1 100 and for secondary schools, about R1

600.⁸² [⁸² *Financial Mail* 15 January 1993] In the same month, Mr Marais said that model C schools could not compel parents to pay tuition fees if they could not afford to do so as the law which made the education of white children compulsory overrode any stipulation of fees.⁸³ [⁸³ *The Star* 7 January 1993] He said that fee subsidies for impoverished parents had been increased by 20% to R400 for primary schools and R600 for secondary schools.⁸⁴ [⁸⁴ Education Supplement to *The Weekly Mail* April 1993]

By October 1992, 53 304 applications had been made to the Department of Education and Culture (House of Assembly) for financial assistance by parents of children attending model C schools, of which 48 944 had been approved. An amount of R39m was paid out in fee assistance in 1992.⁸⁵ [⁸⁵ *Business Day* 28 January 1993] Nevertheless, it was reported in October 1993 that 13 primary and secondary schools in the Durban area alone had called in debt collection agencies to recover unpaid school fees.⁸⁶ [⁸⁶ *Ibid* 16 October 1993]

The African National Congress (ANC) said in August 1993 that it would propose that the model C school system be reviewed by an interim government. The head of the education department of the ANC, Mr John Samuel, said that the educational assets of the country had been handed over 'arbitrarily' to a small minority and that they would have to be transferred back into the national pool to ensure a more equitable allocation of resources. He said, however, that private and semi-private schools would be accommodated as long as they operated in accord with certain principles (such as that of nonracialism). Mr Samuel said that the main objection of the ANC to model C schools was that parents were allowed to determine admission requirements and that these could be racist in nature.⁸⁷ [⁸⁷ *Ibid* 6 August 1993]

Mr Marais said that there were 60 000 black children at model C schools in 1993. At schools under the House of Delegates 40 000 of the 250 000 pupils were African or coloured. The public relations officer of the Department of Education and Culture of the House of Delegates, Mr Shri Maharaj, said that education at Indian state schools was free and compulsory and that the requirements for admission to such schools were that there was sufficient space and enough teachers at the schools and that the children concerned lived in the vicinity of the school. Figures for the admission of children of other race groups to schools under the House of Representatives were unavailable.⁸⁸ [⁸⁸ *Sunday Times* 22 August 1993]

At the beginning of April 1993 the government announced that it would reduce matric examination fees at all schools from R72 to R48 (ie by a third).⁸⁹ [⁸⁹ *The Star* 1 April 1993] The announcement followed pupil protests organised by the Congress of South African Students against the payment of examination fees. However, the National Education Co-ordinating Committee warned of 'unprecedented mass action' unless the government scrapped examination fees completely and established a negotiating forum for education (see chapter on *Political Developments* for further details).⁹⁰ [⁹⁰ *Ibid* 2 April 1993]

Examination fees were payable by pupils under all education departments. The director general of national education, Dr Johan Garbers, said in February 1993 that examination fees were intended to cover a variety of costs involved in the examinations, including:⁹¹ [⁹¹ Information supplied by the DNE, 19

February 1993]

- remunerating markers and examiners who set papers;
- printing, packing and distributing question papers;
- security arrangements for distributing and collecting question papers; and
- hiring marking centres.

Dr Garbers said that matric examination fees covered about 40% of the cost of examinations and that the state covered all remaining costs.⁹² [⁹² Ibid]

In May 1993, after discussions with the ANC, the government agreed to suspend the payment of examination fees in all departments of education and to set a target date for the establishment of an education forum (see *Broad Policy Matters* above).⁹³ [⁹³ *Business Day* 21 May 1993]

Language Policy

The Threshold Project, which was set up by the Human Sciences Research Council in 1985 to investigate problems resulting from the change in the medium of instruction (MOI) in standard 3 at primary schools in Bophuthatswana, published its report in December 1991. The report said that nothing in the education system acknowledged the ‘enormous liabilities’ of learning through a second language. The head of the project, Dr Carol Macdonald, said that by standard 3 African pupils in Bophuthatswana had been exposed to about 350 hours of English teaching and that if they had been taught well from grade 1 to standard 2 such children had a vocabulary of 800 words. She said that in standard 3 children needed a vocabulary of 5 000 words to be able to learn all their subjects effectively. Thus English lessons prior to standard 3 did not equip pupils with the necessary language skills to learn their content subjects (ie non-language subjects) through English, Dr Macdonald said. She added that this problem contributed substantially to the fact that only 77% of African children who started primary school finished it and that only half of those who finished primary school graduated within the minimum seven-year period.⁹⁴ [⁹⁴ *Matlhasedi* December 1992]

In research conducted for the National Education Policy Investigation (Nepi) by the English Language Teaching Information Centre and Read, Educate and Develop in 238 schools in South Africa (including Bophuthatswana and the Transkei, but excluding the other homelands) it was found that English was the MOI from grade 1 upwards in 43% of the schools surveyed, while in 40% of the schools surveyed an African language was used as the MOI until standard 2 and subsequently English was used. It was found that 86% of teachers at schools which taught in English from grade 1 were happy with their school’s language policy, while 66% of teachers at schools which taught initially in an African language and then

in English were happy with their school's language policy.⁹⁵ [⁹⁵ *Edusource Data News* August 1993]

The language most commonly used for teaching at schools administered by the Department of Education and Training (DET) was English (48%), followed by Zulu (13%), a combination of English and an African language (12%), and South Sotho (11%). Of the teachers at DET schools, 73% felt that the majority of students would do better if the MOI was their home language. In coloured schools, 26% of teachers felt this way and in Indian schools 7% of teachers believed that pupils would do better if the MOI was their home language. However, there was resistance by teachers to allowing more than one language to be used in class. Only 29% of teachers said that pupils should be allowed to answer tests and teachers' questions in their mother tongue, while 58% of teachers said that teachers should not be allowed to use whatever language or languages they thought appropriate for their class. The director of Edusource, Ms Monica Bot, said that resistance to teaching in more than one language might occur because in classrooms where the MOI was not the home language of all pupils there were usually a wide variety of languages represented. In such instances, she said, using two or more languages would undoubtedly complicate teaching and always exclude a number of the pupils.⁹⁶ [⁹⁶ *Ibid*]

The Nepi report said that language was one of the 'routes of access to power' and that people who had command over standard dialects or official languages, particularly if these were their home languages, were likely to be in a position of superiority over people who did not. It said, therefore, that the major issue in language in education was how language policy should contribute to:⁹⁷ [⁹⁷ Nepi, *The Framework Report*, 1993]

- redressing inequalities regarding access to education;
- shifting the balance of power away from white middle-class speakers of English and Afrikaans;
- preparing South Africans to use one another's language and to communicate with each other in all areas of life, particularly with regard to decision making; and
- ensuring that all South Africans had access to English without jeopardising the use of African languages.

The report said that research conducted for Nepi had shown that teacher training did not focus on the role of language in the education of pupils and teachers were often unaware of the complex role played by language in learning. In addition, the report said, research showed that with the exception of pilot language-teaching programmes at two teacher training institutions in 1993, there was no component in teacher training which prepared teachers for teaching through the medium of a language that was not the pupil's home language. As a result the ability of teachers to use the MOI in the best interests of pupils was limited.⁹⁸ [⁹⁸ Nepi, *Language*, Oxford University Press, Cape Town, 1993]

The *Education Renewal Strategy* (ERS) said that all learners should be introduced to three languages—Afrikaans, English and a regionally dominant African language. It said that the choice of the MOI should be left to the school.⁹⁹ [⁹⁹ *Indicator SA* autumn 1993] The African National Congress said, however, in April 1993 that English should be used as the MOI and that schools should decide which second or third languages to teach.¹⁰⁰ [¹⁰⁰ *Mayibuye* April 1993]

The director of the teaching and learning resources centre at the University of Cape Town, Ms Ruth Versfeld, said in August 1993 that there were a number of false assumptions about language and education. The first was that one learned a language by speaking it all the time. Ms Versfeld said that research showed that in acquiring a second language it was important to have a meaningful understanding of one's home language and that second-language development went hand in hand with first-language development. Another false assumption, she said, was that children learning in a second language had language difficulties and, therefore, held back the rest of their class. Ms Versfeld said that a child who was not able to speak English would still be able to speak one or more languages through which he or she would be able to learn. She said that the multilingual nature of the classroom situation could be regarded as a resource rather than a problem.¹⁰¹ [¹⁰¹ *Democracy in Action* August 1993]

The director of student development at Vista University, Professor Elwyn Jenkins, said in June 1993 that in South Africa most African parents wanted their children to be educated in English, although experts agreed that education in the mother tongue was usually the best option. He said that research had shown that most of the children in the world were not taught in their mother tongue.¹⁰² [¹⁰² *The Argus* 19 June 1993]

Ms Libby Ardington of the Centre for Social and Development Studies at the University of Natal (Durban) and Ms Kathy Luckett of Nepi said that adopting English as the MOI was not practical where teachers were not sufficiently fluent to be able to teach all subjects at all levels in English. They said that such a policy was unlikely to succeed where the teachers had not been trained to teach pupils in a second language and where adequate textbooks and other teaching materials were not available (which was particularly a problem in rural areas). They added that using a second language or English as the MOI was likely to fail where pupils were not widely exposed to English and to a literate culture outside of the classroom. Despite the fact that having the home language as the MOI in rural areas might cause confusion when pupils had to leave farm schools in standard 2 for schools which had a second language as the MOI, having the home language as the MOI was considered to be the most educationally sound in these areas, they said.¹⁰³ [¹⁰³ *Matlhasedi* December 1992]

Overall School Statistics

The National Education Policy Investigation (Nepi) report, published in 1993, said that while the average education attainment of the adult population was seven years, for whites it was 13 years. It added that white and Indian school enrolment was about 100% of the population at primary level and more than 90% at secondary level. African pupils spent an average of 11 years enrolled at school but the

average attainment of African school leavers was standard 7 (or nine years of schooling). Nepi said that African secondary-school enrolment relative to population was highest in the Transvaal regions and lowest in Bophuthatswana, the Cape, the Ciskei, KwaZulu/Natal and the Transkei.¹⁰⁴ [¹⁰⁴ Nepi, *The Framework Report*, 1993]

Pre-Primary Education

According to the preliminary estimates of the Department of National Education, in 1993 there were 195 123 pupils registered at pre-primary schools in South Africa (excluding the 'independent' homelands). The following table gives a breakdown of the pupils registered under the different departments:¹⁰⁵ [¹⁰⁵ DNE, *Preliminary Education Statistics for 1993*, NATED 02-214 (93/08)]

Pupils registered at pre-primary schools: 1993^a

Number

Department of Education and Training

18 419

House of Assembly

86 094

House of Delegates

16 537

House of Representatives

9 199

Non-independent homelands

64 874

Total

195 123

a

Includes private and public ordinary schools and special schools

The following table give a breakdown by race of the number of pupils attending pre-primary schools in 1993 in South Africa (excluding the 'independent' homelands):¹⁰⁶ [¹⁰⁶ Ibid]

Pre-primary enrolment by race: 1993^a

African

89 210

Coloured

9 596

Indian

14 665

White

81 652

Total

195 123

a

Includes public and private ordinary schools and special schools

The Nepi report estimated that 33% of white children below the age of six years had access to some form of preschool care, compared with 7% of black children. The investigation said that provision of preschool care was poorest in rural areas, with less than 4% of children in the northern Transvaal under six years of age and less than 2% of those on farms having access to this type of care. The Nepi report added that expensive programmes which were attended mainly by white middle-class children had received extensive subsidisation, while programmes attended mainly by working-class children had been inadequately subsidised.¹⁰⁷ [¹⁰⁷ Nepi, *The Framework Report*, 1993]

According to the *Education Renewal Strategy* (ERS), in 1992 most pre-primary education was conducted outside of the formal education sector. The ERS acknowledged the value of pre-primary education in improving performance in ordinary schools, particularly with pupils from 'disadvantaged communities'. The document said that lack of pre-primary education resulted in high drop-out rates during later school years. The ERS said, however, that financial analysis showed that the government was not in a position to provide for one year of compulsory pre-primary education.

The Nepi report argued that since it was the poorest children who needed education services most, and since they constituted 55% of the pre-school population, privatisation would not increase access to these services. The investigation added that state subsidies should be redistributed on a more equitable basis and that the proportion of the education budget which was spent on pre-school education should be increased (from 1% to 5%).¹⁰⁹ [¹⁰⁹ Nepi, *The Framework Report*, 1993]

The report said that the following factors had to be considered when developing a policy for pre-primary education:¹¹⁰ [¹¹⁰ Ibid]

- continuity should be maintained between the learning environments of the home, the pre-school facility and the primary school;
- early childhood programmes should have a broad development focus, including such areas as health, nutrition, and cognitive, language and 'psycho-social skills'; and
- day-care programmes should have an educational component as custodial care alone placed the development of the child at risk.

The gender co-ordinator of the Congress of South African Trade Unions, Ms Dorothy Mokgalo, said in June 1993 that with more women becoming economically active additional pre-school facilities were needed urgently. She said that pre-school care cost an average of R260 a child a month and that most families found this unaffordable. She added that only 6% of pre-school facilities were funded by business.¹¹¹ [¹¹¹ *Business Day* 2 June 1993]

The South African Association of Early Childhood Education said in March 1993 that while the pre-school sector was an important part of education it was allocated only 1% of the total education budget. The association said that the 25% failure rate in grade 1 at African schools was directly related to the inadequate provision of pre-primary education and that as a result children entering primary school were inadequately prepared for learning.¹¹² [¹¹² Ibid 16 March 1993]

Multiracial Government Schools

See *Policy* above.

Private Schools

The Department of National Education estimated that in 1993 there were 136 608 pupils registered at private schools in South Africa (excluding the 'independent' homelands). The following table gives a breakdown of the number of private schools and the number of pupils enrolled at such schools under the different education departments:¹¹³ [¹¹³ DNE, *Preliminary Education Statistics for 1993*]

Private schools, enrolment and number: 1993^a

Schools

Enrolment

Department of Education and Training

106

48 972

House of Assembly

278

70 731

House of Delegates

54

5 161

House of Representatives

16

3 420

Non-independent homelands

23

8 324

Total

477

136 608

a

Includes pre-primary school enrolment

In 1993 in South Africa (excluding the 'independent' homelands) there were 69 322 African pupils registered at private schools under the various departments of education, together with 4 496 coloured pupils, 6 266 Indian pupils and 56 524 white pup

Schools and Classrooms

The minister of education and culture in the House of Assembly, Mr Piet Marais, said in March 1993 that 100 schools under his department (including nine pre-primary schools and two special schools) had been closed down during 1992. Twenty-eight of these schools were in the Cape, five in Natal, 19 in the Orange Free State and 48 in the Transvaal.¹¹⁵ [¹¹⁵ *Hansard* (A) 8 q cols 878–883, 25 March 1993]

The minister of housing and works, Mr Adriaan Vlok, said in June 1993 that between February 1992 and May 1993, 83 school properties had been transferred from the Department of Education and Culture (House of Assembly) to his department for disposal. He said that 30 school properties had been transferred to other education departments, 16 properties had been transferred to non-educational organisations as there had been no applications from educational organisations to use such premises, 12 properties had been transferred to donors in terms of reversionary clauses, and the remaining 25 properties were in the process of being allocated.¹¹⁶ [¹¹⁶ *Hansard* (A) 20 q cols 1883–1884, 7 June 1993] In February 1992 Mr Vlok had said that 51 schools which had been transferred to his department for disposal were not being used for educational purposes.¹¹⁷ [¹¹⁷ *Daily Dispatch* 8 June 1993]

The Department of Education and Training (DET) said in its *Education Package for 1993/94* that 2 810 additional classrooms would be completed in 1993 and that tenders would be invited for a further 2

404.118 [118 DET, *Education Package for 1993/94*, 30 March 1993]

The following table gives a breakdown of the number of classrooms built by the DET between 1990/91 and 1992/93:¹¹⁹ [119 Ibid]

Classrooms built by the DET: 1990/91–1992/93

	<i>1990/91</i>
	1991/92
	1992/93
	Public schools
	1 156
	2 065
	3 403
	State-aided schools
	640
	600
	500
	Total
	1 796
	2 665
	3 903

The DET said in March 1993 that 36 schools which were no longer being used by other education departments had been made available to the DET, of which 17 had been accepted and had been in use since January 1992.

Stationery and Textbooks

The DET delivered textbooks and prescribed books to the value of R66m and stationery to the value of R21m to schools under its jurisdiction in 1992.¹²¹ [¹²¹ DET, annual report 1992, RP 59/1993] The DET said that in 1993 textbooks and stationery to the value of R138m would be supplied to schools.¹²² [¹²² DET, *Education Package for 1993/94*]

The communications director of the DET, Mr Corrie Rademeyer, said in January 1993 that in the previous five years books to the value of more than R268m had been delivered to schools. He added that a further R135m was to be spent on books in 1994.¹²³ [¹²³ *Saturday Star* 10 July 1993] A communications officer of the DET, Mr Geoff Makwakwa, said that the numbers of books which were delivered to schools were based on projected pupil figures submitted by school principals. Mr Rademeyer said that if more pupils registered than had initially been expected, provision was made for the supply of additional books.¹²⁴ [¹²⁴ *Sowetan* 12 January 1993]

Mr Rademeyer said that the most important cause of the shortages of textbooks was the 'consistent failure of pupils to return books at the end of the year'. He said that the average standard 10 pupil needed about 16 textbooks and yet more than 20 textbooks per pupil had been supplied to schools in recent years.¹²⁵ [¹²⁵ *Saturday Star* 10 July 1993]

The minister of education and culture in the House of Delegates, Mrs Devagie Govender, said that textbooks to the value of R7m had been purchased by her department in 1992.¹²⁶ [¹²⁶ *Hansard* (D) 8 q col 891, 25 March 1993]

Curricula

During the period under review each of the education departments was responsible for designing and implementing its own curriculum, with the Department of National Education responsible for general curriculum policy. The National Education Policy Investigation (Nepi) report said that in effect the Department of Education and Culture (House of Assembly) and the four provincial education departments had decided on a national curriculum for white schools and that the other education departments had then adapted this curriculum for their own use. The Nepi report said that this process took place with 'little, if any, outside participation' (ie by educationalists outside the white education system). It argued that one of the first challenges facing a new dispensation would be to allow broader participation in curriculum decision making.¹²⁷ [¹²⁷ Nepi, *The Framework Report*, 1993]

The *Education Renewal Strategy* (ERS) made the following proposals with regard to the school curriculum:¹²⁸ [¹²⁸ DNE, *ERS*, November 1992]

- a uniform or core curriculum should be followed by all learners, with the exception that in standard 6 or standard 7 a learner could opt for a language or a vocationally oriented subject;
- a vocational orientation should be instituted as early as the junior primary phase; and
- an assessment body should be established to ensure that there were no discrepancies between educational institutions in standards set for the granting of certificates.

With regard to the school curriculum, the Nepi report said that the following issues would have to be considered:¹²⁹ [¹²⁹ Nepi, *The Framework Report*, 1993]

- who should design and implement the curriculum and at what level decisions regarding the curriculum should be taken;
- to what extent the curriculum should be differentiated with respect to race, gender, ability, social class and region; and
- how to address the apartheid policies of segregation along cultural and linguistic lines and how to build tolerance of difference into the curriculum.

The Nepi report said that it was widely thought that economic demands required greater relevance of schooling to the world of work and that greater emphasis should, therefore, be placed on vocational curricula. However, in the absence of adequate educational resources in schools, curricular differentiation resulted in poor school quality (in that schools were not adequately equipped to teach the required variety of subjects) and deepening inequalities in education opportunities. The report said that differentiation could lead to the dilution of core academic subjects, thus undermining development of 'the flexible, innovative capabilities required in the modern world'. It argued, therefore, that a general education which left open the possibilities for further formal, nonformal and on-the-job training would be more equitable and efficient than secondary schooling which had a heavy vocational bias. The investigation added, however, that differing interests and abilities should be accommodated within the secondary schooling system in the common general curriculum or in separate streams.¹³⁰ [¹³⁰ Ibid]

In February 1993 the Department of Education and Training (DET) introduced AIDS education into its curriculum for standard 4 and 5 pupils. The material was developed by MacMillan Boleswa in consultation with non-governmental AIDS education organisations and it was funded by Old Mutual. Books incorporating AIDS education were also developed for secondary-school English classes under the DET and were to be phased in during the year (see also chapter on *Health and Welfare*).¹³¹ [¹³¹ *The Weekly Mail* 19 February 1993]

Compulsory Education

In 1993 education legislation did not provide for compulsory education for all, although in the coloured, Indian and white education departments compulsory schooling had been extended to the age of 16 years. The *Education Renewal Strategy* (ERS) said that given the country's economic situation and the constant growth in pupil numbers, equal educational opportunities for all would not be attained unless compulsory schooling, funded largely by the government, was introduced. The ERS recommended that schooling be compulsory for nine years rather than for seven years (see *Broad Policy Matters* above) for the following reasons:¹³² [¹³² DNE, *ERS*, November 1992]

- a more mature school leaver could participate more constructively in vocational training programmes;
- a more mature person would be better able to benefit from distance education;
- economic growth would be promoted by a longer period of compulsory schooling since the latter would provide a more skilled workforce; and
- meaningful participation in democratic politics would be promoted by a longer period of compulsory schooling.

The National Education Policy Investigation (Nepi) report proposed that initially only primary schooling should be made compulsory and that in 'due course' nine or ten years of schooling become compulsory.¹³³ [¹³³ Nepi, *The Framework Report*, 1993]

The ERS estimated that there were 1,6m African children between the ages of six and 13 years who were not at school. The document said that while school attendance was 'reasonably high' in the lower standards there was a high drop-out rate. It added, however, that the retention rate at African schools was improving.¹³⁴ [¹³⁴ DNE, *ERS*, November 1992]

The minister of education and training, Mr Sam de Beer, said in March 1993 that at any one time at least 20% of African children of schoolgoing age were not attending school. He said that this did not mean that such children did not receive any education at all as in many households children took turns at attending school for a year.¹³⁵ [¹³⁵ *Daily Dispatch* 31 March 1993]

Farm and Rural Schools

According to the Rural Education Forum (REF), in 1993 there were about 6,2m farmworkers and their

dependants living on commercial farms in South Africa (excluding all ten homelands), including 2m children of schoolgoing age. The REF estimated that 468 000 of these children currently attended school and that 11 000 of this number (or only 2,4%) would attain standard 5.¹³⁶ [¹³⁶ *Financial Mail* 6 August 1993]

The Department of Education and Training (DET) said that approximately 472 275 pupils had attended farm schools during 1993, compared with 476 466 in 1992. It ascribed the decline in pupil numbers to migration from rural areas as a result of the drought. The average pupil/teacher ratio on farm schools was 37:1, according to the DET.¹³⁷ [¹³⁷ DET, *Education Package for 1993/94*]

The Nepi report said that farm schools in the non-homeland areas of South Africa accounted for approximately 27% of DET enrolment and 35% of DET teachers. The report argued that pupils, teachers and parents at a rural school were dependent on the goodwill of the farmer on whose land the school was situated, and who was often both the employer of the parents and the school manager. It said that schooling had become 'an instrument of social control at the disposal of farmers'.¹³⁸ [¹³⁸ Nepi, *Education Planning, Systems and Structure*, 1993, p28]

Although farm schools were registered with the DET they were usually on the property of private owners. The DET subsidised the cost of the erection of farm schools, including facilities such as lavatories and teachers' dwellings. Running costs (including teachers' salaries) and the costs of the provision of drinking water, furniture, stationery and textbooks were borne fully by the department. The DET said that the subsidies for building farm schools would be raised from 75% to 100% in 1993.¹³⁹ [¹³⁹ DET, *Education Package for 1993/94*]

The national co-ordinator of the REF, Mr Ken Margo, said in August 1993 that of all the pupils in South Africa, children at farm schools had the most inadequate buildings and the least qualified teachers. He said that the changes in urban schools over the previous decade had largely bypassed farm schools. Mr Margo said that the cost of transport to such schools was a further problem experienced by rural pupils. He said that transport was not subsidised and that while rural African parents earned an average of R250 a month, transport costs to such schools could amount to as much as R80 a month per child.¹⁴⁰ [¹⁴⁰ *Financial Mail* 6 August 1993] According to the Nepi report, almost 45% of farm schools went only as far as standard 2.¹⁴¹ [¹⁴¹ Nepi, *Education Planning, Systems and Structure*, 1993, p28]

The DET said that an additional 51 farm schools had been registered with the department and would open in January 1993. Funds were being raised to build a further 500 classrooms.¹⁴² [¹⁴² DET, *Education Package for 1993/94*]

Special Education

According to the National Education Policy Investigation (Nepi) report, approximately 10% of children

of schoolgoing age in South Africa (ie between 800 000 and 900 000 children) needed special education. The head of the school of education at the University of Cape Town, Professor David Donald, said that the pattern of racial inequality of provision in education applied particularly to special education and that provision for African children with special needs was 'extremely' inadequate.¹⁴³ [143 Donald D, 'Reconceptualising the nature and extent of special educational need in South Africa' in *Perspectives in Education*, vol 14 no 2, 1993; Nepi, *Education Planning, Systems and Structure*]

The Department of National Education said that in 1993 there were 38443 pupils registered at special schools in South Africa (excluding the 'independent' homelands). Of these pupils 9 831 were African, 7 637 were coloured, 5 299 were Indian and 15 676 were white. There were 226 special schools, of which 82 were under the House of Assembly, 18 under the House of Delegates, 60 under the House of Representatives, 51 under the Department of Education and Training (DET) and 15 in the non-independent homelands.¹⁴⁴ [144 DNE, *Preliminary Education Statistics for 1993*] The Nepi report said that there were 'virtually no' black teachers with special education training.¹⁴⁵ [145 Nepi, *Education Planning, Systems and Structure*, 1993]

The DET announced at the beginning of 1993 that in 1993 R25m would be budgeted for building projects at special schools under its jurisdiction. Such building was to take place at 44 existing schools.¹⁴⁶ [146 DET, *Education Package for 1993/94*]

Professor Donald said there was evidence that in societies characterised by widespread poverty and disadvantage (such as in South Africa) intrinsic disability (ie physical or neurological handicap) occurred at up to double the rate of incidence in more privileged societies. He said that this applied particularly, although not exclusively, to Africans in South Africa. Professor Donald said that in South Africa the relationship between malnutrition and poor cognitive development had been 'amply verified', as had the relationship between diseases that were common under conditions of poverty (such as gastroenteritis, measles, pneumonia and tuberculosis), secondary cerebral infection, and resultant disabilities such as cerebral palsy and mental retardation. Professor Donald argued that the lack of access to appropriate health services and the inadequacy of basic health screening in schools compounded the problem. He said that the United Nations Educational, Scientific and Cultural Organisation estimated that whereas approximately 10% of the population in first-world countries was affected by disability, the figure was nearer to 20% in third-world countries (see also chapter on *Health and Welfare*).¹⁴⁷ [147 Donald D, 'Reconceptualising the nature and extent of special educational needs in South Africa' in *Perspectives in Education* vol 14 no 2, 1993]

Professor Donald believed, however, that a major part of the need for special education was not owing to intrinsic disability, but rather the result of inadequate acquisition of basic education skills resulting from the inadequacy of the education system. Indicators of the extent of this need were the high drop-out rates at African schools (particularly in the first year of school, when basic educational skills were acquired) and high failure and repeat rates. Professor Donald maintained that it was not possible for older children without basic skills to acquire such skills at a later stage of development in the same way that younger

children could. He added that most mainstream teachers were not able to meet the needs of such older children without substantial support in the form of special learning materials, adaptations to methodology, and modifications of pace and motivation. The extent of such special educational needs would depend on whether compulsory universal primary education was instituted, he said.¹⁴⁸ [¹⁴⁸ Ibid]

Professor Donald estimated that there were between 3m and 3,7m children in South Africa with special educational needs. The following table gives a breakdown by race of ‘conservative’ and ‘real’ estimates of the number of children in South Africa (including the ten homelands) needing special education:¹⁴⁹ [¹⁴⁹ Ibid]

Estimated special educational need in South Africa: 1990^a

Conservative

Real

African

2 758 359

3 413 567

Coloured

138 326

138 326

Indian

38 324

38 324

White

153 252

153 252

Total

3 088 261

3 743 469

a

Conservative estimates use international standards to calculate the proportion of the population needing special education, while real estimates take into account the effects of underdevelopment and inadequate education on educational achievement

Double Sessions and the Platoon System

Double sessions involve one teacher taking two classes for the same subjects at different times during the day, while the platoon system involves two schools using the same premises at different times. During 1992 the following number of pupils, schools and teachers were involved in double sessions and the platoon system: 150 [150 DET, annual report 1992]

Double sessions and the platoon system in African schools: 1992

DET^a

NonDouble sessions^b

(s

Number of schools

27

72^c

Number of teachers

171

392

Number of pupils

8 516

24 379

Platoon system^d

(s

Number of schools

367

76

Number of teachers

8 307

1 421

Number of pupils

352 767

63 685

a

Department of Education and Training

b

QwaQwa, Gazankulu and KwaNdebele did not report any double sessions.

c

In 1991 double sessions were conducted at 198 schools in the non-independent homelands. The DET said that fewer schools conducted double sessions in 1992 because more schools had been built in these areas and more classes had been added to existing schools.

d

Gazankulu and KwaNdebele did not report use of the platoon system.

Pupils

Pupil Enrolment

Pupil enrolment at schools in South Africa (including the ten homelands) was as follows in 1991, 1992 and 1993:151 [151 1992/93 *Survey* p604; Information supplied by the Research Institute for Education Planning (Riep), 4 November 1993; Information supplied by the Ciskei Department of Education, 5 November 1993; DNE, *Preliminary Education Statistics for 1993*]

Pupil enrolment: 1991–1993

1991

1992

1993^a

DET ^b

Primary schools

1 713 455

1 792 235

1 845 737

Secondary schools

647 949

732 181

801 927

Sub-total

2 361 404

2 524 416

2 647 664

House of Assembly

Primary schools

513 079

565 905

586 700

Secondary schools

351 084

371 693

374 345

Sub-total

864 163

937 598

961 045

House of Delegates

Primary schools

162 753

159 041

173 583

Secondary schools

95 520

95 354

98 325

Sub-total

258 273

254 395

271 908

House of Representatives

Primary schools

629 137

636 806

651 399

Secondary schools

226 394

233 637

241 119

Sub-total

855 531

870 443

892 518

Non-independent homelands

Primary schools

2 425 547

2 470 154

2 518 309

Secondary schools

1 008 059

1 094 761

1 148 873

Sub-total

3 433 606

3 564 915

3 667 182

'Independent' homelands

Primary schools

1 753 028

1 849 354

N/A

Secondary schools

552 472

597 753

N/A

Sub-total

2 305 500

2 447 107

N/A

Total

10 078 477

10 598 874

N/A

a

Preliminary statistics

b

Department of Education and Trai

The following table gives a breakdown of pupil enrolment by race in South Africa (excluding the 'independent' homelands) in 1993:¹⁵² [DNE, *Preliminary Education Statistics for 1993*]

Pupil enrolment by race: 1993^a

African

Coloured

Indian

White

Total

Primary

4 420 854

152 039

638 178

564 657

5 775 728

Secondary

1 972 561

88 885

238 316

364 827

2 664 589

Other^b

39

6

2 256

22

2 323

Total

6 393 454

240 930

878 750

929 506

8 442 640

a

Excludes enrolment at pre-primary and special schools

b

Unclassified

According to the *Education Renewal Strategy* (ERS) document, published in November 1992, between 1988 and 1992 enrolment at colleges and schools in South Africa (excluding the 'independent' homelands) increased by an average of 4,3% per year. The following breakdown was given for increases over this period according to ra

Annual increase in pupil enrolment: 1988–1992

African (non-homeland area)

5,9%

African (non-independent homelands)

5,1%

Coloured

1,2%

Indian

0,5%

White

0,5%

The ERS said that in terms of the abovementioned growth rates approximately 320 000 additional African pupils had entered the education system in 1991. It said that such an increase would have required an additional 320 schools accommodating 1 000 pupils each. About R1,3bn would have been required to provide facilities for these pupils.¹⁵⁴ [¹⁵⁴ *Ibid*] The minister of education and training, Mr Sam de Beer, said in March 1993 that the number of pupils in his department had grown by 1,9m since 1986. He said that such growth had made ‘almost impossible’ demands on management and resources

Pupil/teacher Ratios

The Research Institute for Education Planning (Riep) said that in 1992 the pupil/teacher ratio in schools under the House of Assembly was 18:1, compared to 21:1 in schools under the House of Delegates and 26:1 in schools under the House of Representatives. The Department of Education and Training (DET) said that in the same year pupil/teacher ratios in schools under its jurisdiction and in the non-independent homelands were 39:1 and 43:1 respectively.¹⁵⁶ [¹⁵⁶ Information supplied by the DET and Riep, 12 November 1993]

In 1993 pupil/teacher ratios in schools in South Africa (including the ten homelands) were as follows:¹⁵⁷ [¹⁵⁷ Information supplied by Riep, 12 November 1993; DNE, *Preliminary Education Statistics for 1993*]

Pupil/teacher ratios: 1993

Pupils per teacher

Non-homeland area

Department of Education and Training

44,4

House of Assembly

18,0

House of Delegates

21,9

House of Representatives

22,2

Homelands

Bophuthatswana

29,4

Ciskei

34,1

Gazankulu

39,3

KaNgwane

37,6

KwaNdebele

39,7

KwaZulu

43,7

Lebowa

40,0

QwaQwa

31,9

Transkei

51

The ERS quoted a study by the World Bank which said that in developing countries a class size of between 20 and 35 pupils did not make an appreciable difference to pupil performance in terms of educational outcomes. The ERS said that the sustained growth in pupil numbers (see *Pupil enrolment* above) would result in an increase in these ratios, particularly among African pupils.¹⁵⁸ [¹⁵⁸ *DNE, ERS*, November 1992]

The minister of education and culture in the House of Assembly, Mr Piet Marais, said in May 1993 that the pupil/teacher ratio in his department had increased by 15,2% since 1989 to 21,4:1.¹⁵⁹ [¹⁵⁹ *The Citizen* 12 May 1993]

Pupil/classroom Ratios

According to the Department of Education and Training (DET), the pupil/classroom ratio in schools under its control increased from 42:1 in 1987 to 43:1 in 1992, while in the non-independent homelands the ratio decreased from 61:1 in 1987 to 56:1 in 1992. Riep estimated that in 1993 the pupil/classroom ratios in DET and homeland schools were as follows:¹⁶⁰ [¹⁶⁰ Information supplied by the DET and Riep, 12 November 1993]

Pupil/classroom ratios: 1993

Pupils per classroom

DET^a

47,7

Bophuthatswana

38,3

Ciskei

39,3

Gazankulu

55,9

KaNgwane

61,2

KwaNdebele

43,2

KwaZulu

52,9

Lebowa

53,3

QwaQwa

34,1

Transkei

55,7

Venda

41,8

a

Department of Education and Training

(Pupil/classroom ratios for schools under the houses of Assembly, Delegates and Representatives were n

Standard 10 Examination Results

The Department of National Education (DNE) said that an analysis of the pass rates in schools under the DET at various educational levels in 1991 showed the following:¹⁶¹ [161 DNE, *ERS*, November 1992]

- from grade 1 to standard 5 pass rates varied from 75% to 87%;
- from standard 6 to standard 9 pass rates varied from 56% to 60%; and
- in standard 10 the pass rate was 39%.

The DNE concluded that there was possibly a large measure of ‘automatic promotion’ from grade 1 to standard 9, which resulted in many pupils being ill-equipped for the matric examination. It added that pupils also tended to write matric examinations on the higher grade and that in many cases the mark obtained was so low that it could not be converted to a standard grade pass.¹⁶² [¹⁶² Ibid]

The matric pass rate in African schools in 1992 was 44%, compared to a pass rate of 86% in coloured schools, 95% in Indian schools and 98% in white schools. The following table gives a racial breakdown of the matric pass rate in 1992 compared with that in 1991:¹⁶³ [¹⁶³ *Fast Facts* no 8 1993; Information supplied by a communications officer of the DET, Ms Kim McEvilly, 5 November 1993]

Matric examination results: 1991 and 1992

African
Coloured
Indian
White
Total
1991
Candidates
304 315 ^a
22 405
14 258

65 933

406 911

Passes

46%

83%

95%

96%

54%

Matriculation exemption

11%

22%

50%

41%

18%

1992

Candidates

342 299

24 430

14 485

66 141

447 355

Passes

44%

86%

95%

98%

56%

Matriculation exemption

10%

21%

49%

42%

17%

a

Figure includes the Transkei and the results of supplementary exams and is, therefore, not comparable with the figure in the 1992/93 Survey.

The DET said in May 1993 that a large proportion of African pupils who obtained their standard 10 certificates were not fully literate and were consequently neither adequately prepared for the labour market nor able to be trained thoroughly. The DET said that in 1992 the median marks in mathematics and physical science were 12,2% and 24,8% respectively. (The median mark is that mark above and below which there are an equal number of pupils' results.)¹⁶⁴ [¹⁶⁴ *The Citizen* 30 May 1993]

The DET added that the disruptions caused by strikes and boycotts had influenced the 1992 matric results negatively. It said that the two areas where there had been the greatest disruptions (ie the Johannesburg region, in which Soweto and Alexandra were situated, and the Highveld region, in which the east Rand townships were situated) were also the areas with the lowest pass rates.¹⁶⁵ [¹⁶⁵ DET, annual report 1992]

Earlier, however, the South African Democratic Teachers' Union (Sadtu) said that it welcomed the 'improved' matric results and that the disruptions had not affected matric results seriously. (The preliminary matric pass rate at DET schools was 39% in 1991, compared to 42% in 1992.) Sadtu said that labour action taken by teachers in 1992 had been aimed at upgrading conditions under which learning took place and had been limited to short periods of time. Sadtu said that pupils and teachers deserved praise for hard work under adverse condi

The following table gives a breakdown of the matric pass rates at African schools in different regions in 1992:167 [167 *Edusource Data News* April 1993; Information supplied by Ms McEvelly, 5 November 1993]

African standard 10 examination results: 1992

Candidates

Passes

Exemptions

Number

Proportion of total

Number

Proportion of total

Non-homeland area

Cape

14 007

6 524

47%

1 284

9%

Diamond Fields

6 126

2 875

47%

504

8%

Highveld

18 594

6 657

36%

1 380

7%

Johannesburg

13 245

5 004

38%

1 166

9%

Natal

7 896

4 133

52%

1 157

15%

Northern Tvl^a

13 028

5 788

44%

1 371

11%

OFS^b

7 637

3 328

44%

700

9%

Orange-Vaal

11 771

4 582

39%

787

7%

Sub-total

92 304

38 891

42%

8 349

9%

Homelands

Bophuthatswana

24 786

18 205

73%

5 171

21%

Ciskei

11 671

5 390

46%

960

8%

Gazankulu

18 821

10 343

55%

2 770

15%

KaNgwane

11 429

4 874

43%

977

9%

KwaNdebele

9 329

3 225

35%

523

6%

KwaZulu

46 381

18 670

40%

4 785

10%

Lebowa

78 170

28 448

36%

6 078

8%

QwaQwa

6 007

2 492

42%

467

8%

Transkei

28 283

11 974

42%

2 882

10%

Venda

15 118

7 616

50%

2 072

14%

Sub-total

249 995

111 237

44%

26 685

11%

Total

342 299

150 128

45%

35 034

10%

a

Northern Transvaal

b

Orange Free State

The chief director of the Johannesburg region of the DET, Mr Richard Motau, said in June 1993 that as a result of school disruptions (see *School Education and Policy* above) only between 15% and 20% of the 1993 matric syllabus had been completed. Another 10% of the syllabus was expected to be covered in the remaining weeks before the 1993 examinations. Consequently, he said, the 1993 matric pass rate in the Johannesburg regions would probably be lo

In October 1993 the DET agreed to postpone the start of the matric examinations from 19 October to 1 November to enable pupils to cover material which they had not been able to cover during the year as a result of disruptions.¹⁶⁹ [¹⁶⁹ *The Star* 22 October 1993] In an attempt to encourage pupils the National Education Co-ordinating Committee announced that it would award prizes such as scholarships, personal computers and holiday trips to pupils who performed well and to schools which had high pass rates in the matric examinations.¹⁷⁰ [¹⁷⁰ *Weekly Mail and Guardian* 1 October 1993]

More than 360 000 DET pupils registered to write matric examinations in 1993. The number of pupils registered to write matric examinations at schools under the House of Assembly was as follows: Cape, 16 824; Natal, 8 033; Orange Free State, 4 985; and the Transvaal, 34 776. A total of 26228 candidates at schools under the House of Representatives were registered to write matric in 1993.¹⁷¹ [¹⁷¹ *The Star* 22 October 1993] At schools under the House of Delegates about 15 000 pupils were registered to write matric in 1993.¹⁷² [¹⁷² Information supplied by the House of Delegates, 10 December 1993]

Teachers

Orientation

The founder and executive director of Promat, Mr Larry Robertson, said in April 1993 that there was great need for good quality teachers in rural areas and particularly for mathematics and science teachers. Mr Robertson said that there were too many teachers for subjects such as biblical studies, history and African languages and far too few mathematics and science teachers. This sentiment was echoed by a senior policy analyst at the Urban Foundation's education policy and system change unit, Dr Jane Hofmeyr.¹⁷³ [¹⁷³ DNE, *ERS*, November 1992; *Financial Mail* 16 April 1993; Supplement to the *Financial Mail* 30 April 1993]

Mr Robertson said that he believed that the poor results obtained in African schools for mathematics and science could be traced to insufficient and poorly qualified primary school teachers who had been unable to provide proper foundations for learning these subjects. The Department of National Education (DNE) said in 1992 that despite attempts to keep salaries competitive, the education departments were finding it difficult to attract teachers for subjects such as accountancy, biology, mathematics and science.¹⁷⁴ [¹⁷⁴ DNE, *ERS*, November 1992; *Financial Mail* 16 April 1993; Supplement to the *Financial Mail* 30 April 1993]

Commenting in January 1993 on the rationalisation of teacher training colleges (see *Teacher training* below), the executive director of the Transvaal Teachers' Association, Mr Hugo Ackermann, said that there was already a shortage of teachers with executive skills and that the amalgamation of teacher training colleges meant that there would not be enough teachers in the future. He said that while financial rationalisation had been necessary, it had been done without much thought or consultation.¹⁷⁵ [¹⁷⁵ *Financial Mail* 15 January 1993]

Numbers and Qualifications

The Department of Education and Training (DET) said that of a total of 1726 African pre-primary teachers in South Africa (excluding the 'independent' homelands) in 1992, 936 (54%) had a teaching qualification while 790 (46%) had no teaching qualification. Of those with a teaching qualification, 205 had attained standard 8 or lower, 425 had standard 10 with less than three years' training and 239 had standard 10 with three years' training. The remaining 67 teachers had a degree, an unfinished degree, 'educare' (ie nonformal training in pre-primary education), or standard 10 with four years' teacher training.¹⁷⁶ [¹⁷⁶ DET, annual report 1992]

The *Preliminary Education Statistics for 1993*, published by the DNE, said that there were 269 881 teachers in primary and secondary schools in South Africa (excluding the 'independent' homelands). The following table gives a breakdown of the number of teachers in the different education departments and in the homelands:¹⁷⁷ [¹⁷⁷ DNE, *Preliminary Education Statistics for 1993*]

Number of teachers: 1993^a

PubPriTotal

DET^b

65 472

626

66 098

House of Assembly

51 862

5 706

57 568

House of Delegates

12 084

312

12 396

House of Representatives

38 486

175

38 661

Non-independent homelands

94 968

190

95 158

Total

262 872

7 009

269 881

a

Excluding pre-primary and special schools and all schools in the 'independent' homelands

b

Department of Education and Training

In 1992 there were 148 976 teachers in schools under the DET and in the non-independent homelands. The following table shows the qualifications of these teachers:¹⁷⁸ [¹⁷⁸ DET, annual report 1992]

Tea

Number

Proportion of total^a

Underqualified

No teaching qualification

Matric and lower

19 393

13,0%

Degree

1 013

0,6%

Teaching qualification

Technical qualification or standard 8 and lower

16 633

11,1%

Matric + less than 3 years' teacher training

48 187

32,3%

Sub-total

85 226

57,0%

Qualified

Teaching qualification

Matric + 3 years' teacher training

51 712

34,7%

Matric + 4 years' teacher training

959

0,6%

Degree

11 079

7,4%

Sub-total

63 750

42,3%

Total

148 976

100,0%

a

Proportions may not add up to 100% owing to rounding.

Dr Hofmeyr said that the official norm for a teaching qualification was standard 10 plus three years of professional training. She added that all white teachers and the majority of teachers under the houses of Delegates and Representatives had this qualification, while the majority of African teachers were underqualified. In 1992, 57% of teachers under the DET and the non-independent homelands fell short of this qualification. The National Education Policy Investigation (Nepi) report said that women predominated in this group and added that underqualified teachers were concentrated in rural areas. Figures supplied by the DNE supported this view. In 1992, 86% (10 279) of teachers at rural primary schools did not have a matric with three years' teaching qualification.¹⁷⁹ [¹⁷⁹ Nepi, *The Framework Report*; Supplement to the *Financial Mail* 30 April 1993; *Hansard* (A) 21 q col 2017, 14 June 1993]

Dr Hofmeyr remarked that the quality of African teaching staff was low. However, the policy assumption that a better qualified teacher was a better teacher and should, therefore, receive a larger salary had not benefited education. She said that it had resulted in a 'paper chase with teachers pursuing higher qualifications for salary increases, often studying subjects...which bore little relationship to improved competence in the classroom'.¹⁸⁰ [¹⁸⁰ Supplement to the *Financial Mail* 30 April 1993]

Teacher Training

In 1993 there were 105 colleges of education providing a range of qualifications (mainly in primary education), 21 universities with faculties of education and 15 technikons offering teacher education programmes accredited by the Certification Council for Technikon Education. The Nepi report said that one of the strengths of the colleges of education was their wide geographic distribution, which brought tertiary education closer to remote communities and enabled a sensitive response to local needs. The investigation added, however, that most colleges were academically isolated, small, poorly equipped and ineffective in the provision of quality teacher education. Nepi said also that the development of good quality teachers would be possible only if adequate working conditions were established at schools.¹⁸¹ [¹⁸¹ Nepi, *The Framework Report*; Supplement to the *Financial Mail* 30 April 1993]

According to preliminary statistics for 1993 provided by the DNE, there were 59 918 students registered at colleges of education in South Africa (excluding the 'independent' homelands) in 1993. A breakdown

is given in the table on the following page.¹⁸² [¹⁸² DNE, *Preliminary Education Statistics for 1993*]

The minister of education and training, Mr Sam de Beer, said that in 1993 approximately 75 000 applications to teacher training institutions under his department had been turned down. He added, however, that since a large number of people applied to more than one college it was impossible to say exactly how many people had been refused admission.¹⁸³ [¹⁸³ *Hansard* (A) 1 q col 406, 9 March 1993] There were 3 309 places vacant at teacher training colleges under the House of Assembly in 1993. According to the minister of education and culture in the House of Assembly, Mr Piet Marais, the number of vacant places at teacher training colleges was partly owing to the closing of the Port Elizabeth College of Education (eastern Cape) at the end of 1993. It was announced in February 1993 that the Southern Cape Teachers' Training College (western Cape) would also close at the end of the year.¹⁸⁴ [¹⁸⁴ *Hansard* (A) 9 q cols 967–968, 31 March 1993; *Die Burger* 20 February 1993]

Rationalisation of teacher training facilities under the House of Representatives was also under way during the period under review. The minister of education and culture in the House of Representatives, Mr Abe Williams, announced in March 1993 that the Athlone (western Cape), Bechet (Durban), Rand (Johannesburg), Sallie Davies (western Cape) and Wesley (western Cape) colleges of education would all be closed at the end of 1993.¹⁸⁵ [¹⁸⁵ *Hansard* (R) 6 q col 487, 10 March 1993]

However, Mr Marais said later in the same month that the Sallie Davies college would be amalgamated with the Cape Town College of Education.¹⁸⁶ [¹⁸⁶ *Hansard* (A) 9 q col 968, 31 March 1993] In July 1993 it was announced that the Boland College of Education (under the House of Assembly) and the Athlone College of Education would amalgamate in 1994. The director of the Cape Education Department, Mr François Knoetze, said that this step, together with the closing of the college in Port Elizabeth and the amalgamation of the Sallie Davies college and the Cape Town college, would bring an end to separate coloured and white teachers' training colleges in the Cape.¹⁸⁷ [¹⁸⁷ *Die Burger* 6 July 1993]

Students at teacher training colleges: 1993

ThrFouTotal

Department of Education and Training

Male

3 013

0

3 013

Female

6 469

0

6 469

House of Assembly

Male

185

2 256

2 441

Female

963

6 243

7 206

House of Delegates

Male

151

588

739

Female

431

1 282

1 713

House of Representatives

Male

1 596

853

2 449

Female

3 546

645

4 191

Non-independent homelands

Male

11 325

366

11 691

Female

19 769

237

20 006

Sub-total

Male

16 270

4 063

20 333

Female

31 178

8 407

39 585

Total

47 448

12 470

59 918

A senior policy analyst at the Urban Foundation's education policy and system change unit, Dr Jane Hofmeyr, said in April 1993 that about 14 000 new teachers graduated every year. She said that should universal primary education be instituted, by the eighth year of such a policy being in operation the annual output of teachers would have to double to meet escalating needs, especially for primary school teachers. Dr Hofmeyr criticised the quality of pre-service teacher training, saying that many colleges were merely 'glorified high schools' and that their curricula concentrated on education theory rather than on subject knowledge, methodology and practical experience.¹⁸⁸ [¹⁸⁸ Supplement to the *Financial Mail* 30 April 1993]

It was reported in April 1993 that since 1983, 3 000 teachers had obtained a matric at Promat matric colleges. (These were independent, nonprofit colleges which aimed particularly to enable teachers without matric to obtain a matric qualification.) The founder and executive director of Promat, Mr Larry Robertson, said that most of the teachers qualifying at Promat were from rural primary schools. He said that almost 50 000 teachers still had only a standard 8 qualification and that Promat could upgrade the qualifications of 10 000 of these teachers over the next ten years.¹⁸⁹ [¹⁸⁹ *Financial Mail* 16 April 1993]

The deputy director of the Joint Education Trust, Mr Nick Taylor, said in May 1993 that more than 100 institutions countrywide conducted inservice teacher-training programmes but that there was little co-ordination between them and the teacher training colleges. He added that the current teacher upgrading programmes had too little emphasis on practical implementation and that there was not enough follow-up on teachers' performance in the classroom.¹⁹⁰ [¹⁹⁰ *New Nation* 7 May 1993]

The teacher education research group of Nepi identified the following priorities for teacher development in South Africa:¹⁹¹ [¹⁹¹ Nepi, *The Framework Report*, 1993]

- the upgrading of unqualified and underqualified teachers, especially in rural areas;
- the upgrading of inappropriately qualified teacher educators;
- the provision of competent primary school teachers for regions undersupplied with teachers, with the aim of providing universal primary education at an acceptable pupil/teacher ratio;
- the provision of properly qualified secondary school teachers for mathematics and science;
- the provision of leadership and administrative training for principals;
- in-service language development for teachers; and
- the provision of pre-primary and adult basic education teachers.

The *Education Renewal Strategy* (ERS) said that there was a wide variety of study programmes for teacher education which reflected the different requirements of the various education departments. It said that the Department of Education and Culture in the House of Assembly required a minimum of four years of diploma or degree study or three years of degree study plus a year's diploma study for appointment as a teacher. The other departments required three years' diploma study. In addition, the House of Assembly required that to teach at secondary school level teachers had to have been educated at university, which was not the case in the other education departments.¹⁹² [¹⁹² DNE, *ERS*, November 1992]

The ERS said that the following policy could be considered for teacher education:¹⁹³ [¹⁹³ *Ibid*]

- as general policy, an initial education period of three years for non-graduate teachers;
- a simplified qualification structure for teacher education consisting of either a three-year teaching diploma, a four-year integrated degree in education, or a one-year higher diploma in education following

initial tertiary education, including a teaching diploma, a university degree and a national technikon diploma. The ERS saw a greater role for technikons in providing teachers for vocational education; and

- the use of distance education in the last year of teacher training, during which time the trainee teacher would serve a paid internship at a school.

The ERS said that the ratio of students to lecturers at colleges of education should be increased from between 9:1 and 13:1 to between 18:1 and 20:1. The ERS said that this move would make teacher education more affordable.¹⁹⁴ [¹⁹⁴ *Ibid*]

Conditions of Service and Retrenchments

During the period under review three main disputes arose between teachers and the different education departments. The first dispute developed in response to a decision by the House of Representatives to rationalise its teaching staff. The second dispute was in response to the government's decision to offer salary increases of 5% to all public servants (including teachers) in 1993 and the third dispute arose out of conflict between the House of Delegates and teachers over the allocation of merit awards.

In January 1993, on the day before Department of Education and Training (DET) schools were to open in the Transvaal and Orange Free State, the South African Democratic Teachers' Union (Sadtu) announced that it would initiate a strike in protest against the proposed retrenchment of 3 200 teachers by the House of Representatives.¹⁹⁵ [¹⁹⁵ *City Press* 10 January 1993] Plans in 1992 to retrench the teachers had been suspended after teachers had threatened to disrupt examinations at the end of 1992, but negotiations had not secured a guarantee that teachers would not be retrenched in 1993.¹⁹⁶ [¹⁹⁶ *Business Day* 12 January 1993] In the first and second terms of 1993 teachers conducted sporadic chalkdowns and protest marches in support of their demand for an end to rationalisation of teaching staff. In August 1993 teachers belonging to Sadtu conducted a nationwide strike in support of this demand, among others (see below).

Rationalisation planned for schools under the House of Representatives in 1993 also included a decision not to appoint substitute teachers to replace those who were on leave. The chief executive of the Department of Education and Culture in the House of Representatives, Mr Awie Muller, said that such steps were necessary to offset an education budget deficit of approximately R100m.¹⁹⁷ [¹⁹⁷ *South* 23 January 1993, *The Weekly Mail* 19 February 1993]

The assistant general secretary of Sadtu, Mr Thulas Nxesi, said in January 1993 that African schools were short of teachers and that rather than retrenching teachers the government should transfer them to schools where they were needed. Sadtu added that pupil/teacher ratios had been increased to an unacceptable level and that in some schools pupils could not be taught because there were no teachers

for particular subjects.¹⁹⁸ [¹⁹⁸ *Cape Times* 30 January 1993]

In April 1993 the Union of Teachers' Associations of South Africa also rejected rationalisation. The organisation's chairman, Mr Archie Vergotine, said that the education crisis should be dealt with through negotiations in a national education forum.¹⁹⁹ [¹⁹⁹ *Ibid* 19 April 1993]

In August 1993 the chairman of the National Education and Training Forum (NETF), Mr Alan Tonkin, announced that the House of Representatives had agreed that the service contracts of all teachers affected by retrenchments would be extended until the end of 1993. He said that the House of Representatives had granted substitute teachers to schools and that all teaching vacancies had been filled. Mr Tonkin said that the forum's crisis committee would review the progress of the rationalisation programme at the end of 1993 to ensure that all teachers who accepted retrenchment packages were replaced by substitute teachers.²⁰⁰ [²⁰⁰ *The Citizen* 25 August 1993]

Further strike action by teachers occurred in response to what were perceived as poor pay increases. In January 1993 the state president, Mr F W de Klerk, announced that all civil servants (including teachers) were to receive salary increases of 5%. The announcement was made while negotiations were being conducted with the government by the National Professional Teachers' Organisation of South Africa (Naptosa) regarding teachers' salaries. Naptosa demanded an increase of 15%.²⁰¹ [²⁰¹ *Sowetan* 20 January 1993, *The Weekly Mail* March 1993] However, Sadtu demanded a salary increase of 30% for teachers. It said that 75% of teachers earned 'less than a minimum wage'.²⁰² [²⁰² *Business Day* 3 March 1993, *South* 20 March 1993] According to the DET, 75% of its teachers earned more than R2 000 a month.

A senior policy analyst at the Urban Foundation's education policy and system change unit, Dr Jane Hofmeyr, said that teachers' salaries constituted at least 75% of the national education budget. The *Education Renewal Strategy* (ERS) said that a salary increase of just 1% across the board for educators (ie all teaching staff at schools and other educational institutions) would mean expenditure of an additional R130m a year by the government.²⁰³ [²⁰³ DNE, *ERS*, November 1992]

The vice president of Sadtu, Mr Duncan Hindle, said that the union favoured a system of remuneration which was based on the job being performed and not on the qualification of teachers. He said that because remuneration was dependent on the level of qualification African teachers were penalised as they had been excluded from pre-service and in-service training opportunities. Mr Hindle said that all teachers performed similar jobs with equivalent responsibility and they should, therefore, be rewarded equally.²⁰⁴ [²⁰⁴ *The Argus* 28 August 1993]

In August 1993 approximately 60 000 Sadtu members under the DET and the houses of Delegates and Representatives went on strike to protest against rationalisation in schools under the House of Representatives, the 5% salary increase and the system of merit awards in the House of Delegates (see below). The government subsequently agreed to raise the minimum basic salary of teachers to R1 438 a

month and to provide salary increases of between 10% and 58% to teachers falling into the lowest categories (ie teachers with a matric and two years or less than two years of teacher training). However, an agreement could not be reached on a general across-the-board increase.²⁰⁵ [²⁰⁵ *The Star* 23 August 1993, *Sunday Times* 29 August 1993] Six days after the strike was suspended the co-ordinator of the Soweto education co-ordinating committee, Ms Lilly Mphuthi, said that teacher attendance at high schools in Soweto was 'very poor'.²⁰⁶ [²⁰⁶ *Business Day* 2 September 1993]

Other teachers' organisations also came into conflict with the government over the salary increase in early 1993. In March 1993 the Teachers' Federal Council (TFC) withdrew from participation in 20 advisory bodies of the Department of National Education and the Department of Education and Culture in the House of Assembly. (The TFC represented between 60 000 and 70 000 white teachers.) The chairman of the TFC, Mr Allan Powell, said that the TFC was no longer prepared to participate in structures where the interests of those people it represented were 'disregarded, ignored and dealt with unilaterally'.²⁰⁷ [²⁰⁷ *The Citizen* 11, 17 March 1993] The TFC subsequently organised an interview with the state president at which its representatives voiced their grievances. According to the chief director of the organisation, Mr Johan Lemmer, it rejoined the advisory bodies 'shortly thereafter'.²⁰⁸ [²⁰⁸ Interview with the chief director of the Teachers' Federal Council, Mr Johan Lemmer, 10 December 1993]

During the period under review a dispute arose between teachers at schools under the House of Delegates and the education administration over the issue of merit awards. Sadtu claimed that the criteria for allocating merit awards were subjective and that despite an agreement not to proceed with allocating such awards, the House of Delegates had paid out more than R2m in merit awards ranging from R1 000 to R15 000 each.²⁰⁹ [²⁰⁹ *The Leader* 16 April 1993, 7 May 1993]

A committee was appointed by Sadtu members teaching under the House of Delegates to investigate the matter. At the time of writing the committee had not reported on its findings.²¹⁰ [²¹⁰ Interview with a spokesman of the House of Delegates, 21 December 1993]

In October 1993 the Education Labour Relations Act was passed. It provided for the establishment of an education labour relations council consisting of employer and employee organisations. The council was to negotiate wages and conditions of service and be involved in settling disputes between employers and employees. It was also to advise the state president on issues relating to education labour relations. The act gave teachers the right to strike and employers the right to lock out striking teachers. Both these rights could be exercised only after certain procedures had been followed. Teachers were entitled to go on strike only once:²¹¹ [²¹¹ Education Labour Relations Act of 1993, *Government Gazette*, no 15181, 20 October 1993]

- a deadlock had been declared in writing and 30 days had expired between the declaration of deadlock and the commencement of the strike;
- a strike ballot had been conducted and the majority of teachers had indicated that they agreed to strike;

and

- written notice of the ballot results had been given to the employer seven days before the strike commenced.

The act stated that the 'no work, no pay' principle would apply for the duration of a strike, whether it was legal or illegal. It also said that a procedural strike (ie a strike which had followed the procedures given above) could continue for a period of 30 days without employers being able to dismiss any of the employees on strike (see also chapter on *Labour Relations*).²¹² [²¹² Ibid]

Adult Education

The National Education Policy Investigation (Nepi) report said that several factors had produced a renewed interest in adult education in South Africa. These were:²¹³ [²¹³ Nepi, *The Framework Report*, 1993]

- the failure of the school system to provide adequate initial education;
- rapid technological change and the need for training and retraining;
- growing recognition of the need for redress of the inequalities created by apartheid and of discrimination against women, and rural and poor people; and
- global and national ecological and social crises.

The Nepi report said that the provision of adult education in South Africa was on a limited scale and fragmented. It said that between R250m and R300m was spent annually by the government on adult education, together with R100m from other sources. The investigation said that the Department of Education and Training (DET) was the only government department to provide explicitly for adult education but that only 0,49% of the DET's budget was allocated to this.²¹⁴ [²¹⁴ Ibid]

Adult education was provided by a number of other government departments. The Department of Manpower spent 38% of its 1993/94 budget on training, of which two thirds was spent on training unemployed people. There were 706 venues throughout the country at which such training was provided. The Nepi report said, however, that only 18% of trainees were able to find employment (see also chapter on *Employment*). According to the Nepi report, in 1992 there were almost 9 000 prisoners under the South African Prisons Service studying literacy courses, DET courses, courses run by the departments of education and culture or correspondence courses. A further 5 000 prisoners were in vocational or skills courses.²¹⁵ [²¹⁵ Ibid; Republic of South Africa, *Estimate of Expenditure to be Defrayed from the State*

Revenue Account During the Financial Year Ending 31 March 1994]

The report also said that employers were the most extensive providers of adult education. Nevertheless, the National Manpower Commission (NMC) pointed out in its 1992 annual report that South African companies devoted only 2% of their overall budget to training employees, compared with an average of 5% in companies in other countries. Trade unions were reported to have criticised employers for concentrating too much on training workers to meet their own needs and not on providing employees with market-oriented, skills-based and literacy training. The NMC added that there had been increased demands from the unions for employers and employees to make joint decisions on the nature and extent of in-service training.²¹⁶ [²¹⁶ National Manpower Commission (NMC), annual report 1992; Nepi, *The Framework Report*, 1993]

The Nepi report said that there were also about 60 registered commercial correspondence colleges in South Africa (including the ten homelands) which offered more than 100 different courses to about 250000 students.²¹⁷ [²¹⁷ Nepi, *The Framework Report*, 1993]

The Nepi report suggested that adult education was constrained by 'gloomy economic, budgetary, demographic and social projections' and that little attention would be given to adult education unless it could demonstrate that it had a significant impact on development and democratisation. The investigation added that if the state were to be more involved in adult education, approximately 5% of the education budget would have to be set aside for this purpose. Legislation would also have to be introduced which would oblige employers to use a proportion of pre-tax profits for training or to pay a training tax.²¹⁸ [²¹⁸ Ibid]

The Professional Economic Panel, whose report was published in 1993, said that although the vast majority of South Africans did not complete secondary school and were, therefore, not eligible for further formal training, the current training system made little attempt to help such people advance through appropriate training programmes. The panel proposed the establishment of an independent foundation to sponsor, oversee and coordinate the provision of a modular, integrated training system teaching basic skills to people who had incomplete or no formal schooling. The training courses sponsored by such a foundation would equip people to progress to formal-sector institutions, to obtain employment or to use their skills to become economically active in the informal sector. The panel proposed that 6% of the education budget should be allocated to such a foundation.²¹⁹ [²¹⁹ Professional Economic Panel, *Growing Together*, 1993]

The director of planning for the Education Foundation, Mr Silas Zuma, said in September 1993 that community colleges offering basic literacy and bridging courses, as well as tertiary level qualifications, could provide both an alternative means of access to the formal education system and practical job skills. Mr Zuma said that a national accreditation system was necessary to aid mobility from the nonformal to the formal education system. He added that underutilised schools, technikons and technical colleges could be used and that retrenched teachers could be retrained to teach in such colleges. Mr Zuma maintained that while co-ordination of services would call for some level of regional or national control,

a high level of community control would be crucial to the success of such colleges.²²⁰ [²²⁰ *Weekly Mail and Guardian* 10 September 1993]

Literacy

According to the Development Bank of Southern Africa (DBSA), in 1993, 46% of the African population was illiterate, together with 34% of the coloured population, 16% of the Indian population and 1% of the white population. The DBSA said that there were 15m illiterate people in South Africa (excluding the 'independent' homelands). The National Policy Investigation (Nepi) report said, however, that the figure was much lower and estimated it to be 6m adults. It added that illiteracy rates were significantly higher in rural areas and that the overall levels of schooling attained by men were 'probably only slightly greater than for women'.²²¹ [²²¹ Nepi, *The Framework Report*, 1993]

The National Manpower Commission (NMC) said that in 1991, 35% of the economically active population (EAP) of South Africa (excluding the 'independent' homelands) had reached only standard 4 or lower and was, therefore, functionally illiterate. The commission added that there were large numbers of unemployed people whose levels of literacy were such that they were virtually unemployable. The low literacy levels of people in the informal sector contributed to the high level of poverty and the low level of entrepreneurship in this sector, it said. The table below gives a breakdown of the education level of the EAP in South Africa (excluding the 'independent' homelands), according to the 1992 annual report of the NMC:²²² [²²² *NMC, annual report 1992*]

Level of education of the economically active population: 1991

NumProportion

None and unspecified

1 824

15,7%

Grade 1 – standard 4

2 293

19,7%

Standard 5 – standard 9

4 705

40,5%

Standard 10

1 831

15,8%

Diplomas and degrees

971

8,4%

Total

11 624

100,0%^a

a

Figures may not add up owing to rounding.

The NMC estimated that if the ‘independent’ homelands were included in its estimates of literacy, then as much as 66% of the total population was illiterate.²²³ [²²³ *Ibid*]

Nepi reported that in 1993 only 100 000 learners were to receive adult basic education (ABE) and that business and the government each provided 45% of ABE, while non-government organisations (NGOs) provided 10%. Provision of ABE, according to Nepi, was ‘small scale at multiple sites, without any central co-ordination’. Nepi was critical of the government’s involvement in literacy training, saying that it was ‘not a state priority’. The investigation said that industrial provision was ‘weak and uncoordinated, without any nationally recognised certification’, and that a lack of worker involvement in planning ABE weakened what was available. With regard to the efforts by NGOs, the investigation said that resources were duplicated, and there was a lack of accountability and coherence. It said that much NGO work was characterised by low rates of participation, high drop-out rates and high unit costs because of the small numbers reached by each agency.²²⁴ [²²⁴ *Nepi, The Framework Report*, 1993]

The *Education Renewal Strategy* said that the most effective way for the government to eliminate illiteracy would be for it to establish compulsory schooling up to a level which would ensure that learners left school as literate individuals. It said that if the government was to implement such a policy it would be unable to afford to provide literacy training for illiterate adults as well. Employers and community organisations should, therefore, be responsible for this form of education. It added that the government should establish national criteria for minimum literacy skills.²²⁵ [²²⁵ DNE, *ERS*, November 1992]

The Professional Economic Panel said that a high-profile series of campaigns to combat illiteracy should be initiated by an interim government which would target, firstly, employed people of both sexes, then women between the ages of 15 and 30 years, and, finally, people employed in the informal sector. It said that an ABE trust fund should be established to provide funding to employers, unions and private agencies which provided ABE.²²⁶ [²²⁶ Professional Economic Panel, *Growing Together*, 1993]

The panel proposed that 9% of the education budget should be allocated to such a trust fund and that employers should be required to pay an annual levy to the fund. This levy would be reimbursed as the employer provided ABE to employees and their families. Payment would, however, be based on successful completion of ABE courses. The five-year programme proposed by the panel was estimated to cost R320m in the first year of its operation and rise to R2,2bn in its fifth year. The panel estimated that by the end of the five-year period 300 000 employees would have completed ABE courses, while another 1m would be enrolled in such courses. It estimated that 15 000 classrooms and 20 000 teachers would be required over the five-year period.²²⁷ [²²⁷ *Ibid*]

The founder and executive director of Promat, Mr Larry Robertson, said in April 1993 that the number of illiterate people in South Africa was growing at a rate of approximately 250 000 a year.²²⁸ [²²⁸ *Financial Mail* 16 April 1993]

Technical Colleges, Industrial Training and Tertiary Education

The *Education Renewal Strategy* (ERS) proposed that courses offered at technical colleges, technikons and universities be rationalised (see *Broad Policy Matters* above).²²⁹ [²²⁹ DNE, *ERS*, November 1992] A study conducted for the ERS showed that of the 55 programmes offered at technical colleges between the N4 and N6 levels, 54% were allocated appropriately, while 33% could have been offered at technikons, and the remaining 13% fell into a 'grey area' between technical colleges and technikons. With regard to the courses offered at technikons, the study found that 64% of the 205 courses of between one and three years' duration were appropriate to technikons, 3% could have been offered at universities and 11% could have been offered at technical colleges. The remaining 22% fell into a 'grey area' between these three institutions. With regard to universities, the study found that 39% of the 163 diplomas and certificates offered were appropriate to universities, 23% could have been offered at technikons and 6% at technical colleges, and 32% fell into a 'grey area'.²³⁰ [²³⁰ *Ibid*]

The National Education Policy Investigation (Nepi) report questioned the division of university, technikon and college functions, saying that the distinction could not be made in practice. Nepi said that consideration should be given to a 'unitary' system, in which the distinctions between institutions were not emphasised.²³¹ [²³¹ *Nepi, The Framework Report*, 1993]

The Nepi research group on post-secondary education said that it had identified the following principles which should be embodied in a future policy for post-secondary education:²³² [²³² *Ibid*]

- there should be a single education ministry with a strong framework for national planning. This implied that institutional autonomy would be more limited than it was currently but that academic freedom would be preserved;
- provision should be made for student mobility between the various sectors of the post-secondary education system;
- provision should be made for the post-secondary education system to receive a minimum proportion of the government's education budget (possibly 20%). The balance of funding for post-secondary education should come from private investment, from those who could afford to pay for their education and from a national education bank for those who could not afford to do so; and
- the future post-secondary education sector should be larger than the current system in terms of student enrolment. Students should compete for places available in terms of a national plan or the system should expand as the number of qualified graduates increased. The postsecondary education sector should be reshaped to keep costs down.

The Nepi report said that the following problems would constrain the provision of vocational education and training in the future:²³³ [²³³ *Ibid*]

- the knowledge of mathematics and science among the majority of black students;
- the racial fragmentation of vocational education and training;
- the dismal record of private-sector training and the absence of effective state co-ordination of such training on a national scale;
- far higher enrolment at universities than at technikons and racial and gender imbalances in enrolments at these institutions;
- the insufficient provision of vocational education at school and college level; and

- the shortage of youth-training schemes incorporating adult basic education, as well as training schemes for the informal sector, rural poor and unemployed.

Industrial Training

A senior research officer at the education policy unit at the University of the Witwatersrand, Mr Paul Bennell, said in a paper presented to Nepi in 1992 that the system of artisan apprenticeship had been ‘in deep crisis’ throughout the 1980s. He said that based on a comparison of the average annual number of apprentice contracts in the periods 1981 to 1985 and 1986 to 1990, overall registration of apprentices had dropped by 26% during the 1980s.²³⁴ [²³⁴ Mr Paul Bennell, senior research officer of the Education Policy Unit at the University of the Witwatersrand, paper presented to the human resource development group of Nepi, 7 May 1992]

According to statistics provided by the National Manpower Commission, the total number of apprentices and trainees (including those who were indentured and those with contracts) dropped between 1980 and 1989 from 39 438 to 37 533 (ie by 5%). In the five-year period from 1988 to 1992 the number increased by 7% (see also chapter on *Employment*).²³⁵ [²³⁵ NMC, annual report 1992]

The table below shows the number of apprentices and trainees, both indentured and with contracts, in certain years from 1980 to 1992:²³⁶ [²³⁶ Ibid]

Apprentices and trainees: 1980–1992

1980

1985

1988

1989

1990

1991

1992

Apprentices

Indentured

10 527

11 573

7 919

9 891

9 054

10 758

7 492

Current contracts

28 911

33 752

23 416

26 941

24 448

26 714

25 785

Sub-total

39 438

45 325

31 335

36 832

33 502

37 472

33 277

Trainees

Indentured

0

523

364

357

389

349

563

Current contracts

0

0

267

344

359

340

296

Sub-total

0
523
631
701
748
689
859
Total
39 438
45 848
31 966
37 533
34 250
38 161
34 136

Mr Bennell said that it was too early to assess the effects of the amendments to the Manpower Training Act of 1981 which had changed the apprenticeship system from a time-based system to one of competency based modular training and introduced industrial training boards. He said, however, that since 1990 apprentice training had increased in the automotive, building, furniture, hairdressing, hospitality and printing industries. It was the view of the management of the training boards of these industries that this increase could be attributed to the new system because it had allowed industries to develop their own training schemes. This had led to:²³⁷ [237 Paul Bennell, paper presented to Nepi, 7 May 1992]

- considerable rationalisation of training with a significant reduction in the number of trades in most

industries;

- shorter apprenticeships;
- curricula which directly met the training requirements of employers;
- greater control over the recruitment of apprentices; and
- the introduction of statutory training levies which provided employers with the incentive to make greater use of training opp

Technical Colleges

In 1993 there were 128 technical colleges in South Africa (excluding the ‘independent’ homelands). There were 24 colleges under the Department of Education and Training (DET), 68 under the House of Assembly, three under the House of Delegates, 12 under the House of Representatives and 21 in the non-independent homelands.²³⁸ [²³⁸ DNE, *Preliminary Education Statistics for 1993*]

The number of people registered at technical colleges had increased from 54 978 in 1987 to 93 044 in 1993—an increase of 69%. The following table gives a breakdown of the number of people registered at technical colleges from 1987 to 1993:²³⁹ [²³⁹ NMC, annual report 1992; DNE, *Preliminary Education Statistics for 1993*]

Technical college enrolment: 1987–1993^a

Number

Increase

1987

54 078

N/A

1988

58 795

8,7%

1989

65 374

11,2%

1990

72 174

10,4%

1991

76 435

5,9%

1992

89 933

17,7%

1993^b

93 044

3,5%

a

Excluding the 'independent' homelands

b

Estimate provided by the Department of National Education

N/A – Not available

The following table provides a breakdown of enrolment by race, sex and qualification level at technical colleges i

Enrolment at technical colleges: 1993^a

Qualification level

Up to std 10

Std 10 + three years or less

Std 10 + more than three years

Total

African

Female

9 694

2 211

7

11 912

Male

13 329

2 814

5

16 148

Sub-total

23 023

5 025

12

28 060

Coloured

Female

1 182

799

36

2 017

Male

3 135

829

40

4 004

Sub-total

4 317

1 628

76

6 021

Indian

Female

2 012

158

0

2 170

Male

2 668

550

0

3 218

Sub-total

4 680

708

0

5 388

White

Female

15 460

7 550

271

23 281

Male

19 837

10 023

434

30 294

Sub-total

35 297

17 573

705

53 575

Total

Female

28 348

10 718

314

39 380

Male

38 969

14 216

479

53 664

Total

67 317

24 934

793

93 044

a

Excluding the 'independent' homelands

Technical college students accounted for 1% of all enrolments at educational institutions in 1993 (including schools, technikons and universities).²⁴¹ [²⁴¹ Ibid] Thirty percent of those at technical colleges in 1993 were African (compared with 25% in 1987) and 42% were female.

The overall pupil/teacher ratio at technical colleges was 25:1. The breakdown by education department was as follows: African (including the DET and the non-independent homelands), 13:1; coloured, 15:1; Indian, 43:1; and white, 36:1. The pupil/teacher ratio was, therefore, lowest at colleges under African departments of education, largely because of the low ratio in the non-independe

Technikon and University Education

Policy and Funding

A member of an advisory panel to the National Education and Training Forum and the human resources staffing manager of Eskom, Mr Danie Joubert, said in June 1993 that it was particularly disturbing that the proportion of science students at universities was declining and that the trend had spread to technikons. He said that without a marked increase in highly skilled manpower, especially in the sciences and technology, South Africa's economy would not be able to grow significantly.²⁴³ [²⁴³ *The Star* 1 June 1993]

The advisory panel, which consisted of members of the Associated Scientific and Technical Societies, the Joint Council of Scientific Societies and the South African Engineering Association, recommended

to the National Education and Training Forum that each year 2 000 engineers should graduate from universities and that funding should be expanded to increase the number of fully skilled technikon graduates in engineering to 3500 a year. The panel said that there should be far greater collaboration between universities and technikons and student transfers between such institutions to ensure optimum use of combined educational resources in science and engineering.²⁴⁴ [²⁴⁴ Ibid]

The vice chancellor of the University of Cape Town (UCT), Dr Stuart Saunders, added that South Africa should develop a system of higher education which provided for the greatest possible mobility of students between technical colleges, technikons and universities. He said that the current nature of university study should be preserved and that technikons should become technical universities awarding appropriate degrees.²⁴⁵ [²⁴⁵ *Argus* 1 February 1993]

In July 1993 the Technikons Act was passed. The act consolidated the existing four acts which regulated technikons in South Africa and provided for technikons to confer degrees on their students. The minister of national education, Mr Piet Marais, said that this move would stimulate interest in technikon study and contribute to rectifying the imbalance between technikon and university students and, therefore, ensure a better balance between career and academic education.²⁴⁶ [²⁴⁶ *Hansard* (joint sitting) 22 col 12140, 23 June 1993]

The act also made provision for technikons to set specific admission requirements for specific programmes and to limit student intake in certain study programmes. In addition, it provided for the recognition by technikons of nonformal education for admission purposes.²⁴⁷ [²⁴⁷ Ibid]

The *Education Renewal Strategy* (ERS) said that even with the upgrading of education in African schools, supplementary programmes in tertiary education such as academic support and bridging programmes would continue to be necessary for some time. However, the ERS suggested that the Universities and Technikons Advisory Council investigate whether such programmes could not be better provided at other institutions.²⁴⁸ [²⁴⁸ *DNE, ERS*, November 1992]

During the period under review the problems faced by historically black universities were highlighted by a number of educationalists. The academic vice rector of the University of the North, Professor Muxe Nkondo, said in December 1992 that these universities faced a number of constraints, including:²⁴⁹ [²⁴⁹ *Matlhasedi* December 1992]

- a lack of academic and residential space to accommodate all applicants who qualified to study at such universities;
- understaffing and overcrowding;
- inadequate academic support programmes;

- poor library facilities;
- lack of managerial training for the top management of the universities;
- inadequate support from the private sector and international agencies, partly because of the universities' origins in the apartheid system;
- a lack of adequate research facilities and insufficient research funds; and
- a lack of senior academics on the staff. Professor Nkondo said that in some departments there were no master's or doctoral programmes because the head of the department held only a master's degree.

A senior lecturer in the commerce academic support programme at UCT, Dr Pundy Pillay, said in the same month that the subsidy formula according to which universities were financed by the state had discriminated against historically black universities and favoured historically white universities because the latter had a greater number of students enrolled in the sciences. Dr Pillay said that although the formula had been abandoned in 1988, funding still took place along similar criteria. He said, for example, that while in 1985 enrolment at the University of the Western Cape (UWC) was 62% of that at UCT, UWC had received only 29% of the subsidy received by UCT. In 1989 enrolment at UWC was 88% of that at UCT, while its subsidy was 36% of the UCT subsidy. Therefore, Dr Pillay said, it was unrealistic to expect historically black universities to make a significant contribution to effective human-resource development.²⁵⁰ [250 Ibid]

Dr Pillay said also that the system perpetuated the racial monopoly on skills and that 'a significant proportion of the state-subsidised output of the historically white universities is benefiting the economies of Europe, North America and Australia as part of the "brain drain"' (see also chapter on *Employment*).²⁵¹ [251 Ibid]

Dr Pillay said that resources should be redistributed from the more affluent historically white institutions to the poorer historically black institutions. He said that if a subsidy formula was to be used it should favour the enrolment of students from socio-economically disadvantaged backgrounds, in addition to favouring admissions to science, engineering and other technical faculties.²⁵² [252 Ibid]

The chief director of education policy of the Department of National Education, Mr Gert Steyn, announced in March 1993 that a new subsidy formula for university funding had been introduced and that in contrast to previous years the formula would be the only basis for university funding. He said that this new process would be fairer and would redress imbalances caused by the funding system of the past. Consequently, in 1993 UWC received a subsidy of R112m (an increase of 51% over its subsidy for the previous year). The University of Stellenbosch received a subsidy of R173m (an increase of 19%) and UCT received a subsidy of R196m (an increase of 35%). Mr Steyn said that total state funding of

universities and technikons had increased by 23% between 1992 and 1993 to R2,3bn.²⁵³ [²⁵³ *Die Burger* 20 March 1993] The vice chancellor of the University of the Witwatersrand (Wits), Professor Robert Charlton, said, however, that state subsidies to universities had dropped by 15% in real terms in 1993.²⁵⁴ [²⁵⁴ *Business Day* 5 May 1993]

According to the information director of the Committee of University Principals, Dr Johan Brink, the government had been compelled over previous years to allocate funds without taking into account the growth in student numbers at different universities. He said that as a result universities which had grown significantly had been disadvantaged and a large gap had developed between the funds which universities needed and the sums which they obtained. Dr Brink said that the new formula took into account the projected growth of the universities.²⁵⁵ [²⁵⁵ *Die Burger* 20 March 1993]

Professor Charlton said in May 1993 that escalating fees were putting university education beyond the means of many middle-class families. He said that 1993 was the fourth consecutive year when Wits had had to increase fees by more than the inflation rate. Professor Charlton added that although an amount of R40m had been set aside by Wits to assist students in 1993, this was not sufficient to set the maximum family income qualifying a student for financial assistance at an appropriate level. Many students could consequently not afford to complete their degrees.²⁵⁶ [²⁵⁶ *Business Day* 5 May 1993]

The director of education of the Independent Development Trust (IDT), Professor Merlyn Mehl, said that loan and bursary organisations had managed to assist only about 14 000 students in 1991 and that the number assisted would not be much higher in 1993. He said that this figure represented about 7% of all African, coloured and Indian students at universities and technikons. Professor Mehl said that the public and private sectors could not be expected to cover the costs of bursaries for all students who needed them. He said that an amount of R800m a year would be required to grant R7 500 each to a quarter of the student population alone. Professor Mehl said that the IDT had granted loans of up to R7 500 to students only to ensure that students did not face impossibly heavy debts at the end of their studies.²⁵⁷ [²⁵⁷ *Sunday Tribune* 14 March 1993]

Professor Mehl said that the Tertiary Education Fund of South Africa (Tefsa), which had been established in 1991, had granted loans to more than 20 000 students by the end of 1992. He said that in 1991, 17 tertiary institutions and two bursary agencies had advanced loans to 8 426 students from an amount of R25m allocated to the fund. In 1992, R28m had been given to more than 10 000 students and a further R30m had been allocated for 1993. The total amount allocated by the IDT for this purpose since 1991 was R80m. In 1991, 56% of the funds were allocated to historically black institutions. The allocation to these institutions increased to 63% in 1992 and 67% in 1993.²⁵⁸ [²⁵⁸ *Argus* 9 March 1993] According to Professor Mehl, in all cases loans were granted by the universities or bursary agencies and not directly by Tefsa as these organisations were in the best position to determine the financial need and the academic potential of applicants.²⁵⁹ [²⁵⁹ *Weekend Argus* 27 March 1993]

In March 1993 approximately 200 students marched on the offices of the IDT in Cape Town in protest against the organisation allocating its funds for university loans 'unilaterally, unfairly and undemocratically'. The students called for the IDT to be disbanded. One of the issues which the students believed needed to be addressed was the backlog in fees of more than 15 000 students at historically black universities. Agreement was subsequently reached with the IDT that the R30m which was to be allocated to student loans in 1993 would be used to address students' present financial difficulties and that a conference would be organised which would lead to a campaign to raise funds for tertiary education.²⁶⁰ [²⁶⁰ *Argus* 9 March 1993]

A number of universities reported large budget deficits during the period under review, partly owing to students not paying their fees. It was reported in March 1993 that the total deficit of the universities of Durban-Westville, Fort Hare, the North, Venda, the Western Cape and Zululand amounted to R53m. The University of the North alone had a deficit of R18m.²⁶¹ [²⁶¹ Education supplement to *The Weekly Mail* March 1993] The University of Zululand was reported to have been owed R10m in outstanding fees at the end of 1992. However, according to the manager of public affairs at the university, Mr Carl de Villiers, this amount had been reduced to R6m by the end of February 1993. Outstanding fees reported at the other universities in March were: Fort Hare, R8m; Western Cape, R8m; Durban-Westville, R1,8m; and Venda, R510 000.²⁶² [²⁶² *The Star* 19 March 1993]

It was reported in October 1993 that outstanding fees at the University of Zululand had increased to R17m. Mr de Villiers said that whereas in the past a 'liberal stand' had been taken with regard to the payment of fees, harsher measures were now being implemented, with results and degrees being held back and debt collectors being used.²⁶³ [²⁶³ *Sunday Times* 17 October 1993]

During the previous month it was reported that the University of Fort Hare was owed R22m by the Ciskei administration. In terms of an agreement entered into between the two parties in 1986, the administration was to pay 20% of the university's total subsidy. However, the rector and vice chancellor of the university, Professor Sibusiso Bhengu, said that until March 1993 the university had received nothing from the administration. In that month, after extensive negotiations, the university received R5m from the Ciskei administration.²⁶⁴ [²⁶⁴ *The Star* 3 September 1993]

The general secretary of the National Education Co-ordinating Committee, Mr James Maseko, said in March 1993 that the funding crisis experienced by the historically black universities was the direct result of the bias of big business and the allocation of substantial funds by the government to the historically white universities.²⁶⁵ [²⁶⁵ *Weekend Argus* 27 March 1993] A spokesman for the University of Natal (Durban), Mr Dirk Kemp, said that the historically black universities were more susceptible to student pressure, which led to their admitting students who could not afford to pay fees.²⁶⁶ [²⁶⁶ *The Star* 19 March 1993, *Sunday Tribune* 14 March 1993, *Sunday Times* 17 October 1993]

The Provision of Special Funds for Tertiary Education and Training Act was passed in July 1993. The

most important effect of the act was that it enabled nonprofit organisations which granted study loans to students at tertiary institutions in South Africa (including the ten homelands) to require the subsequent employers of such students to deduct a proportion of their salaries in repayment of study loans and to pay this amount to the organisations concerned. The act also enabled such organisations to obtain funds for the granting of student loans by issuing shares, accepting donations or taking out loans approved by the registrar of banks.²⁶⁷ [267 Provision of Special Funds for Tertiary Education and Training Act, *Government Gazette*, no 14987, 20 July 1993]

Boycotts, Disruptions and Protests

In February and March 1993 the Mamelodi (Pretoria) campus of **Vista University** closed for three weeks and a court interdict was obtained ordering 12 members of the students' representative council (SRC) not to jeopardise the registration of students. The problems were alleged to have begun because of a demand by SRC members to be appointed as university officials and to be paid for their work on the SRC. This demand had been rejected by the university administration. The SRC had subsequently occupied administration offices and prevented students from registering.²⁶⁸ [268 *Sunday Times* 24 January 1993] Later in March, students protested against the exclusion of students who had not paid their fees for the previous year. The protesters reportedly stoned vehicles and caused extensive damage to property, following which the campus was closed.²⁶⁹ [269 *The Citizen* 2 March 1993, *The Star* 3 March 1993]

Also in March 1993 students at the Soweto campus of Vista University boycotted lectures for more than a week in protest against the exclusion of students who had not paid their fees during the previous year. It was later agreed by the university administration that a maximum of 50 such students would be allowed to return to the university.²⁷⁰ [270 *The Citizen* 2, 10 March 1993]

In May 1993, R1,5m of damage was done to a technical services building on the Soweto campus of Vista University and cars were set alight following a student meeting to discuss police action on the campus. Police had stormed an office earlier in the mistaken belief that staff members were being held hostage. The rector of the university, Professor S W B Engelbrecht, said that the damage had been caused by 'only a handful' of students.²⁷¹ [271 *Ibid* 12 May 1993]

Academic activities were suspended at the Vista campus in Mamelodi in September 1993 following protests by students who littered the campus, disrupted lectures, and damaged private vehicles, university property and offices. The protests followed a student decision to boycott lectures because the university administration had not addressed a list of grievances submitted to it three days earlier. The administration said, however, that the protests had begun before the grievances could be considered.²⁷² [272 *Ibid* 2 September 1993]

Lectures at the **University of Fort Hare** were suspended in March 1993 after the student body decided to embark on class boycotts in protest against measures taken by the university to fight crime.²⁷³ [273

Sowetan 26 March 1993] The rector and vice chancellor of the university, Professor Sibusiso Bhengu, said that the administration had received reports of violent assault, attempted rape and other forms of sexual harassment, theft, and the possession of dangerous weapons on campus. In addition, on the day when a new kitchen had been opened, about ten students (who were later joined by a larger group) had attacked the kitchen staff, stolen food to the value of R250 000 and caused damage amounting to R20 000 to the building, he said. When the university had decided to suspend the students involved in these activities, the remaining students had boycotted lectures in solidarity with those issued with suspension orders. Professor Bhengu said that he was determined that the university would not become a 'sanctuary for criminals' and lectures were suspended until 21 April. When students returned to the university in April, those who were not registered were refused entry to the campus. Those who returned were also asked to sign an undertaking to uphold university discipline while studying at the university.²⁷⁴ [²⁷⁴ *Daily Dispatch* 2, 22 April 1993]

In November 1993 there was a hand-grenade attack at the University in which five members of the Pan-Africanist Students' Organisation (Paso) were injured. The attack followed conflict between African National Congress (ANC) and Paso supporters over the use of a hall in a nearby village. Police subsequently raided the university in search of weapons. Professor Bhengu criticised the police action, saying that it violated an agreement that they would not enter the campus without first advising the university's administration of their intention to do so (see also chapter on *Political Developments*).²⁷⁵ [²⁷⁵ *Sowetan* 3 November 1993]

In March 1993 students at the **University of the North** boycotted classes for two weeks over a wide range of grievances, including the changing of certain curricula in the middle of the year, the reimplementing by the university administration of exclusion rules that had been ignored for several years and allegations that five faculties had leaked examination papers in November 1992.²⁷⁶ [²⁷⁶ *The Star* 15 March 1993]

In May 1993 the **University of Bophuthatswana** (Unibo) was closed indefinitely after students boycotted classes in support of demands that the university be renamed the University of the Northern Cape, that the university council resign as it was 'not representative' of the university community, that examinations be rescheduled, and that students be allowed freedom of movement and speech on campus. A final-year law student at Unibo, Mr Petrus Seeco, said that the university's council was dominated by appointees of the Bophuthatswana administration. He added that students demanded recognition of the university's autonomy and academic freedom.²⁷⁷ [²⁷⁷ *Ibid* 10 June 1993]

It was reported in June 1993 that almost all of the ten tertiary institutions in Bophuthatswana had been plagued by protests and boycotts as students demanded that the homeland administration stop interfering in academic matters.²⁷⁸ [²⁷⁸ *Ibid*] According to the South African Students' Congress (Sasco), these institutions faced common problems, including a dearth of free political activity, police occupation of campuses and harassment of student leaders. Bophuthatswana's minister of foreign affairs and information, Mr Tom Setiloane, said that the ANC was 'bribing' students to instigate revolt in the

homeland and that the ANC had started 'openly to disrupt campuses and even high schools'.²⁷⁹ [²⁷⁹ Ibid]

In June 1993 the University of Bophuthatswana Consolidation Act of 1988 was amended to give the Bophuthatswana minister of education the power to direct the university council to change the conditions of service of employees of the university and to make these changes by decree if the council failed to comply with them (thus allowing the administration to dismiss employees of the university). It also empowered the university council to close the university for any of a wide variety of reasons. The amendment was condemned by the University of the Witwatersrand and the University of Natal as a curtailment of academic freedom.²⁸⁰ [²⁸⁰ *Sowetan* 11 June 1993, *The Star* 1 June 1993] The Committee of University Principals said that it saw the promulgation of such legislation by the Bophuthatswana administration as a serious threat to the entire university system.²⁸¹ [²⁸¹ Committee of University Principals (CUP), *CUP Newsletter*, September 1993] The Bophuthatswana administration said that the legislation aimed to enable the minister of education to restore order if the council failed to do so.²⁸² [²⁸² *The Star* 10 June 1993]

In July 1993 the undergraduate students of Unibo were given an ultimatum to return to university and agree to certain conditions (which included a ban on activities which directly or indirectly interfered with the academic programme) or be forbidden to return to the university. The conditions which the students were asked to agree to granted the university council the right to expel any student found guilty of not complying with these conditions.²⁸³ [²⁸³ *The Citizen* 8 July 1993]

Later in the same month the Bophuthatswana administration overruled a decision by the university administration to reopen Unibo, fired the vice chancellor and three other administrators, and deployed troops on the campus. A spokesman for the homeland administration, Mr Alwyn Viljoen, said that the reason the Bophuthatswana minister of education had intervened was that the council had failed dismally to run the university satisfactorily. The secretary of the university's staff association, Mr Thomas Ngoloyi, said that Unibo was the 'only university which was run by the government instead of the council'.²⁸⁴ [²⁸⁴ *The Weekly Mail* 23 July 1993] Unibo reopened at the end of August.²⁸⁵ [²⁸⁵ *Sowetan* 23 August 1993]

In May 1993 the administration of the **University of the Witwatersrand** (Wits) obtained a court interdict against Sasco. In terms of the interdict, Sasco office bearers and members were prohibited from injuring staff members and students, occupying university premises, and disrupting academic and administrative activities. The registrar of the university, Mr Kenneth Standenmacher, said that the Wits administration believed that action planned by Sasco against the composition of the university council, among other things (see below), would include such activities and that there was a danger that incidents of racial violence would occur. Mr Standenmacher said that there had already been such confrontations between Sasco members and university officers during the previous month when students had protested against the detention of two students in connection with the bombing of Conservative Party offices in Krugersdorp (west Rand). He added that Sasco had issued a pamphlet calling on members to arm themselves and take action on university premises.²⁸⁶ [²⁸⁶ *Business Day* 26 May 1993] Sasco responded to the

interdict by saying that the university had ‘declared war’ on its students.²⁸⁷ [²⁸⁷ Ibid 27 May 1993]

In August 1993 the Wits SRC withdrew from participation in the university council. The chairwoman of the SRC, Ms Linda Vilakazi-Tselane, said that the SRC was withdrawing from the council because the council was not appropriately constituted ‘to lead the university into a nonracial, democratic future’. She said that the university continued to serve primarily the interests of the white community and added that the council had ‘remained silent’ while the number of black students in the commerce faculty was as low as 9,4%; in dentistry, 10%; and in architecture, 12%. Ms Vilakazi-Tselane said that the council had ‘ignored’ the fact that black students were financially excluded from studying at the university. Sasco members called for the disbandment of the council, the establishment of a transformation forum to replace it, the withdrawal of the court interdict, the appointment of more black staff and the admission of more black students to the university.²⁸⁸ [²⁸⁸ *The Star* 12 August 1993]

The national president of Sasco, Mr Robinson Ramaite, said that the main objective of the Sasco campaign was to transform Wits into an institution which reflected the values and aspirations of the community it was supposed to serve. He said that such a transformation entailed the ‘democratisation of the structures of control and a process of shared and consultative decision making’ on issues such as the admission and exclusion of students and curriculum content.²⁸⁹ [²⁸⁹ *Sowetan* 16 September 1993]

During subsequent student protests over the above issues at Wits in August and September 1993, in which about 500 students were involved, classes were disrupted, extensive damage was caused when water hoses were turned on, a petrol bomb and a fire bomb damaged lecture theatres, cables to the computer centre were cut and a campaign of littering was conducted. Damage to the campus was estimated at R100 000. Police were called onto the campus and arrested 121 people. Ms Vilakazi-Tselane said that the SRC was disappointed with the students’ destructive actions. The Wits administration said that it was ‘dismayed’ at the students’ violation of the court interdict.²⁹⁰ [²⁹⁰ *Business Day* 20 August 1993, 1 September 1993; *The Star* 20, 24 August 1993; *The Citizen* 1 September 1993; *Weekly Mail and Guardian* 3 September 1993]

The acting vice chancellor of the university, Professor June Sinclair, said that the nature of student protest had changed. She said that in the previous three decades students and the administration had been united in fighting apartheid, but that now the university was under threat from within. She said, ‘We have never had to call the police on to campus before. Certainly in the apartheid era we stood firm in keeping police off the campus.’²⁹¹ [²⁹¹ *Saturday Star* 28 August 1993] Mr Ramaite said that calling police onto campus was ‘unsanctionable’ and added that it was not a ‘new phenomenon in South Africa that state agents, provocateurs and criminal elements hijacked legitimate protest in order to divert attention from the real issues’.²⁹² [²⁹² *Sowetan* 16 September 1993]

The protest ended in September 1993 after the ANC intervened in support of the students. The chairman of the Pretoria/Witwatersrand/ Vereeniging region of the ANC, Mr Tokyo Sexwale, said that while the ANC supported the students’ demands, it dissociated itself from all acts of violence, the destruction of

property and the harassment of, or assaults on, individuals.²⁹³ [²⁹³ *The Star* 1 September 1993] Agreement was reached between the Wits administration and Sasco that the latter would suspend its campaign and that the university would not call on police to enforce the court interdict as long as ‘peace and order prevailed on campus’.²⁹⁴ [²⁹⁴ *Sowetan* 3 September 1993]

In May 1993 students at the **University of Zululand** conducted demonstrations and boycotts for three weeks in protest against the appointment of Professor Charles Dlamini as the new rector of the university. The students said that his appointment was undemocratic because it had ignored the selections of an advisory committee comprising students, former students and staff. The SRC subsequently requested that examinations be postponed to enable students to catch up on time lost during the boycotts. The senate turned down the request and students destroyed university property. It was reported that most of the students at the university boycotted subsequent examinations. The university later scheduled supplementary examinations for those who did not write the end-of-year examinations.²⁹⁵ [²⁹⁵ *The Natal Mercury* 2,4,7 June 1993; *Daily Dispatch* 29 June 1993] In September student unrest closed the university down for a week.²⁹⁶ [²⁹⁶ *Daily Dispatch* 21 September 1993]

Also in September 1993, the national vice president of Sasco, Mr Nale Mashapa, said that Sasco was to embark on a national campaign for the transformation of universities. He said that Sasco’s national demands included the dissolution of university councils and their replacement with credible transformation forums, a quota system for admissions to ensure that universities were representative of South African society and an end to the exclusion of students on financial grounds. Demonstrations supporting these demands were held at the University of Cape Town (UCT) in September.²⁹⁷ [²⁹⁷ *The Star* 3 September 1993]

Commenting on the call by Sasco for universities to be more representative of ‘communities’, the professor of southern African studies at UCT, Professor David Welsh, said that one of the inherent dangers of community control was that universities would lose their autonomy, as the Afrikaans universities had done during the apartheid era. He maintained that the autonomy of the university was essential if it was to fulfil effectively its function of teaching and research and added that unless universities enjoyed some insulation from community and political pressures they would ‘degenerate into backwaters in which mediocrity reigned supreme’.²⁹⁸ [²⁹⁸ *Ibid* 6 September 1993]

In November 1993 the campus of the **Promat College of Education** in Pretoria was closed after student protests against the imminent closure of the college owing to lack of finance. The protests led to arson, damage to property and threats to college staff. The executive director of Promat, Mr Larry Robertson, said that damage amounting to R200 000 had been caused. He said that it had become impossible to obtain funding to keep the college open and that the closure of the college affected only 284 out of 1800 students involved in programmes offered by Promat.²⁹⁹ [²⁹⁹ *The Citizen*, *The Star* 11 November 1993]

Some technikons also faced disruptions during the period under review. In May 1993 there was violent conflict between African and white students at the **Technikon Witwatersrand** in which two students

were injured. The rector of the technikon, Mr Chris Swanepoel, decided to suspend certain of the white students involved in the conflict.³⁰⁰ [³⁰⁰ *The Citizen*, *The Star* 18 May 1993] In April and June students boycotted classes for two weeks at the **M L Sultan Technikon** in Durban and the technikon was closed for a further week as students protested against the composition of the council. The protesters said that the council had not been appointed democratically. During the student protests four of the technikon's management staff, including the rector, Professor Ramanlal Soni, the vice rectors, Mr Hussain Avram and Professor Anthony Arkin, and the registrar, Mr Johnson Naidoo, were held hostage for ten hours and prevented from attending a graduation ceremony. The conflict ended and the technikon was reopened when the council agreed that it should be reconstituted and Professor Soni resigned.³⁰¹ [³⁰¹ *The Natal Witness* 3 June 1993; *The Natal Mercury* 4 June 1993; *The Citizen*, *The Leader* 11 June 1993]

In August 1993 conflict arose between white and black students at the **Vaal Triangle Technikon** (southern Transvaal) over representation on the SRC. Three students were injured in the violence. Black students alleged that they were underrepresented on the SRC and called for the establishment of their own SRC which would have equal status with the existing SRC. Agreement was subsequently reached on an SRC with six of the 16 positions reserved for representatives of black students.³⁰² [³⁰² *Sowetan* 18 August 1993, *The Citizen* 19 August 1993]

Technikons

The dean of engineering at Technikon Witwatersrand, Dr Harry Blacher, said in May 1993 that the education given to engineers at technikons had yet to win full recognition from the organisations which controlled the engineering professions. He said that the courses had, therefore, been redesigned in an effort to overcome the reservations of such organisations. A four-year degree course was to be offered comprising one year of practical training and three years of theoretical education. Dr Blacher said, however, that while there had been a positive response from professional bodies to the changed curriculum it had not been as positive as the technikon would have liked.³⁰³ [³⁰³ *The Star* 10 May 1993]

The rector of Technikon Pretoria, Dr Denis van Rensburg, announced in June 1993 that the first four-year degree courses to be offered at the technikon would start in 1994. He said that the technikon would continue to offer certificate, higher certificate and national diploma courses and that degree courses would be offered in addition to these. Dr van Rensburg said that a master's degree would be offered by the technikon at a later stage and that a doctorate in technology would be possible eventually.³⁰⁴ [³⁰⁴ *Sowetan* 30 June 1993]

In 1993 Technikon RSA changed its name to Technikon Southern Africa and embarked on a plan to increase the number of students it reached through distance education, from 65 000 to 400 000 in seven years. The rector of the technikon, Professor Attie Buitendacht, said that the education crisis could be solved only by accommodating all who wanted to continue their education. To this end the technikon had devised a bridging programme providing an alternative route to a matric for those who had not

finished school but who wanted to enter tertiary education. Professor Buitendacht said that the technikon would also offer courses in peace marshalling and election management. He said, however, that since government funding of the technikon had dropped from 80% to 27% of total costs, funds for such programmes would have to come from other sources.³⁰⁵ [³⁰⁵ *Business Day* 23 August 1993, *Weekly Mail* and *Guardian* 10 September 1993]

The following table gives a breakdown of the number of diplomas and certificates awarded by technikons in South Africa (including the ten homelands) in 1991.³⁰⁶ [³⁰⁶ *Information supplied by the DNE, November 1993*]

Diplomas and certificates awarded by technikons: 1991

African

Coloured

Indian

White

Total^a

Agriculture

6

11

1

350

368

Architecture

44

48

27

409

527

Arts (performing/visual)

4

12

31

509

556

Commerce

100

194

170

2 563

3 028

Communications

12

19

27

185

243

Computer science

54

36

63

400

552

Education

35

102

32

101

271

Engineering

245

120

190

2 419

2 973

Health sciences

278

138

76

812

1 305

Home economics

29

13

35

426

505

Industrial art

18

1

20

197

236

Languages

7

0

0

0

7

Law

0

2

1

4

7

Library and museum science

8

1

15

27

51

Natural sciences

54

47

56

293

451

Mathematics

4

3

8

11

26

Public administration

97

61

61

669

889

Social sciences

53

58

27

144

282

Total^a

1 049

867

843

9 519

12 278

a

A formula is used by the Department of National Education to calculate the number of people who obtained a certificate or diploma according to major subject. Figures may, therefore, not add up

Enrolment

The National Manpower Commission said that between 1987 and 1992 the number of students enrolled at technikons increased from 53 624 to 113970 (ie by 113%). The following table gives a breakdown of enrolment in each of these years:³⁰⁷ [³⁰⁷ *NMC, annual report 1992*]

Technikon enrolment: 1987–1992^a

Number
Increase
1987
53 624
N/A
1988
60 232
12,3%
1989
68 318

13,4%

1990

83 424

22,1%

1991

104 652

25,4%

1992

113 870

8,8%

a

Excluding the 'independent' homelands

N/A – Not available

In 1993 the following number of students were registered at technikons in South Africa (including all ten homelands):³⁰⁸ [*308 Information supplied by the various technikons, 1993*]

Technikon enrolment: 1993

African

Coloured

Indian

White

Total

Border^a

858

4

2

133

997

Cape

366

1 420

118

8 124

10 028

Mangosuthu

N/A

N/A

N/A

N/A

2 800

M L Sultan

2 066

214

4 946

592

7 818

Natal

1 508

277

719

5 365

7 869

Northern Tvl^b

N/A

N/A

N/A

N/A

N/A

OFS^c

625

234

4

4 825

5 688

Peninsula

N/A

N/A

N/A

N/A

N/A

Port Elizabeth

1 755

821

92

4 770

7 438

Pretoria

2 688

N/A

N/A

N/A

16 552

South Africa

N/A

N/A

N/A

N/A

65 000

Setlogelo

N/A

N/A

N/A

N/A

1 113

Transkei

N/A

N/A

N/A

N/A

N/A

Vaal Triangle

1 580

57

91

5 254

6 972

Wits

2 805

338

507

7 808

11 456

a

Previously the Ciskei Technikon

b

Transvaal

c

Orange Free State

N/A – Not available

In 1993, of students enrolled at the eight technikons for which a racial breakdown was available, 20% were African, 6% were coloured people, 11% were Indian and 63% were white.

A comparison of enrolment figures at technikons for which comparable figures were available in 1989 and 1993 showed that while overall enrolment increased substantially over this period, the greatest proportional increases occurred in black enrolment. The following table gives a breakdown by technikon of this information:³⁰⁹ [³⁰⁹ *1989/90 Survey* pp861–862; Information supplied by various technikons, 1993]

Technikon enrolment: 1989 and 1993

1989

1993

IncCape

African

102

366

258%

Coloured

670

1 420

112%

Indian

57

118

107%

White

7 913

8 124

3%

M L Sultan

African

927

2 066

123%

Coloured

252

214

(15%)

Indian

5 185

4 846

(7%)

White

306

592

93%

Natal

African

298

1 508

406%

Coloured

113

277

145%

Indian

287

719

151%

White

5 525

5 365

(3%)

Orange Free State

African

52

625

1 102%

Coloured

27

234

767%

Indian

0

4

—

White

2 939

4 825

64%

Port Elizabeth

African

274

1 755

541%

Coloured

402

821

104%

Indian

99

92

(7%)

White

3 313

4 770

44%

Vaal Triangle

African

338

1 580

367%

Coloured

30

47

57%

Indian

117

91

(22%)

White

5 328

5 254

(1%)

Witwatersrand

African

675

2 805

316%

Coloured

153

338

1

Universities

The Rand Afrikaans University (RAU) announced in November 1993 that it was considering introducing English as an alternative medium of instruction at the university, in order to ensure the institution's survival. The vice chancellor of the university, Dr Cas Crouse, said that the university council would make its final decision on the language issue by March 1994 and that the decision would be implemented only from 1995. He said that finances posed a serious threat to RAU's survival as state subsidies continued to drop and that an increase in the capacity of the university from 10 000 to 15000 students would assist in providing necessary finances. Dr Crouse said that a study had shown that an enrolment of 15 000 students was attainable if the university could attract non-Afrikaans students by duplicating lectures in English.³¹⁰ [³¹⁰ *Business Day* 1 November 1993]

The following table gives a breakdown of the certificates, degrees and diplomas awarded by universities in South Africa (including the ten homelands) in 1991:³¹¹ [³¹¹ Information supplied by the DNE, November 1993]

Cer

African

Coloured

Indian

White

Total^a

Agriculture

63

1

1

619

684

Architecture

12

9

15

652

688

Arts (performing/visual)

48

33

36

604

721

Arts

1 540

389

92

1 438

3 460

Commerce

369

224

350

6 435

7 378

Communication

60

2

6

362

430

Computer science

19

23

54

744

839

Education

7 181

1 257

512

3 184

12 236

Engineering

42

19

85

1 647

1 792

Health sciences

935

199

323

2 543

4 000

Home economics

8

14

0

161

183

Law

527

133

262

2 538

3 460

Library and museum science

97

35

23

282

436

Mathematics

97

47

60

598

802

Natural science

273

130

171

1 965

2 539

Public administration

508

114

72

741

1 436

Social science

1 970

695

607

5 979

9 251

Total^a

13 749

3 323

2 668

30 494

50 234

a

A formula was used by the Department of National Education to calculate the number of people who obtained a certificate, degree or diploma according to major subject. Figures may, therefore, not add up owing to rounding.

Enrolment

The table below shows student enrolment at universities in South Africa (including all ten homelands) in 1993.³¹² [³¹² Information supplied by various universities, 1993]

The *Education Renewal Strategy* estimated that between 1986 and 1991 student numbers at universities grew by 5% a year.³¹³ [³¹³ DNE, *ERS*, November 1992]

In 1993, 32% of those enrolled at the 14 universities for which a racial breakdown of students was available were African. Six percent were coloured people, 9% were Indian and 54% were white.

(Figures do not add up owing to rounding.)

Although the proportion of black people at universities remained lower than the proportion of whites, comparison of student enrolment in 1989 and in 1993 showed that black enrolment at universities increased substantially faster than white enrolment.³¹⁴ [³¹⁴ 1989/90 *Survey* p872; Information supplied by various universities, 1993]

University enrolment: 1993

African

Coloured

Indian

White

Total

Bophuthatswana

N/A

N/A

N/A

N/A

N/A

Cape Town

2 510

1 874

686

9 589

14 660

Durban-Westville

4 336

169

5 401

384

10 290

Fort Hare

N/A

N/A

N/A

N/A

N/A

Medunsa^a

2 448

26

326

228

3 028

Natal

3 500

329

3 492

7 713

15 034

The North

N/A

N/A

N/A

N/A

13 000

Orange Free State

429

386

12

8 222

9 049

Port Elizabeth

538

637

119

4 022

5 316

Potchefstroom

1 091

210

23

8 536

9 788

Pretoria

1 023

176

94

21 916

23 209

Rand Afrikaans

N/A

N/A

N/A

N/A

10 176

Rhodes

811

136

320

2 943

4 210

Stellenbosch

151

1 021

43

13 172

14 387

Transkei

N/A

N/A

N/A

N/A

6 715

Unisa^b

54 072

4 350

10 326

53 838

122 586

Venda

N/A

N/A

N/A

N/A

4 657

Vista

N/A

N/A

N/A

N/A

32 795

Western Cape

4 995

6 848

648

194

12 685

Witwatersrand

3 799

371

2 143

13 548

19 853

Zululand

5 514

6

49

113

5 682

a

Medical University of Southern Africa

b

University of South Africa

N/A – Not available

The following table shows the changes in the enrolment of blacks and whites at universit

University enrolment: 1989 and 1993

1989

1993

IncCape Town

African

1 110

2 510

126%

Coloured

1 842

1 874

2%

Indian

429

686

60%

White

10 303

9 580

(7%)

Durban-Westville

African

2 379

4 336

82%

Coloured

166

169

2%

Indian

4 502

5 401

20%

White

355

384

8%

Medunsa

African

1 474

2 448

66%

Coloured

17

26

53%

Indian

105

326

210%

White

212

228

8%

Natal

African

1 714

3 500

104%

Coloured

288

329

14%

Indian

2 257

3 492

55%

White

8 720

7 713

(12%)

Orange Free State

African

101

429

325%

Coloured

185

386

109%

Indian

0

12

—

White

8 841

8 222

(7%)

Port Elizabeth

African

79

538

581%

Coloured

388

637

64%

Indian

30

119

297%

White

4 168

4 022

(4%)

Potchefstroom

African

256

1 019

298%

Coloured

99

210

112%

Indian

15

23

53%

White

8 436

8 536

1%

Pretoria

African

199

1 023

414%

Coloured

87

176

102%

Indian

28

94

236%

White

23 054

21 916

(5%)

Rhodes

African

461

811

76%

Coloured

159

136

(14%)

Indian

170

320

88%

White

2 990

2 943

(2%)

Stellenbosch

African

46

151

228%

Coloured

592

1 021

72%

Indian

18

43

139%

White

13 361

13 172

(1%)

Unisa

African

39 935

54 072

35%

Coloured

5 019

4 350

(13%)

Indian

9 618

10 326

7%

White

53 525

53 838

1%

Western Cape

African

2 239

4 995

123%

Coloured

9 106

6 848

25%

Indian

433

648

50%

White

156

194

24%

Witwatersrand

African

2 313

3 799

64%

Coloured

299

371

24%

Indian

1 485

2 143

44%

White

14 461

13 548

(6%)

Zululand

African

5 508

5 514

0%

Colo

Key Projections

- The *Education Renewal Strategy* said that for all educational institutions to achieve parity in spending with white educational institutions by 2003, education expenditure would have to exceed 6% of gross domestic product (GDP) from 1994 and would amount to R64,78bn in 2003. (Based on an estimated economic growth rate of 3% a year, this amount would represent more than 12% of GDP in 2003.)
- A senior policy analyst in the education policy and system planning unit of the Urban Foundation, Dr Jane Hofmeyr, said that by the eighth year of a policy of universal primary education being in operation 28 000 new teachers would have to graduate each year to cope with the increasing need for teachers. This is double the number that graduated in 1992.

Appendix A

Chapter 3 of the transitional constitution, which provides for an enforceable bill of fundamental human rights in the transitional period, has been reproduced below.

Chapter 3

Fundamental Rights

Application

7.

1. This Chapter shall bind all legislative and executive organs of slate at all levels of government.

2. This Chapter shall apply to all law in force and all administrative decisions taken and acts performed during the period of operation of this Constitution.

3. Juristic persons shall be entitled to the rights contained in this Chapter where, and to the extent that, the nature of the rights permits.

4.

a. When an infringement of or threat to any right entrenched in this Chapter is alleged, any person referred to in paragraph (b) shall be entitled to apply to a competent court of law for appropriate relief, which may include a declaration of rights.

b. The relief referred to in paragraph (a) may be sought by—

i. a person acting in his or her own interest;

ii. an association acting in the interest of its members;

iii. a person acting on behalf of another person who is not in a position to seek such relief in his or her own name;

iv. a person acting as a member of or in the interest of a group or class of persons; or

v. a person acting in the public interest.

Equality

8.

1. Every person shall have the right to equality before the law and to equal protection by the law.

2. No person shall be unfairly discriminated against, directly or indirectly, and, without derogating from the generality of this provision, on one or more of the following grounds in particular: race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language.

3.

a. This section shall not preclude measures designed to achieve the adequate protection and advancement of persons or groups or categories of persons disadvantaged by unfair discrimination, in

order to enable their full and equal enjoyment of all rights and freedoms.

b. Every person or community dispossessed of rights in land before the commencement of this Constitution under any law which would have been inconsistent with subsection (2) had that subsection been in operation at the time of the dispossession, shall be entitled to claim restitution of such rights subject to and in accordance with sections 121, 122 and 123.

4. Prima facie proof of discrimination on any of the grounds specified in subsection (2) shall be presumed to be sufficient proof of unfair discrimination as contemplated in that subsection, until the contrary is established.

Life

9. Every person shall have the right to life.

Human dignity

10. Every person shall have the right to respect for and protection of his or her dignity.

Freedom and security of the person

11.

1. Every person shall have the right to freedom and security of the person, which shall include the right not to be detained without trial.

2. No person shall be subject to torture of any kind, whether physical, mental or emotional, nor shall any person be subject to cruel, inhuman or degrading treatment or punishment.

Servitude and forced labour

12. No person shall be subject to servitude or forced labour.

Privacy

13. Every person shall have the right to his or her personal privacy, which shall include the right not to be subject to searches of his or her person, home or property, the seizure of private possessions or the

violation of private communications.

Religion, belief and opinion

14.

1. Every person shall have the right to freedom of conscience, religion, thought, belief and opinion, which shall include academic freedom in institutions of higher learning.
2. Without derogating from the generality of subsection (1), religious observances may be conducted at state or state-aided institutions under rules established by an appropriate authority for that purpose, provided that such religious observances are conducted on an equitable basis and attendance at them is free and voluntary.
3. Nothing in this Chapter shall preclude legislation recognising—1993/94 Survey
 - a. a system of personal and family law adhered to by persons professing a particular religion; and
 - b. the validity of marriages concluded under a system of religious law subject to specified procedures.

Freedom of expression

15.

1. Every person shall have the right to freedom of speech and expression, which shall include freedom of the press and other media, and the freedom of artistic creativity and scientific research.
2. All media financed by or under the control of the state shall be regulated in a manner which ensures impartiality and the expression of a diversity of opinion.

Assembly, demonstration and petition

16. Every person shall have the right to assemble and demonstrate with others peacefully and unarmed, and to present petitions.

Freedom of association

17. Every person shall have the right to freedom of association.

Freedom of movement

18. Every person shall have the right to freedom of movement anywhere within the national territory.

Residence

19. Every person shall have the right freely to choose his or her place of residence anywhere in the national territory.

Citizens' rights

20. Every citizen shall have the right to enter, remain in and leave the Republic, and no citizen shall without justification be deprived of his or her citizenship.

Political rights

21.

1. Every citizen shall have the right—

- a. to form, to participate in the activities of and to recruit members for a political party;
- b. to campaign for a political party or cause; and
- c. freely to make political choices.

2. Every citizen shall have the right to vote, to do so in secret and to stand for election to public office.

Access to court

22. Every person shall have the right to have justiciable disputes settled by a court of law or, where appropriate, another independent and impartial forum.

Access to information

23. Every person shall have the right of access to all information held by the state or any of its organs at any level of government in so far as such information is required for the exercise or protection of any of his or her rights.

Administrative justice

24. Every person shall have the right to—

- a. lawful administrative action where any interests is affected or threatened;
- b. procedurally fair administrative action where any of his or her rights or legitimate expectations is affected or threatened;
- c. be furnished with reasons in writing for administrative action which affects any of his or her rights or interests unless the reasons for such action have been made public; and
- d. administrative action which is justifiable in relation to the reasons given for it where any of his or her rights is affected or threatened.

Detained, arrested and accused persons

25.

1. Every person who is detained, including every sentenced prisoner, shall have the right—

- a. to be informed promptly in a language which he or she understands of the reason for his or her detention;
- b. to be detained under conditions consonant with human dignity, which shall include at least the provision of adequate nutrition, reading material and medical treatment at state expense;
- c. to consult with a legal practitioner of his or her choice, to be informed of this right promptly and, where substantial injustice would otherwise result, to be provided with the services of a legal practitioner by the state;
- d. to be given the opportunity to communicate with, and to be visited by, his or her spouse or partner, next-of-kin, religious counsellor and a medical practitioner of his or her choice; and
- c. to challenge the lawfulness of his or her detention in person before a court of law and to be released if such detention is unlawful.

2. Every person arrested for the alleged commission of an offence shall, in addition to the rights which he or she has as a detained person, have the right—

- a. promptly to be informed, in a language which he or she understands, that he or she has the right to remain silent and to be warned of the consequences of making any statement;
- b. as soon as it is reasonably possible, but not later than 48 hours after the arrest or, if the said period of 48 hours expires outside ordinary court hours or on a day which is not a court day, the first court day after such expiry, to be brought before an ordinary court of law and to be charged or to be informed of the reason for his or her further detention, failing which he or she shall be entitled to be released;
- c. not to be compelled to make a confession or admission which could be used in evidence against him or her; and
- d. to be released from detention with or without bail, unless the interests of justice require otherwise.

3. Every accused person shall have the right to a fair trial, which shall include the right—

- a. to a public trial before an ordinary court of law within a reasonable time after having been charged;
- b. to be informed with sufficient particularity of the charge;
- c. to be presumed innocent and to remain silent during plea proceedings or trial and not to testify during trial;
- d. to adduce and challenge evidence, and not to be a compellable witness against himself or herself;
- e. to be represented by a legal practitioner of his or her choice or, where substantial injustice would otherwise result, to be provided with legal representation at state expense, and to be informed of these rights;
- f. not to be convicted of an offence in respect of any act or omission which was not an offence at the time it was committed, and not to be sentenced to a more severe punishment than that which was applicable when the offence was committed;
- g. not to be tried again for any offence which he or she has previously been convicted or acquitted;
- h. to have recourse by way of appeal or review to a higher court than the court of first instance;
- i. to be tried in a language which he or she understands or, failing this, to have the proceedings

interpreted to him or her; and

j. to be sentenced within a reasonable time after conviction.

Economic activity

26.

1. Every person shall have the right freely to engage in economic activity and to pursue a livelihood anywhere in the national territory.
2. Subsection (1) shall not preclude measures designed to promote the protection or the improvement of the quality of life, economic growth, human development, social justice, basic conditions of employment, fair labour practices or equal opportunity for all, provided such measures are justifiable in an open and democratic society based on freedom and equality.

Labour relations

27.

1. Every person shall have the right to fair labour practices.
2. Workers shall have the right to form and join trade unions, and employers shall have the right to form and join employers' organisations.
3. Workers and employers shall have the right to organise and bargain collectively.
4. Workers shall have the right to strike for the purpose of collective bargaining.
5. Employers' recourse to the lock-out for the purpose of collective bargaining shall not be impaired, subject to section 33(1).

Property

28.

1. Every person shall have the right to acquire and hold rights in property and, to the extent that the nature of the rights permits, to dispose of such rights.

2. No deprivation of any rights in property shall be permitted otherwise than in accordance with a law.
3. Where any rights in property are expropriated pursuant to a law referred to in subsection (2), such expropriation shall be permissible for public purposes only and shall be subject to the payment of agreed compensation or, failing agreement, to the payment of such compensation and within such period as may be determined by a court of law as just and equitable, taking into account all relevant factors, including, in the case of the determination of compensation, the use to which the property is being put, the history of its acquisition, its market value, the value of the investments in it by those affected and the interests of those affected.

Environment

29. Every person shall have the right to an environment which is not detrimental to his or her health or well-being.

Children

30.

1. Every child shall have the right—

- a. to a name and nationality as from birth;

- b. to parental care;

- c. to security, basic nutrition and basic health and social services:

- d. not to be subject to neglect or abuse; and

- e. not to be subject to exploitative labour practices nor to be required or permitted to perform work which is hazardous or harmful to his or her education, health or well-being.

2. Every child who is in detention shall, in addition to the rights which he or she has in terms of section 25, have the right to be detained under conditions and to be treated in a manner that takes account of his or her age.

3. For the purpose of this section a child shall mean a person under the age of 18 years and in all matters concerning such child his or her best interest shall be paramount.

Language and culture

31. Every person shall have the right to use the language and to participate in the cultural life of his or her choice.

Education

32. Every person shall have the right—

- a. to basic education and to equal access to educational institutions;
- b. to instruction in the language of his or her choice where this is reasonably practicable; and
- c. to establish, where practicable, educational institutions based on a common culture, language or religion, provided that there shall be no discrimination on the ground of race.

Limitation

33.

1. The rights entrenched in this Chapter may be limited by law of general application, provided that such limitation—

a. shall be permissible only to the extent that it is—

i. reasonable; and

ii. justifiable in an open and democratic society based on freedom and equality; and

b. shall not negate the essential content of the right in question, and provided further that any limitation to—

aa. a right entrenched in section 10, 11, 12, 14(1), 21, 25 or 30(1)(d) or (e) or (2); or

bb. a right entrenched in section 15, 16, 17, 18, 23 or 24, in so far as such right relates to free and fair political activity. shall, in addition to being reasonable as required in paragraph (a)(i), also be necessary.

2. Save as provided for in subsection (1) or any other provision of this Constitution, no law, whether a

rule of the common law, customary law or legislation, shall limit any right entrenched in this Chapter.

3. The entrenchment of the rights in terms of this Chapter shall not be construed as denying the existence of any other rights or freedoms recognised or conferred by common law, customary law or legislation to the extent that they are not inconsistent with this Chapter.

4. This Chapter shall not preclude measures designed to prohibit unfair discrimination by bodies and persons other than those bound in terms of section 7(1).

5.

a. The provisions of a law in force at the commencement of this Constitution promoting fair employment practices, orderly and equitable collective bargaining and the regulation of industrial action shall remain of full force and effect until repealed or amended by the legislature.

b. If a proposed enactment amending or repealing a law referred to in paragraph (a) deals with a matter in respect of which the National Manpower Commission, referred to in section 2A of the Labour Relations Act, 1956 (Act No. 28 of 1956), or any other similar body which may replace the Commission, is competent in terms of a law then in force to consider and make recommendations, such proposed enactment shall not be introduced in Parliament unless the said Commission or such other body has been given an opportunity to consider the proposed enactment and to make recommendations with regard thereto.

State of emergency and suspension

34.

1. A state of emergency shall be proclaimed prospectively under an Act of Parliament, and shall be declared only where the security of the Republic is threatened by war, invasion, general insurrection or disorder or at a time of national disaster, and if the declaration of a state of emergency is necessary to restore peace or order.

2. The declaration of a state of emergency and any action taken, including any regulation enacted, in consequence thereof, shall be of force for a period of not more than 21 days, unless it is extended for a period of not longer than three months, or consecutive periods of not longer than three months at a time, by resolution of the National Assembly adopted by a majority of at least two-thirds of all its members.

3. Any superior court shall be competent to enquire into the validity of a declaration of a state of emergency, any extension thereof, and any action taken, including any regulation enacted, under such declaration.

4. The rights entrenched in this Chapter may be suspended only in consequence of the declaration of a state of emergency, and only to the extent necessary to restore peace or order.

5. Neither any law which provides for the declaration of a state of emergency, nor any action taken, including any regulation enacted, in consequence thereof, shall permit or authorise—

a. the creation of retrospective crimes;

b. the indemnification of the state or of persons acting under its authority for unlawful actions during the state of emergency; or

c. the suspension of this section, and sections 7, 8(2), 9, 10, 11(2), 12, 14, 27(1) and (2), 30(1)(d) and (e) and (2) and 33(1) and (2).

6. Where a person is detained under a state of emergency the detention shall be subject to the following conditions:

a. An adult family member or friend of the detainee shall be notified of the detention as soon as is reasonably possible;

b. the names of all detainees and a reference to the measures in terms of which they are being detained shall be published in the Gazette within five days of their detention;

c. when rights entrenched in section 11 or 25 have been suspended—

i. the detention of a detainee shall, as soon as it is reasonably possible but not later than 10 days after his or her detention, be reviewed by a court of law, and the court shall order the release of the detainee if it is satisfied that the detention is not necessary to restore peace or order;

ii. a detainee shall at any stage after the expiry of a period of 10 days after a review in terms of subparagraph (i) be entitled to apply to a court of law for a further review of his or her detention, and the court shall order the release of the detainee if it is satisfied that the detention is no longer necessary to restore peace or order;

d. the detainee shall be entitled to appear before the court in person, to be represented by legal counsel, and to make representations against his or her continued detention;

e. the detainee shall be entitled at all reasonable times to have access to a legal representative of his or her choice:

f. the detainee shall be entitled at all times to have access to a medical practitioner of his or her choice;

and

g. the state shall for the purpose of a review referred to in paragraph (c)(i) or (ii) submit written reasons to justify the detention or further detention of the detainee to the court, and shall furnish the detainee with such reasons not later than two days before the review.

7. If a court of law, having found the grounds for a detainee's detention unjustified, orders his or her release, such a person shall not be detained again on the same grounds unless the state shows good cause to a court of law prior to such re-detention.

Interpretation

35.

1. In interpreting the provisions of this Chapter a court of law shall promote the values which underlie an open and democratic society based on freedom and equality and shall, where applicable, have regard to public international law applicable to the protection of the rights entrenched in this Chapter, and may have regard to comparable foreign case law.

2. No law which limits any of the rights entrenched in this Chapter, shall be constitutionally invalid solely by reason of the fact that the wording used prima facie exceeds the limits imposed in this Chapter, provided such a law is reasonably capable of a more restricted interpretation which does not exceed such limits, in which event such law shall be construed as having a meaning in accordance with the said more restricted interpretation.

3. In the interpretation of any law and the application and development of the common law and customary law, a court shall have due regard to the spirit, purport and objects of this Chapter.

Cooper C., et. al., Race Relations Survey 1993-1994, (Johannesburg: South African Institute of Race Relations) 1994.